

INTER-MINISTERIAL CIRCULAR

Guidelines for declaration, investigation, report, recording statistics and periodic report on occupational accidents

Pursuant to Decree 06/CP, dated 20th January, 1995 of the Government regulating in details several provisions of the Labour Code on occupational safety, hygiene and health; pursuant to Decree 110/2002/ND-CP, dated 27th December, 2002 of the Government on the amendment and supplementation of several articles of Decree 06/CP dated 20th January, 1995 of the Government; the Ministry of Labour, Invalids and Social Affairs, the Ministry of Health and the Vietnam General Confederation of Labour regulate the declaration, investigation, report, recording statistics and periodic report on occupational accidents as follows:

I. GENERAL PROVISION

II.

1. Who is covered

This Circular is applied to enterprises, organizations, institutions and individuals employing workers, including :

- 1.1 Enterprises which are established and operating under the State Enterprise Law ;
- 1.2 Enterprises which are established and are operating under the Enterprise Law;
- 1.3 Enterprises operating under the Law on Foreign Investment in Vietnam;
- 1.4 Enterprises of political organizations and socio-political organizations ;
- 1.5 Households, individual businesses, and co-operative business groups;
- 1.6 Co-operatives which are established and operating under the Co-operative Law ;
- 1.7 Administrative and non-productive organizations, political organizations, socio-political political organizations, socio-politic-trade organizations, other social entities, including organizations and units authorized to run businesses of production, trading and services under administrative, non-productive institutions, the Party, civic entities, and other financially self-reliant public organizations;
- 1.8 Semi-public, private institutions and individuals working in culture, health, education, training, science, gymnastics and sport, and other non-productive institutions;
- 2.9 Commune, ward and town medical stations;
- 2.10 International agencies, institutions and individuals located in Vietnam except for the cases operating under the other regulations in international treaties in which Vietnam is a signatory or a supporting member;

The above subjects will hereinafter be referred to as units.

2. Occupational and types of occupational accidents

2.1 Occupational accidents:

a) Occupational accident is an accident caused by dangerous, harmful factors in the course of employment which results in injury to any part, function of worker's body or death in the working process related to work performance or task assigned including time for satisfying essential needs stipulated by the Labour Code such as short break, mid-shift meal, tidying menage up, having bath, feeding babies, going to toilet, preparing work and finishing work at the workplace.

b) The following cases are considered occupational accidents: accidents happening to workers on their way to and from the workplace at reasonable time and place (on the daily routes to and from work) or other accidents caused by factors such as natural disasters, fire, and other risky factors related to the performance of work and tasks assigned.

.2.2 Occupational accidents are classified into 3 categories:

a) Fatal occupational accidents: the victims die at the place where the accident occurs, die on the way to hospital, die while being given emergency first aid, die in the course of treatment, die because of recurrence of the wounds caused by the occupational accidents;

b) Serious occupational accidents: the victims suffer at least one of the injuries stipulated in the Appendix attached to this Circular;

c) Light occupational accidents: all other accidents which do not fall into the above-mentioned categories.

II. DETAILED PROVISIONS

1. Reports on occupational accidents

1.1 When occupational accidents occur, the victim and the person who witnesses or is connected with occupational accidents such as an employee, a manager have the responsibility to fully and honestly declare about the accident so that the employer can immediately make reports as stipulated by this Circular.

1.2 All cases of fatal and serious accidents must be reported by the employer of the victim in the fastest way (telephone, fax, telegram...) to the inspection staff of the Department of Labour, Invalids and Social Affairs, the Public Security at the District level, and the direct higher authority (if any). The accident shall be reported to the local authority where the accident happens.

In case the victim dies in the course of treatment or die because of recurrence of the wounds caused by occupational accidents (based on the conclusion of an autopsy report, the employer shall report to the Department of Labour, Invalids and Social Affairs after the victim dies to provide related benefits for the victim in accordance with the provision of the Law in force.

1.3 Occupational accidents occur in the branches of industries such as radiation, exploration, oil and gas exploitation; on means of transport by road, rail, water and air, in enterprises of people's army and people's security forces shall be reported to the administration authorities of the corresponding fields.

1.4 Content of the report is subject to Form No. 2 attached to this Circular.

2. Investigation and report on occupational accidents

2.1 Members of the occupational accident investigation commission on occupational accidents

a) The occupational accident investigation commission at the unit level:

- The employer (the owner of the unit) or the representative of the employer as the leader of the investigation commission;

- Representative of the trade union, temporary trade union or a representative nominated by the employees if the trade union has not been formed as a member;

- Occupational safety, hygiene and health officer of the unit as a member.

b) The occupational accident investigation commission at the provincial level:

The Director of the Department of Labour, Invalids and Social Affairs decides to establish the occupational accident investigation commission at the provincial level at the request of the Chief inspector of the local Department of Labour, Invalids and Social Affairs (referred to in Form No 2 attached to this Circular).

The occupational accident investigation commission at the provincial level includes:

- Representative of the Inspection of the local Department of Labour, Invalids and Social Affairs as the leader of the commission;
- Representative of the provincial Confederation of Labour as a member. In case the victim working in the agricultural field, a representative of the Provincial Association of Farmers shall be invited;
- Representative of the Department of Health as a member.

c) The occupational accident investigation commission at the central level:

The Minister of the Ministry of Labour, Invalids and Social Affairs decides to establish the investigation commission at the central level at the request of the Chief Inspector of the Ministry of Labour, Invalids and Social Affairs (referred to in Form No 3 attached to this Circular).

2.2 Investigation competence

a) The occupational accident investigation commission at the unit level is obliged to investigate and make reports on all light and serious occupational accidents at the workplace of the unit (except for the cases referred to in Points b and c below)

b) The occupational accident investigation commission at the provincial level is obliged to investigate and make reports on all fatal occupational accidents which happen in the locality (except for the cases referred to in Points c, e and g below). Serious occupational accidents are investigated by the decision of the occupational accident investigation commission establisher only if the occupational accident investigation commission establisher finds it necessary; reinvestigation on occupational accidents which have been investigated by the occupational accident investigation commission at the unit level is stipulated at Point 2.7, Clause 2, Section II of this Circular;

c) The occupational accident investigation at the central level is obliged to investigate and make reports on fatal occupational accidents if the occupational accident investigation commission establisher finds it necessary. During the investigation process, the occupational accident investigation commission at the central level needs to co-ordinate with the bodies who are members of the occupational accident investigation commission at the provincial level. Reinvestigation on the occupational accidents which have been investigated by the occupational accident investigation commission at the provincial level is stipulated at Point 2.7, Clause 2, Section II of this Circular;

d) In case the bodies of health, trade unions and the Association of Farmers do not nominate their representatives, the investigation commission shall keep investigating and making reports so that the occupational accident is immediately investigated and reported;

e) Commuting accidents considered occupational accidents are investigated and reported by the Police where the occupational accidents take place, except for cases occurring on internal roads of the unit;

g) Occupational accidents occurring in the fields of industries mentioned in Point 1.3, Clause 1, Section II of this Circular are investigated and reported by the investigation commissions formed by competent bodies of the corresponding fields in accordance with the provisions in this Circular;

h) A unit causes occupational accidents to employees of another unit shall be obliged to investigate and make reports on the occupational accidents as stipulated by this Circular; and within 5 working days after the investigation and reports on occupational accident finish, a copy of the occupational accident file shall be submitted to the employer of the victims to co-ordinate with the victims' unit in dealing with the consequences of the occupational accident and to implement tasks of recording statistics, storing and making periodic reports as promulgated at Clause 4, Section II of this Circular.

2.3 Responsibilities of the members of the investigation commission

a) The investigation commission's leader shall be in charge of:

- All activities of the commission and assigning the tasks to the members of the investigation commission;
- Organizing discussion to reach consensus in case disagreement on the occupational accident exits among the commission members. If the final agreement cannot be made, the leader of the investigation commission shall make the final conclusion and be self-responsible for that final decision;
- Reporting the occupational accident.

b) The members of the commission are obliged:

- To carry out every task assigned by the leader;
- To contribute to general operations of the investigation commission;
- To have the right to reserve to their own opinion and report to the management of the body the members belong to;

c) Information or documents on the occupational accident during the investigation process shall not be revealed before the end of the investigation on the occupational accident.

2.4 Time limit and report on occupational accidents:

a) All occupational accidents shall be investigated and reported since the occurrence of the accident with the time limit as follows:

- Not more than 24 hours for light occupational accidents;
- Not more than 48 hours for serious occupational accidents;
- Not more than 10 working days for serious occupational accidents of 2 victims and above;
- Not more than 20 working days for fatal occupational accidents;
- Not more than 40 working days for occupational accidents requiring technical examination.

b) For fatal occupational accidents and serious occupational accidents requiring time extension for investigation, the leader of the investigation commission shall report and get permission for extension from the person who decided to establish the investigation commission within 5 working days before the time limit expires. The time extension for the investigation shall not exceed the limits as stipulated at Point (a) of this Item 2.4.

2.5 Steps of investigation and report:

a) When receiving a report on an occupational accident, the Inspection of local the Department of Labour, Invalids and Social Affairs shall inform the bodies belonging to the occupational accident investigation commission at the provincial level to nominate representatives for setting up the occupational accident investigation commission.

b) The occupational accident investigation commission shall hurry up to the scene of the occupational accident for investigation and report with the steps as follows:

- To examine the scene;
- To collect evidence and documents related to the occupational accident;
- To record declaration of the victims, witnesses and other persons related to the accident as stipulated in Form 4 attached to this Circular;
- To propose for tech-examination (if necessary);
- To process and analyze the evidence collected to identify the following major issues:

- + The process of the accident;
- + The causes of the accident;
- + The seriousness of violation, faults and responsibilities of the persons who are guilty in the occupational accident and proposed corresponding penal forms;
- + Measures to prevent and mitigate recurrence of similar accidents.

- To set up an investigation report subject to Form 5 (for the occupational accident investigation commission at the unit level) and Form 6 (for the occupational accident investigation commission at the provincial or central level) attached to this Circular.

c) The occupational accident investigation commission at the provincial level organizes and co-ordinates with the District Police to investigate at the scene of the occupational accident in order to make reports on the scene check, autopsy examination, injury examination; and to collect evidential objects for fatal and serious occupational accidents.

d) During the investigation process, if there is any criminal sign, the occupational accident investigation commission at the Provincial or Central level shall propose the District or Province Police to consider and introduce an instance of a criminal case, which causes a serious occupational accident. The occupational accident investigation commission is obliged to provide the documents related to the occupational accident at the request of the police bodies for investigation and settlement.

e) Announcement of the occupational accident report:

- The occupational accident investigation commission at the unit level organizes the announcement of the investigation report on the occupational accident within the commission's jurisdiction to the victims and persons related to the occupational accident right after the investigation finishes.

- The provincial or central occupational accident investigation commission organizes a meeting right after the investigation finishes to announce the investigation report on fatal or serious occupational accidents at the unit where the accident occurs. The participants of the meeting include:

- + The leader of the investigation commission, who chairs the meeting;
- + The members of the investigation commission;
- + The employer or the delegate in writing;
- + The representatives of the unit's trade union, temporary trade union or persons nominated by the working staff in case the trade union of the unit has not been established;
- + The victims, the representatives of the relatives of the fatal victims, the witnesses and the persons responsible for or beneficial from the occupational accident;
- + The representatives of the direct higher authority of the unit (if any)

- If the employer does not agree with the content of the occupational accident report, the employer is entitled to write down the disagreement in the report, but shall sign and seal (if possible) in the report and carry out all the proposals of the investigation commission.

- The report of the meeting shall be made as stipulated in Form 7 attached to this Circular. The meeting's report must bear the signatures of all the participants.

- The provincial occupational accident investigation commission shall send the report of the occupational accident investigation and the report of the meeting announcing the occupational accident investigation to the provincial bodies who are members of the occupational accident investigation commission, the Ministry of Labour, Invalids and Social Affairs, the local Social Insurance Fund, the unit where the occupational accident happens, the victims or the relatives of the fatal victims, within 5 working days since the investigation report being announced.

2.6 Occupational accident file:

- a) The occupational accident file includes:
 - Report on the scene check;
 - Surface plan of the scene;
 - Photographs of the scene and casualties (if any);
 - Autopsy report and injury examination
 - Tech-examination report (if any);
 - Statements, reports of the victims, the witnesses and the persons responsible for or beneficial from the occupational accident;
 - Report on the occupational accident;
 - Report on the meeting announcing the occupational accident investigation report;
 - Other documents connected with the occupational accident.
- b) There shall be a separate occupational accident file for each victim of an occupational accident.
- c) The period of time to store an occupational accident file is stipulated at Item (i), Point 3.1, Clause 3, Section II of this Circular.

2.7. Re-investigation on occupational accidents

- a) If there is any complaint or accusation during the period of storing an occupational accident file as stipulated at Item (i), Point 3.1, Clause 3, Section II of this Circular, the competent bodies shall review, re-investigate and report the re-investigation outcome in writing to the person making the complaint or accusation. In case the re-investigation is not carried out, the reasons shall be stated clearly;
- b) The unit where the occupational accident occurs and the provincial investigation commission are obliged to provide the re-investigation commission with the full occupational accident file and all material evidence of the occupational accident.
- c) The legal validity of the first occupational accident investigation report will expire when the re-investigation report is announced.
- d) The re-investigation time limit shall not exceed 20 working days since the announcement of the re-investigation decision.

3. Responsibilities of the unit where the occupational accident happens

3.1. Employers are obliged:

- a) To timely provide first and emergency aid for the victims;
- b) To report the occupational accident (referred to Clause 1, Section II of this Circular);
- c) To keep the scene of a fatal or serious occupational accident unchanged;

In case the scene of the occupational accident is changed due to first aid for the victims and damage prevention for the employees, the unit shall make the surface plan of the scene, the scene examination report as stipulated by the current regulations, photographs or a film of the scene (if possible);

The scene shall be wiped out and dead bodies (if any) shall be buried only after the on-the-scene investigation is completed and with the permission in writing of the occupational accident investigation commission;

- d) To provide immediately all documents and material evidence related to the occupational accident at the request of the investigation commission and be responsible to the Law for the documents and material evidence provided;
- e) To create conditions for the witnesses and persons related to the occupational accident in providing information on the occupational accident at the request of the investigation commission;

f) To organize investigation and report on occupational accidents as stipulated at Clause 2 Section II of this Circular.

g) To submit the occupational accident investigation report prepared by the unit to the victims, the Social Insurance Fund, and the bodies taking part in the investigation commission within 5 working days since the announcement of the occupational accident investigation report;

h) To fully inform the occupational accident to the employees of the unit to prevent similar occupational accidents or the reoccurrence of the occupational accident;

i) To store the files of the fatal occupational accidents for 15 years and the files of the other occupational accidents until the victims of the occupational accidents retire;

k) To pay all the expenses of the investigation and reinvestigation of the occupational accident, including:

- Restoring the scene;
- Taking, developing and printing photographs of the scene and casualties;
- Printing the documents related to the occupational accident,
- Technical assessment (if any);
- Autopsy examination;
- Organizing a meeting announcing the occupational accident investigation report;

The above expenses are accounted as part of the costs of goods sold or circulating costs of the unit. For administrative and non-productive bodies, the above expenses are recorded as current expenditure of the bodies. For households and individuals, they are obliged to pay the above expenses;

l) To implement measures to mitigating and dealing with the consequences of the occupational accident; to organize after-accident reviews; to implement and report the execution of the proposals written in the occupational accident investigation report; to punish within the jurisdiction the persons responsible for the occupational accident.

3.2 Responsibilities of the victims, the witnesses, and the persons whose benefits and obligations are related to the occupational accident.

The victims, the witnesses, and the persons whose benefits and obligations are related to the occupational accident are obliged to honestly and fully declare all the details they know about the occupational accident at the request of the occupational accident investigation commission and responsible to the Law about every thing reported.

4. Statistics record and periodic report on occupational accidents

4.1. Within 5 working days since the announcement of the occupational accident investigation report, the unit shall record statistics on all occupational accidents, which make the employees of the unit off work for 1 day and above, and put the statistics in the Occupational Accident Statistics Book as referred to Form 8 attached to this Circular.

The cases of employees who have suffered from occupational accidents many times at the point of making statistics shall be recorded separately.

4.2 The unit shall periodically report on occupational accidents to the local Department of Labour, Invalids and Social Affairs where the head office of the unit is located and other bodies being members of the occupational accident investigation commission at the provincial level.

4.3 The Police shall copy the file of commuting accidents, which are considered occupational accidents and send the copied file to the unit whose employees are the victims to carry out periodic occupational accident

statistics. When there are proposals from the unit, the victims or relatives of the victims, the copying of the occupational accident files shall be made within 20 working days.

4.4 For the occupational accidents occurring in the fields of industries mentioned in Point 1.3, Clause 1, Section II of this Circular, the unit shall make periodic statistics and occupational accident reports as stipulated at Clause 4, Section II of this Circular

4.5 Every 6 months and 1 year, the unit shall collect, classify and make periodic reports on occupational accident situation subject to Form 9 attached to this Circular, and send the statistics and reports to the Department of Labour, Invalids and Social Affairs and other bodies being members of the provincial occupational accident investigation commission before the 5th July for the report of the first 6 months, and before the 10th January of the following year for the entire year report. If there is no occupational accident, the unit shall state clearly 'no occupational accident'.

4.6 The Department of Labour, Invalids and Social Affairs shall collect, classify and make periodic reports on occupational accident situation every 6 month and 1 year subject to Form 10 attached to this Circular, and send the reports to the Ministry of Labour, Invalids and Social Affairs (The Bureau of Occupational Safety and the Inspection of the Ministry of Labour, Invalids and Social Affairs) and Bureaus of Statistics of provinces and cities directly under the Centre before 15th July for the reports of the first 6 months, and before the 20th January of the following year for the entire year reports.

III. IMPLEMENTATION

1. Units shall fully and strictly follow the regulations as stipulated by this Circular; simultaneously reinforce measures to improve working conditions, preventative measures to occupational accidents; review internal rules and processes for occupational safety, hygiene and health of the unit; propagate and educate to improve awareness of the employer and the employees to minimize occupational accident occurrence.

2. Departments of Labour, Invalids and Social Affairs, Departments of Health, Confederations of Labour of provinces and cities under the Centre are responsible to propagate and guide the implementation of this Circular for all the units in the localities.

3. Ministries, Ministry-equivalent bodies, People's Committees of provinces and cities directly under the Centre steer, supervise and speed up the units under their administration to implement the regulations of this Circular.

4. The Ministry of Labour, Invalids and Social Affairs shall periodically inform nationwide occupational accident situation every 6 months and 1 year.

IV. IMPLEMENTATION PROVISIONS

1. This Circular is effective after 15 days from its publication on the official gazette;

2. Circular No. 23/LDTBXH-TT dated 18/11/1996 of the Ministry of Labour, Invalids and Social Affairs guiding the implementation of regulations on periodic statistics and report on occupational accidents and Joint-Ministerial Circular No. 03/1998/TTLT/BLDTBXH-BYT-TLDDLVDN dated 26/03/1998 of the Ministry of Labour, Invalids and Social Affairs, the Ministry of Health and the Vietnam General Confederation of Labour guiding the declaration and investigation on occupational accidents are repealed.

3. Any problems and proposals during the implementation of this Circular shall timely be reported to the Ministry of Labour, Invalids and Social Affairs, the Ministry of Health and the Vietnam General Confederation of Labour for review and solutions./.

ON BEHALF OF
VIETNAM GENERAL CONFEDERATION
OF LABOUR

MINISTRY OF HEALTH
MINISTER

MINISTRY OF MOLISA
MINISTER

CHAIRMAN

Cu Thi Hau

Tran Thi Chung Chien

Nguyen Thi Hang

Places to deliver :

- *Office of the President;*
- *Office of the National Assembly;*
- *Office of the Central Party and committees of the Party;*
- *Office of the Government;*
- *Ministries, Ministry-equivalent organizations, organizations under the Government;*
- *People's supreme procuracy;*
- *People's supreme court;*
- *People's committees of provinces and cities under the Centre;*
- *Departments of Labour, War Invalids and Social Affairs; Departments of Health, Confederations of Labour of provinces and cities under the Centre;*
- *Central organizations of socio-political bodies;*
- *Official gazette;*
- *Bureau of Document Inspection of the Ministry of Justice;*
- *Save in Bureau of Occupational Safety of the Ministry of Labour, Invalids and Social Affairs (4), Bureau of Preventive Medicine and HIV/AIDS Control of the Ministry of Health, Committee of Labour Insurance of the Vietnam General Confederation of Labour.*

APPENDIX

LIST OF INJURIES CAUSED BY SERIOUS OCCUPATIONAL ACCIDENTS

(Promulgated in Attachment to Joint-Ministerial Circular No. 14/2005/TTLT/BLDTBXH-BYT-TLDDVN dated 8 March, 2005)

TYPE

FACE, NECK

- 011 skull injury external or internal
- 012 ry
- 013 t in the skull
- 014 ull
- 015 ad skin
- 016 ation injure
- 017 id battered membrane bone of the skull
- 018 ce and jaw bones
- 019 facial part injure
- 0110 eck, infecting trachea and esophagus

AND BELLY

- 021 l injure that effects internal organs
- 022 rid abdominal syndrome
- 023 chest wall or seriously pressed chest wall
- 024 astal bones
- 025 d abdominal injure
- 026 id battered at belly effecting the internal organs
- 027 l broken viscera in the iibiinminal hub
- 028 injured that effect the movement of backbone
- 029 ivered backbone
- 0210 ank bone
- 0211 ickbone that effects the movement of body and feet
- 0212 x organs

031 bone, nerve, vessel that effects the movement of arms

032 large non boned parts of arms

033 shoulder, arm, hand that dose harm to sinew

034 broken, grinned of scaffold bone, scapular bone, humeral bone, carpal bone, il bone, phalanx bone

035 large bone joints.

041 ire and collision at leg that injure the nerve, vessel, bone and movement of legs

042 jure of legs

043 attered of flank bone, femoral bone, phalanx bone

051 hird class

052 rn of second, third class

053 hemical burn of second, third class

054 lectrical burn

055 urn of third class

056 illed burn of second, third class.

SLY INFECTED BY THE FOLLOWING SUBSTANCES

061 ted, unconscious, nutritious disorder of skin, swollen lung diseases, confused status,
nory deficiency, disorder of circulating organs.

062 lly, swollen lung diseases, complication or not complication of bronchitis

063 ngly excited, status of excited nerve, unconscious

064 gh density: stop of breathing, difficult breathing, bleeding at nose, mouth and
weakened, fainted.

065 by botanical protection chemical s.

066 ic chemicals under the itemized list that shall be declared and registered.

SOCIALIST REPUBLIC OF VIETNAM
INDEPENDENCE - FREEDOM - HAPPINESS

....., Day month, year.....

NOTIFICATION OF OCCUPATIONAL ACCIDENT

To: The Inspection of Department of Labour, War Invalids and Social Affairs;

.....¹

The District Police.

.....²

1. Information of the unit:

- Name and address of the unit where the occupational accident occurred

.....

- Telephone Number:.....; Fax:.....; Email:.....

- Name of the higher administration body (if any):

.....

2. Information of the occupational accident:

- The occupational accident occurred at..... o'clock,.....minutes, day..... month.... year.....

- Place where the occupational accident occurred:.....

- Brief situation of the occupational accident:

.....

.....

.....

- Primary conclusion of the causes of the occupational

accident:.....

3. Information of the occupational accident victims:

No	Full name	Birth year	Gender	Occupation ³	Injury level (fatal/seious/ minor)
1					
2					
3					
4					

PERSON FILLING THIS FORM
(Signature, full name, position)

PEOPLE'S COMMITTEE OF
PROVINCE/CITY ...⁴ ...
DEPARTMENT OF LABOUR, INVALIDS
AND SOCIAL AFFAIRS

Form No. 2
SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

....., day month

¹ Specify the name of the provincial administrative unit

² Specify the name of the district administrative unit

³ Subject to the current occupation list issued by General Department of Statistics, unify to write at the second level

⁴ Specify the name of the provincial administrative unit

**DECISION BY DIRECTOR OF
DEPARTMENT OF LABOUR, INVALIDS AND SOCIAL AFFAIRS
*On establishing the Occupational Accident Investigation Commission***

**DIRECTOR OF
DEPARTMENT OF LABOUR, INVALIDS AND SOCIAL AFFAIRS**

Pursuant to Inter-ministerial Circular No. 14/2005/TTLT/ BLDTBXH-BYT-TLDDLVDN dated 08/ 03/ 2005 of the Ministry of Labour, War Invalids and Social Affairs, the Ministry of Health and the Vietnam General Confederation of Labour guiding notification, investigation, periodic report and statistics on occupational accidents;

At the request of the Chief Inspector of the Department of Labour, Invalids and Social Affairs,

Decides

Article 1: To establish the Occupational Accident Investigation Commission of province (city)...
.....⁵.....including the members named as follows:

1.
2.
3.

Article 2: The Occupational Accident Investigation Commission is responsible to investigate the occupational accident occurred at.....*name of the place where the occupational accident occurred*..... at o'clock minutes, day month year as promulgated by Inter-ministerial Circular No 14/2005/TTLT/ BLDTBXH-BYT-TLDDLVDN dated 08 March, 2005 of the Ministry of Labour, Invalids and Social Affair, the Ministry of Health and The Vietnam General Confederation of Labour.

Article 3: The Chief Inspector of the Department, the persons named at Article 1, units and individuals related to the occupational accident are responsible to implement this Decision./.

Places to deliver:

- *As in Article 3;*
- *Department of Health;*
- *The provincial/ municipal Confederation of Labour;*
- *Save as Correspondence, the Inspection of Department of Labour, Invalids and Social Affairs.*

DIRECTOR
DEPARTMENT OF LABOUR, INVALIDS AND SOCIAL AFFAIRS
(Signature, full name and seal)

Form No. 3

**MINISTRY OF LABOUR, INVALIDS
AND SOCIAL AFFAIRS**

**SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

Ha noi, Day ... month ... year ...

No : /QD- LDTBXH

**DECISION OF MINISTER OF
MINISTRY OF LABOUR, INVALIDS AND SOCIAL AFFAIRS
On establishing the Occupational Accident Investigation Commission
MINISTER OF MINISTRY OF LABOUR, INVALIDS AND SOCIAL AFFAIRS**

Pursuant to Inter-ministerial Circular No 14/2005/TTLT/ BLDTBXH-BYT-TLDDLVDN dated 08/ 03/ 2005 of the Ministry

⁵ Specify the name of the provincial administrative unit

of Labour, Invalids and Social Affairs, the Ministry of Health and The Vietnam General Confederation of Labour guiding notification, investigation, periodic report and statistics on occupational accidents;

At the request of the Chief Inspector of the Ministry of Labour, Invalids and Social Affairs,

Decides:

Article 1: To establish the Occupational Accident Investigation Commission at the central level, including the members named as follows:

- 1.
- 2.
- 3.

Article 2: The Occupational Accident Investigation Commission is responsible to investigate the occupational accident occurred at.....*name of the place where the occupational accident occurred*..... at o'clock minutes, day month year as promulgated by Inter-ministerial Circular No 14/2005/TTLT/ BLDTBXH-BYT-TLDDVN dated 08 March, 2005 of the Ministry of Labour, Invalids and Social Affairs, the Ministry of Health and The Vietnam General Confederation of Labour.

Article 3: the Chief Inspector of the Ministry, the persons named at Article 1, units and individuals related to the occupational accident are responsible to implement this Decision./.

Places to deliver:

- *As in Article;*
- *Ministry of Health;*
- *Vietnam General Confederation of Labour;*
- *Save as Correspondence, Inspection of the Ministry of Labour, Invalids and Social Affairs.*

MINISTER
 MINISTRY OF LABOUR, INVALIDS AND
 SOCIAL AFFAIRS
 (Signature, full name and seal)

OCCUPATIONAL ACCIDENT STATEMENT MINUTE

At o'clock..... day..... month..... year.....

In.....(place where the minute is recorded).....

My name is.....; Position:.....

And Mr/Mrs:.....;Position:.....

Record the statements of:

Mr/ Mrs:; Gender (Male/ Female).....

Another name:

Date of birth: day.....month.....year..... Place of birth.....

Permanent place of residence:.....

.....

Address:

.....

Occupation:.....

Workplace:.....

.....

Number of ID Card (or Passport):..... issued on: day.....

month..... year.....by.....

.....

Relationship with the victim(s):.....

Position of the declarant: victim/ witness/person related to the occupational accident:

Mr/Mrs:..... has been explained about his/her rights and

obligations in accordance with the Law and signs for confirmation as follows:

.....

.....

QUESTIONS AND ANSWERS

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

⁶ Specify the Centre, the name of the administrative unit at the provincial level or the name of the unit.

.....
.....
.....
.....
.....

The recording the statement ends ato'clockminute, day.....month..... year

This statement minute was re-read to the declarant to re-confirm correctness and signed as follows:

DECLARANT
(Signature, full name)

REPRESENTATIVE OF THE RECORDERS
(Signature, full name and position)

Form No. 05

(Name of the unit)

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

.....

No : /

.....,day.....month.....year.....

REPORT
ON OCCUPATIONAL ACCIDENT INVESTIGATION

.....⁷.....(Minor or serious occupational accident)

1. Unit and employer:

- Name, address of the unit where the occupational accident occurred:.....
.....
- Telephone number:.....,Fax:.....,E-mail:
- Name and address of the employer:.....
.....
- Working in the industry:
 - + Total number of employees (production scale of the unit):
 - + Type of the unit:⁸.....
 - + Name, address of the direct higher administration body (if any)

2. Locality:

⁷ Specify based on the list of factors causing injury, uniform to write the second level.
⁸ Specify based on the current economic, administrative non-productive unit list enforced by General Department of Statistics.

3. Members of the investigation commission (Full name and position of each member):

.....
.....
.....

4. Persons taking part in the investigation (Full name, position and place of work of each person):

.....
.....
.....

5. Brief curriculum vitae of the occupational accident victim:

- Full name: m.....
- Sex: Male/ Female.....; Year of birth:
- Occupation:⁹.....
- Has been working for the unit for:years;
- Service seniority:years; Wage level: VND.....; Degree of skill (if any):.....
- Type of job:
With labour contract :¹⁰..... / Without labour contract.....
- Place of work:
- Permanent place of residence:
- Native place:
- Family Circumstances (parents, wife or husband, children) :
.....
.....
.....
- Has been provided with OSH training or not: ...*Yes/No*.....

6. Information of the occupational accident:

- Occupational accident occurred ato'clockminute,daymonth ...year.
- Time the work started/ Number of working hours till the occupational accident occurred.
- Place where the occupational accident occurred:

7. Situation of injury

- Part(s) of the body injured.....

8. Place of treatment and measures of first aid:

9. Situation of the occupational accident:

10. Causes of the occupational accident:

11. Preventative measures against similar accidents or recurrence of the accident

List of tasks/ Name of responsible persons/ Deadline

.....

12. Conclusion for faults and proposal for sanction:

.....
.....

13. Cost and loss due to the occupational accident:

- Cost covered by the employer: Total: VND....., including:
 - + Cost of healthcare: VND
 - + Wage during the time of medical treatment: VND.....;

⁹ Specify based on the current occupation list enforced by General Department of Statistics, unify to write at the second level
¹⁰ Specify: Indefinite term; Definite term from full 12months to 36 months; temporary term or a certain job less than 12 months.

+ Compensation or allowance: VND.....;

- Loss of properties: VND.....;

OTHER MEMBERS OF THE INVESTIGATION
COMMISSION
(Signature, full name)

CHIEF OF THE OCCUPATIONAL
ACCIDENT INVESTIGATION
COMMISSION
(Employer or delegate in writing)
(Signature, full name, seal (if any))

PARTICIPANTS IN THE INVESTIGATION
(Signature, full name)

**THE OCCUPATIONAL ACCIDENT
INVESTIGATION COMMISSION**

**SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

11

....., day month..... year.....

No: /

**REPORT
ON OCCUPATIONAL ACCIDENT INVESTIGATION**

.....¹²...(Fatal or serious occupational accident)

1. Unit and employer:

- Name, address of the unit where the occupational accident occurred:.....
- Telephone number:.....,Fax:.....,E-mail:
- Industry the unit is operating in:.....
- Total number of employees (production scale of the unit):
- Type of the unit:¹³
- + Name, address of the direct higher administration body (if any)

2. Locality:

3. Members of the investigation commission (Full name and position of each member):

.....
.....
.....

4. Persons taking part in the investigation (Full name, position and place of work of each person):

5. Brief curriculum vitae of the occupational accident victims:

- Full name:
- Sex: Male/ Female.....; Year of birth:
- Occupation:¹⁴
- Has been working for the unit for:years;
- Service seniority:years; Wage level: VND.....; Degree of skill (if any):.....
- Type of job:
With labour contract :¹⁵ / Without labour contract.....
- Place of work:
- Native place or permanent place of residence:
- Family Circumstances (parents, wife or husband, children) :

¹¹ Specify the Centre or based on the Vietnam administrative unit list enforced by the Prime Minister.
¹² Specify based on the list of factors causing injury, uniform to write the second level.
¹³ Specify based on the current economic, administrative non-productive unit list enforced by General Department of Statistics.
¹⁴ Specify based on the current occupation list enforced by General Department of Statistics, unify to write at the second level
¹⁵ Specify: Indefinite term; definite term from full 12months to 36 months; temporary term or a certain job less than 12 months.

- Has been provided with OSH training or not:*Yes/No*.....
- Name, address of the unit, the locality administrating the victim:.....
Telephone:.....; Fax.....; E-mail:.....
- Name, address of the direct higher administration body (if any):.....

6. Information of the occupational accident:

- The occupational accident occurred ato'clockminute,daymonthyear.
- Time the shift/work started/ Number of working hours till the occupational accident occurred.
- Place where the occupational accident occurred:

7. Situation of injury

- Fatal or injured (Specify part(s) of the body injured subject to the Appendix)

8. Place of treatment and measures of first aid:

9. Situation of the occupational accident:

10. Causes of the occupational accident:

11. Preventative measures against similar accidents or recurrence of the accident

- List of tasks:
- Deadline:

12. Conclusion for faults and proposal for sanction:

.....
.....

13. Cost and loss due to the occupational accident:

- Cost covered by the employer: Total: VND....., including:
 - + Cost of healthcare: VND
 - + Wage during the time of medical treatment: VND.....;
 - + Compensation or allowance: VND.....;
- Loss of properties: VND.....;

EMPLOYER
(Signature, full name and seal (if any))

CHIEF OF THE OCCUPATIONAL ACCIDENT
INVESTIGATION COMMISSION
(Signature, full name, seal (if any))

Form No. 07

**The Occupational Accident
Investigaion Commission**
.....¹⁶.....

**SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

**MINUTES OF MEETING
ANNOUNCING OCCUPATIONAL ACCIDENT INVESTIGATION REPORT**

Ato'clockminutes, day..... monthyear

¹⁶ Specify the Centre or the name of the provincial administrative unit.

the meeting and was signed as follows./.

Employer
(Signature, full name and seal (if any))

**Chief of the occupational accident investigation
commission**
(Signature, full name)

Members of the occupational accident investigation commission
(Signature, full name)

Units (or individuals) related
(Signature, full name)

Minutes writer
(Signature, full name)

OCCUPATIONAL ACCIDENT STATISTICS BOOK YEAR

- Name of the unit:
- Name of the direct higher authority:
- The average number of employees in the year: persons; of which female employees are: persons
- Total wage fund:

No	Full name	Sex	Birth year	Occupation ²¹	Service seniority (year)	Wage scale (VND1,000)	Degree of skill	Labour contract type ²²	Place where occupational accident occurred	Number of working days, hours till the occupational accident occurred	Occupational accident type ²³ (Factors causing injury)	Have been provided with OSH training or not	Cause of occupational accident ²⁴	Situation of injury			Total days off due to occupational accidents (including days off entitled by regulations) ²⁵	Cost and Loss				Property losses (VND1,000)	Note
														Fatal	Injured			Total	Losses in cash (VND1,000)				
															Serious	Light			Health	Salary	Compensation/Allowance		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1																							
2																							
3																							
4																							
5																							
Total																							

²¹ Based on the current occupation list enforced by the General Department of Statistics, uniform to write the second level.
²² Specify: Indefinite term; definite term from full 12months to 36 months; temporary term or a certain job less than 12 months) or without labour contract.
²³ Based on the list of factors causing injury, uniform to write the second level.
²⁴ Specify the main cause of the occupational accident.
²⁵ Based on the solar calendar

Table No. 01/TNLD-CS Promulgated in attachment to Joint-Ministerial Circular No. 14/2005/	REPORT ON OCCUPATIONAL ACCIDENT BASED ON FACTORS CAUSING OCCUPATIONAL ACCIDENT, OCCUPATION, INJURY LEVEL, CAUSES OF OCCUPATIONAL ACCIDENT, AGE AND SERVICE SENIORITY OF OCCUPATIONAL ACCIDENT VICTIM	Name of the reporting unit: Address:												
Joint-Ministerial Circular/MOLISA-MOH-VGCL Dated 08 March, 2005 Date to report: 5 th July or 10 th January	REPORT PERIOD YEAR	Administrative industry ²⁶ : <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> Code of the district ²⁷ : <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> Receiver of the report: . . . <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>												

Higher administration body:

I- Total average number of employees in the report period: persons; -Of which females: persons; Total wage fund: VND million

II- General situation on occupational accidents:

Statistics indicator	Code	Classification of occupational accident based on injury level								Classification of occupational accident based on causes (number of cases)										Classification of occupational accident based on age (Number of persons)				Classification of occupational accident based on service seniority (Number of persons)						
		Number of cases			Number of casualties					Unsafe equipment	No safe equipment	No personal safety device	Unused personal safety device or unsafe personal safety device	No or inadequate OSH training	No working process or no safety measures	Labour organization	Victim's violating safety practice codes, procedures and measures	Other persons' violating safety practice codes, procedures and measures	Poor working conditions	Unavoidable problems	Other causes	< 18 years old	From 18 to 30 years old	From 31 to 45 years old	Over 46 years old	< 1 year	From 1 to 5 years	From 6 to 10 years	From 11 to 20 years	Over 20 years
		Total	Number of fatal cases	Number of cases of 2 victims and above	Total	Number of female employees	Number of deaths	Number of serious cases	Number of light cases																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Total																														
1- Classification based on injury factors																														
... 29 ...	29																													

²⁶ Specify the code based on the list and codes of economic, administrative non-productive units, enforced by General Department of Statistics.

²⁷ Specify the code based on the list and codes of the Vietnam's current administrative unit list enforced by the Prime Minister.

²⁸ Name: Departments of Labour, Invalids and Social Affairs, Confederations of Labour of provinces or cities under the Centre.

²⁹ Specify names and codes of factors causing injury, uniform to write the second level.

Table 01/TNLD-T Promulgated in attachment to Joint-Ministerial Circular No. 14/2005/TTLT/BLDTBXH-BYT-TLDDLVN dated 08 March, 2005 Report date: 5 th July or 10 th January	REPORT ON OCCUPATIONAL ACCIDENTS BASED ON OCCUPATIONAL ACCIDENT CAUSING FACTORS, PROVINCES/CITIES, INJURY TYPES AND OCCUPATIONAL ACCIDENT CAUSES PERIOD REPORT YEAR	Reporter: Department of Labour, Invalids and Social Affairs ³² Province code ³³ : ³⁴ <input type="text"/> <input type="text"/> <input type="text"/> Report receiver: <input type="text"/> <input type="text"/> <input type="text"/> - The Ministry of Labour, Invalids and Social Affairs - Bureau of Statistics ³²
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Statistics indicat	Code	Classification of occupational accidents based on injury level								Classification of occupational accident based on causes leading to occupational accidents (number of occupational accidents)											Loss						
		Number of occupational accidents			Number of occupational accident victims					Unsafe equipment	No safe equipment	No personal safety devices	Unused or poor personal safety devices	No or inadequate OSH training	No occupational safety procedure or occupational safety measures	Labour organization	Victim's violating safety practice codes, procedures and measures	Other persons' violating safety practice codes, procedures, measures	Poor working conditions	Unavoidable problems	Other causes	Total days off due to the occupational accidents (including days off entitled by regulations) ³⁴	Expenses in cash (VND1.000)				
		Total	Number of fatal accidents	Number of accidents of 2 victims and above	Total	Number of female workers	Number of fatal victims	Number of seriously injured victims	Number of lightly injured victims														Total	Health care	Wage	Compensation/Allowance	ance
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Total																											
1- Classified by occupational accident causing factors ... ³⁵ ...																											
2- Classified by occupation ... ³⁶ ...																											

Report maker
(Signature, full name)

DIRECTOR OF DEPARTMENT OF LABOUR, INVALIDS AND SOCIAL AFFAIRS
(Signature, full name, position and seal (if any))

³²Based on the list and codes of the Vietnam's current administrative units, which is enforced by the Prime Minister.
 Based the solar calendar.
³³ Based on the codes of the Vietnam's current administrative units, which is enforced by the Prime Minister
³⁴ Based on the solar calendar.
³⁵ Specify names and codes based on the current occupation list enforced by the General Department of Statistics, uniform to write the second level.
³⁶ Specify names and codes of factors causing injury, uniform to write the second level.

<p>Table 02/TNLD-T Promulgated in attachment to Joint-Ministerial Circular No. 14/2005/TTLT/BLDTBXH-BYT-TLDDLVDN dated 08 March, 2005 Report date: 15th July or 20th January</p>	<p>REPORT ON OCCUPATIONAL ACCIDENTS BASED ON ENTERPRISE TYPE, OCCUPATION, AGE AND SERVICE SENIORITY OF OCCUPATIONAL ACCIDENT VICTIMS</p> <p>REPORT PERIOD YEAR</p>	<p>Reporter: Department of Labour, Invalids and Social Affairs ³⁷</p> <hr/> <p>Province code: ³⁸ <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Report receiver: - The Ministry of Labour, Invalids and Social Affairs - Bureau of Statistics ... ³⁷ ...</p>
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No	Enterprise type	Code	Enterprise		Workforce		Total occupational accidents			Classification based on age (number of persons)				Classification based on service seniority (number of persons)				Classification based on labour contract type (number of persons)				
			Total	Number of enterprises making reports	Total	Number of employees making reports	Number of occupational accidents		Number of victims										With labour contract			Without labour contract
							Total	Number of seriously injured victims											< 18 years old	From 18 to 30 years old	From 31 to 45 years old	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Total																						
1	... ³⁹ ...	³⁹																				
2																						

Report maker
(Signature, full name)

. , Day month year
 DIRECTOR OF DEPARTMENT OF LABOUR, INVALIDS AND SOCIAL AFFAIRS
 (Signature, full name, position and seal)

^{37, 38} Based on the list and codes of the Vietnam's current administrative units, which is enforced by the Prime Minister.
³⁹ Specify names and codes based on the economic, administrative and non-productive unit list enforced by the General Department of Statistics.