

joint Circular N<sub>o</sub> 09/TT-LB dated 13 April 1995  
of the MOLISA and the MOH

**Stipulating harmful working conditions and list of occupations  
in which employment of young workers is prohibited**

Pursuant to Article 121 of the Labour Code dated 23/6 June 1994

In order to ensure full physical, intellectual development and personality and to ensure occupational safety of young workers, MOLISA and MOH stipulate harmful working conditions and a list of occupations in which employment of young workers is prohibited

**A. Subjects and Scope of Application**

The following undertakings, agencies and organisations shall not employ young workers in harmful working conditions and in the occupations stipulated in this Circular:

- State - owned undertakings
- Undertakings in other economical sectors, organisations and individual employers
- Undertakings with foreign invested capital, undertakings in export processing Zones and industrial Zones; foreign agencies, organisations or international organisations operating in Vietnam and hiring Vietnamese workers.
- Public businesses and services belong to, administrative bodies, political and social organisations, enterprises of the people's army and people's security forces.

**B. Harmful Working Conditions in which employment  
of young workers is prohibited.**

1. Heavy work (average energy consumption is over 5 Kcal/ minute and average heart beat is over 120 minute.)
2. Working in uncomfortable position or in place lacking oxygen
3. Having direct exposure to chemicals that may cause gene damage, adverse affect on cell metabolism, bad effects on reproductive functions (such as testicle insufficiency, ovary insufficiency) cancer as well as occupational diseases.
4. Working in contact with harmful elements that may cause infectious diseases;
5. Working in contact with radio-active substances (including radioactive machines)
6. Working in contact with electromagnetic field exceeding the permitted standards
7. Working in the workplace with vibration exceeding the permitted standards
8. Working in workplaces having the temperature over 45°C in the Summer and 40° C in the winter or workplaces being affected by high thermal radiation.
9. Working in workplaces with pressure higher or lower than the atmospheric pressure;
10. Working in mines;
11. Working in high and sheer workplaces;
12. Working in workplaces unsuitable for young worker's mental and psychology;
13. Working workplaces that may have bad effects on the development of young workers' personality.

### **C. List of occupations in which employment of young workers is prohibited**

1. A list of occupations prohibiting the employment of young workers (see Appendix) is promulgated as an attachment to this Circular.
2. These Ministries and branches shall report to the MOLISA and the MOH about working places holding harmful working conditions and occupations that are not listed in the attachment to this Circular for consideration, with the purpose of amendment and supplement to the list

### **D. Implementation**

1. The Departments of Labour, Invalids and Social Affairs and Departments of Health of provinces and cities under the central government in collaboration with Trade Unions shall enhance the supervision activities on the implementation of this Circular in undertakings within their localities.
2. Occupational Safety inspectors and Occupational Health Inspectors shall enhance their inspection of undertakings employing young workers to discover violations of the regulations and to take measures against these violations according to the law.
3. Based on the list of harmful working conditions and occupations stipulated in this Circular undertakings, organisations, individual employers shall promptly take the following measures:
  - a) Review all the occupations are currently done by young workers in their workplaces. Based on the result of this review, the employer shall rearrange the employment of young workers that is suitable with their health. Within 2 months from the date when this Circular takes effect, all young workers should be released from harmful working conditions and occupations stipulated in this Circular.
  - b) Keep a separate record of young workers with full their full names, dates of birth, work assigned; and arrange health examination before recruitment and periodical health checks.This Circular shall be effective from the date of its signature.

**For the Minister of MOH  
Vice Minister**

**Le Ngoc Trong  
(Signed)**

**For the Minister of MOLISA  
Vice Minister**

**Le Duy Dong  
(Signed)**

Appendix List of occupations prohibiting the employment  
of young workers

*(Attachment to Join Circular No 09 dated 13 April 1995 by Ministry  
of Labour, Invalids and Social Affairs and Ministry of Health)*

1. Direct boiling, pouring and transporting hot melted metal, disassembling moulds and cleaning moulded products

- Arch electric kiln (irrespective of capacity)
- Horizontal steel refining kiln
- Car tunnel steel kiln
- Blast furnace
- Rotary kiln (for pig-iron)
- 2. Rolling hot metal
- 3. Refining non-ferrous metal ore (bronze, lead, tin, mercury, zinc, silver)
- 4. Firing kiln for refining coke
- 5. Firing steam engines
- 6. Welding in air-tight tank, welding over 5 meters above the ground
- 7. Digging wells in mines
- 8. Digging mines and doing other work in mines or working in deep holes over 5 meters deep
- 9. Hewing rock on mountains
- 10. Installing oil rigs
- 11. Working on off-shore oil-rigs (except for health and social services)
- 12. Drilling for oil and gas wells
- 13. Drilling to explore, drilling holes for mines, lighting mines
- 14. Using portable steam machines having a pressure of 4 atmospheres and over (drilling, hammering machines).
- 15. Driving motor vehicles
- 16. Operating bridge cranes, cantilever cranes, portal cranes and electric hoists (except hand chain hoists)
- 17. Hooking or attaching loads to bridge cranes, cantilever cranes, portal cranes and electric hoists.
- 18. Operating lifts for passengers with goods; or goods lifts; lift trucks.
- 19. Driving heavy-duty trucks such as excavators, bulldozers...
- 20. Driving farm tractor
- 21. Operating mud dredgers
- 22. Operating boilers
- 23. Operating fiber-starching machines
- 24. Rolling hard and large leather pieces
- 25. Conducting river surveys
- 26. Underwater concreting
- 27. Diving
- 28. Working in submerged tanks
- 29. Working in planes
- 30. Repairing electric lines in underground sluices or on open-air power line poles, high-voltage power lines; installing high voltage power line poles
- 31. Installing, repairing underground or suspension communication cables
- 32. Uprooting trees having a diameter of over 40 cm
- 33. Felling big trees; cutting high branches

34. Transporting big trunks of wood; loading and unloading them by hand
35. Floating rafts on rivers with many waterfalls
36. Feeling, catching and lifting timber from under the water by hand, gathering and rolling timber overshore.
37. Sawing by hand
38. Working in scaffold, or working in saddle scaffold that is located higher 5 m, or other similar occupations
39. Assembling, disassembling and repairing scaffolds.
40. Exploiting sallagane nets, bat manure
41. Working on ocean-going ships
42. Guarding ships near sheer rocky shores
43. Working alone on railways; in tunnels in mountain; in underground constructions; in places reducing eyesight to under 400 meters; or in inaccessible places
44. Moving carriages in garages or on railways
45. Operating disk or annular sawing-machine
46. Feeding or operating rock-grinding machines
47. Operating planing machines
48. Operating or metal processing with compression, team pressure or electric forging, striking, pressing and cutting machines
49. Installing, repairing, cleaning all kinds of compression, team pressure or electric forging, striking, pressing and cutting machines
50. Working in ship-building involving handling loads over 20kg
51. Load handling limits;

<b>Age groups</b>	<b>On and off handling</b>	<b>Continuous handling</b>
From 15 years (180 months)	Female: 12 kg	8 kg
to under 16 years (192 months)	Male: 15 kg	10 kg
From 16 years (192 months)	Female : 25 kg	15 kg
to under 18 years (216 months)	Male: 30 kg	20 kg

52. Operating or being on duty in low, medium or high voltage power stations
53. Checking, repairing or fixing 700v direct or 220 alternating current circuits
54. Lighting oil burning machines consuming 400 litres per hour
55. Manufacturing, using, transporting dangerous substances such as explosive materials, inflammable substances, oxygen, gas, guns, ammunition and fire-crackers very likely to cause explosion and fire;
56. Operating acetylene, oxygen, hydrogen, chlorine and other liquefied gases processing and bottling systems;
57. Operating freezing systems (ice producing and congealing)

58. Working in workplaces where the amount of dust, rock or cement powder, coal dust, animal hair exceeds the permitted standards;
59. Repairing kilns, air-tight towers and pipes conducting chemicals;
60. Working in tobacco fermenting and cigarette drying kilns;
61. Burning glass melting kilns and blowing glass by mouth.
62. Rinsing paraffin in alcohol tanks
63. Working in contact with gasoline in cellars, such as receiving, delivering, maintaining, operating petrol pumps and petrol gauges
64. Sorting out lead minerals
65. Laminating, pulling and striking lead products or lead-plated products;
66. Vulcanising, forming and handling big sized rubber products in, such as big fuel tanks and containers, motor car tyres;
67. Working in contact with organic solvents such as embalming sleepers laying emulsion of photographic paper, printing patterns on thin materials, printing labels on thin and smooth paper. laminating phenol plastic, operating phenol glue multi-condenser pots;
68. Dredging underground sluices; working in dirty water.
69. Burning down and killing cattle;
70. Operating on dead body, preparing dead body for coffin, burying and exhuming graves;
71. Working in prisons or in mental hospitals;
72. Working in pubs, dance halls, or working in entertainment services;
73. Feeding wild beasts and poisonous animals;
74. Working in workplaces affected by radioaction, X-ray and other harmful rays.
75. Working in radio, TV radar and telecommunication stations;
76. Working in direct contact with chemicals causing gene damage such as
  - 5 Fluoro-uracil
  - Benzene
77. Working in direct contact with chemicals causing harm to reproductive functions such as:
  - Estrogen;
  - Axial cis ret'inoid;
  - Carbaryl;
  - Dibromuaclo propan (DBCP);
  - Toluen diamine and dinitrotoluen;
  - Polyclorin biphenyls (PCBs);
  - Polybromua biphenyls (PBBs).
78. Working in direct contact with likely-to-cause-cancer pesticides, herbicides containing the following chemical:
  - 1.4 butanediol. dimethyl sulphate;
  - 4 aminobiphenyl;
  - Asbestos (amosite. Crocidolite. Chrysotile
  - Arsenic. Calcium Arsenic

- Dioxins;
- Dichloromethyl-ether;
- Precipitate Chromate compounds;
- Coal-plastic and coal- gas;
- Cyclophosphamide;
- Diethylstilbestrol;
- 2 Naphthylamine;
- N. N - di (Chloroethyl).;
- 2. Naphthylamine;
- Thori dioxide;
- Theosulpha;
- Vinyl chloride. vinyl chloride;
- 4- amino. 10- methyl folic acid;
- Mercury, methyl mercury compounds, methyl mercury chloride;
- Nitrogen pentoxide;
- 2, 3, 7, 8 tetrachloro dibenzene furan;
- 2- alaphenyl- beta acetyletyl;
- Acety salicylic acid;
- Asparagine;
- Benomyl;
- Boric acid;
- Caffeine;
- Dimethyl sulphuric;
- Direct blue-1;
- Focmamide;
- Hydrocortisone. Hydrocortisone acetate;
- Iodine (metal);
- Lead, acetate lead, nitrate lead (contact with paint petrol ink containing lead producing battery. lead welding);
- Mercapto, purine;
- Kalium bromua, kalium iodua;
- Propyl- thio- uracil;
- Ribavirin;

- Natrium arsenat, natri Arsenic. natri iodua, natri salixylat;
- Tetrametyl thiuram disulphide;
- Triamcicolon acetamid;
- Triton WR-1339;
- Trypan blue;
- Valproic acid;
- Vincristine sulphate;
- Vinazol gas.

79. Working in contact with the following chemicals without adequate personal protective equipment to prevent toxic gases, fumes and dust:

- Carbonic oxide (CO): such as operating kilns discharging coal-gas or cinder.
- Dye chemicals with origin of aniline, cylesin, tolusine, auramin;
- Cyanide compounds
- Phosphorus and compounds:  $P_2O_5$ ,  $P_2S_5$ ,  $PCl_3$ ,  $H_3P$ .
- Trinitrotoluene (TNT);
- Manganese dioxide ( $MnO_2$ );
- Photgein ( $COCl_2$ );
- Disulphide carbon ( $CS_2$ );
- Nitrogen oxide and nitrogen acid;
- Chlo and chlohydric acid;
- Anhydrite sulphuric and sulphuric acid;
- Calcium Carbide ( $CaC_2$ ) such as in operating open Calcium Carbide kilns or disposing cinder.

80. Working in direct contact with pharmaceutical products and their components, which is likely to cause addiction, such as products containing morphine, ephedrine and seduxent;

81. Working daily in contact with anaesthetics in emergency Recovery Departments and Infection sections of health services, in centres for intravenous infusion, in establishments producing vaccines, in health stations using short waves and ultra-sounds in treatment or taking part in suppressing epidemics;

