

**MINISTRY OF LABOR -  
WAR INVALIDS AND  
SOCIAL AFFAIRS OF  
VIETNAM**

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No. 25/2022/TT-BLDTBXH

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

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*Hanoi, November 30, 2022*

**CIRCULAR**

**PROVISION OF PERSONAL PROTECTIVE EQUIPMENT IN WORK**

*Pursuant to Clause 4 Article 23 of the Law on Occupational Safety and Hygiene dated June 25, 2015;*

*Pursuant to Decree No. 62/2022/ND-CP dated September 12, 2022 of the Government on functions, tasks, powers, and organizational structures of Ministry of Labor - War Invalids and Social Affairs;*

*At request of Director of Occupational Safety Administration;*

*The Minister of Labor - War Invalids and Social Affairs promulgates Circular on provision of personal protective equipment in work.*

**Chapter 1**

**GENERAL PROVISIONS**

**Article 1. Scope**

This Circular prescribes provision of personal protective equipment (hereinafter referred to as “PPE”) in work.

**Article 2. Regulated entities**

1. Employees mentioned under Clauses 1, 2, and 4 Article 2 of the Law on Occupational Safety and Hygiene.
2. Employers mentioned under Clause 2 Article 3 of the Labor Code.
3. Agencies, organizations, and other individuals related to the provision of PPE in work.

**Article 3. Personal protective equipment (PPE)**

1. PPE refers to necessary equipment which employees must be provided with during the performance of their work and tasks in order to protect their body from dangerous, hazardous factors during work which have not been fully eliminated by technology solutions, occupational safety and hygiene techniques, equipment at workplace.

2. PPE includes:

- a) Head protection.
- b) Eye and face protection.
- c) Hearing protection.
- d) Respirators.
- dd) Arm protection.
- e) Leg protection.
- g) Body protection.
- h) Protection against falling.
- i) Protection against electricity, electromagnetic field, radiation.
- k) Protection against drowning.
- l) Other occupational safety and hygiene equipment.

3. PPE provided for employees must be able to effectively eliminate dangerous and hazardous factors present in work environments, be easy to use, preserve, and not cause any other harmful effect.

4. PPE must meet standards prescribed in technical regulations, national technical regulations, other labor laws, and specialized laws (if any).

## **Chapter II**

### **RULES FOR PROVIDING, USING, AND PRESERVING PPE**

#### **Article 4. Eligibility for PPE**

Employees working in environments where they are exposed to dangerous and hazardous factors below shall be provided with PPE:

- 1. Exposure to physical factors that do not meet hygiene standards.

2. Exposure to toxic dust and chemicals.

3. Exposure to toxic biological factors:

a) Toxic and infectious viruses, bacteria, harmful insects;

b) Faeces, wastewater, garbage, sewers;

c) Other toxic biological factors.

4. When working with equipment, tools, machinery with risks to occupational safety, hygiene; working in a position prone to occupational accidents; working at heights; working in underground structures or places with poor air supply; working in mountains, caves, or other dangerous and hazardous working conditions.

#### **Article 5. Rules for providing PPE**

1. Employers must assess and control dangerous, hazardous factors at workplace as per the law; adopt technology solutions, occupational safety and hygiene techniques, equipment in order to eliminate or minimize effects of dangerous and hazardous factors, and improve working conditions before providing PPE.

2. Employers shall list and provide PPE for employees in accordance with the list under Appendix attached hereto.

3. In addition to listing in accordance with Clause 2 of this Article, employers shall also list and provide PPE for employees in the following cases:

a) Occupations and professions not mentioned under Appendix I attached hereto which dangerous and hazardous factors to employees' health are deemed present by employers.

b) Occupations and professions mentioned under Appendix I attached hereto which require additional PPE for the purpose of effectively prevent harmful effects of dangerous and hazardous factors in working environments.

4. Employers shall rely on the level of requirement of each occupation and profession at their workplace and recommendations of manufacturers of each type of PPE to determine expiry date and number of PPE in a manner that fits the nature of the occupations and professions and quality of PPE.

5. Depending on specific request, employers provide PPE for individuals visiting the workplace for the purpose of inspecting, investigating, visiting, or studying throughout the inspection, investigation, visit, and studying duration.

6. Employees are not required to pay to wear PPE and have the right to request employers to replenish or change types of PPE to fit actual circumstances.

## **Article 6. Rules for using PPE**

1. Employers must provide instructions to allow employees to proficiently use PPE in accordance with manufacturers' instructions and inspect the use of PPE.
2. In regard to specialized PPE with high technical requirements, employers must organize inspections and testing in order to ensure quality and specifications of these equipment before providing them as well as periodic inspection during use and logging their use; employers must not use PPE that does not meet technical requirements or have expired according to providers' recommendation; employers must immediately discard defective PPE and PPE that does not meet occupational safety and hygiene standards.
3. Employees must use the provided PPE accordingly while working. Violations shall be met with disciplinary actions depending on level of violation as prescribed by working regulations of their workplace or the law.
4. Employers must resupply employees with new PPE if their previous PPE is lost, damaged, or expired. Employees are liable for compensation if their PPE is lost or damaged without justifiable reasons in accordance with working regulations of their workplace. Upon expiry of the PPE or when employees are reassigned to other tasks, employees must return their PPE at request of their employers and sign the transfer form.

## **Article 7. Rules for preserving PPE**

1. Employers are responsible for designing locations for storing and preserving PPE in accordance with manufacturers' instructions. Employers are responsible for preserving provided PPE.
2. In regard to PPE for use in places with inadequate hygiene conditions or vulnerable to toxic, infection, or radiation, employees must clean, disinfect, sterilize, or perform radioactive decontamination after each use in order to maintain occupational safety and hygiene for other employees and surrounding environment and carry out periodic inspection.

## **Chapter III**

### **ORGANIZING IMPLEMENTATION**

## **Article 8. Responsibilities of employers**

1. On the basis of this Circular and expiry date of PPE, employers shall consult internal employee representative bodies annually to produce procurement plans (and backup procurement plans) and provide PPE for employees.
2. Inspect PPE before issue and during use. If PPE is provided for representatives of teams or factories, organize inspections and supervise the delivery of PPE to employees.

3. Record the provision of PPE using form under Appendix II attached hereto in which employees or representatives of teams or factories who receive the PPE must sign.

Employers are encouraged to digitalize the monitoring and provision of PPE and allow employees to apply information technology to verify.

4. Consult internal employee representative bodies before deciding on expiry date and quantity of PPE to be provided for employees.

5. Ensure adherence to rules under Clause 3 Article 23 of the Law on Occupational Safety and Hygiene and this Circular.

6. Upon performing regulations under Clause 3 Article 5 hereof, employers must also submit reports using form under Appendix III attached hereto to the Minister of Labor - War Invalids and Social Affairs to request revision or addition to the list.

#### **Article 9. Responsibilities of Departments of Labor - War Invalids and Social Affairs**

1. Cooperate with relevant authorities in disseminating this Circular in enterprises and manufacturing facilities in their provinces.

2. Encourage, supervise, inspect, and examine the provision of PPE in work and take actions against violations in accordance with labor laws.

3. Submit annual reports on implementation of this Circular in provincial enterprises, agencies, organizations, cooperatives, and households to Ministry of Labor - War Invalids and Social Affairs together with reports on occupational safety and hygiene.

#### **Article 10. Entry into force**

1. This Circular comes into force from April 1, 2023.

2. Circular No. 04/2014/TT-BLDTBXH dated February 12, 2014 of the Minister of Labor - War Invalids and Social Affairs expires from the effective date hereof.

3. Difficulties that arise during the implementation of this Circular should be reported to the Ministry.

**PP. MINISTER  
DEPUTY MINISTER**

Le Van Thanh

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