

LAW ON EMPLOYMENT

Pursuant to the Constitution of the Socialist Republic of Vietnam, as amended and supplemented by the Resolution No. 203/2025/QH15;

The National Assembly promulgates the Law on Employment.

Chapter I GENERAL PROVISIONS

Article 1. Scope of regulation

This Law provides employment creation support policies, labor registration, labor market information system, occupational skill development, employment services, unemployment insurance, and state management of employment.

Article 2. Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Worker* means a Vietnamese citizen who is full 15 years or older, has ability to work and seeks employment. The use of minor workers must comply with the conditions defined in the Labor Code.

2. *Employment* means an income-generating working activity not banned by law.

3. *National occupational skills standards* means requirements on professional and technical knowledge, practice capacity, and ability of application which are required for a worker to perform his/her work depending on each qualification level of skills of each occupation.

4. *Unemployment insurance* is a type of compulsory insurance organized by the State, in which workers and employers participate to support job maintenance, training, job counseling and recommendation, and partially compensate for the income of workers when they become unemployed, on the basis of making contributions to the Unemployment Insurance Fund.

5. *Public employment* means paid temporary employment which is created through the implementation of state-funded programs, projects or activities in the localities.

6. *Labor database* is a collection of data about workers that is organized and arranged for the purposes of access, exploitation, sharing, management, and updating.

7. *Discrimination in employment* means acts of distinction, exclusion, or preference based on race, color, national origin or social origin, ethnicity, gender, age, maternity status, marital status, religion, belief, disability, illness, or family responsibilities, which affect equality in employment or occupation, except for the cases arising from specific job requirements and aimed at maintaining and protecting employment for vulnerable workers.

Article 3. Principles of employment

1. Ensuring the right to work and freely choose jobs and workplaces.
2. Ensuring equality in employment opportunities, salaries and incomes.
3. Ensuring working under safe and hygienic conditions.

Article 4. State policies on employment

1. To make socio-economic development aiming to create employment for workers, identify employment creation objectives in socio-economic development strategies, master plans and plans; to develop employment in the private economic sector; to allocate resources for the implementation of policies and strategies of employment and occupational skill development; and to develop unemployment insurance policies.

2. To provide free job counseling and recommendation for workers and provide labor market information free of charge through public employment service organizations.

3. To promote labor restructuring in line with the economic structure and towards sustainability.

4. To provide the support for job creation, self-employment, and job change.

5. To provide the support for labor market development, to prioritize infrastructure development investment to meet digital transformation requirements.

6. To encourage the development of vocational skills and job creation in the fields of science, technology, innovation, digital transformation, circular economy, and green economy.

7. To encourage organizations and individuals to support and carry out occupational skill development activities; to participate in training, retraining, job creation, self-employment, and sustainable job maintenance.

Article 5. Prohibited acts

1. Committing discriminatory acts in employment.
2. Committing fraud or forging dossiers in the implementation of employment policies, employment services, assessment and grant of certificates of national vocational skills.
3. Taking advantage of employment service activities to infringe upon national sovereignty, national defense, security, national and ethnic interests, social order and safety, public interests, and the lawful rights and interests of agencies, organizations, and individuals.
4. Illegally exploiting, sharing, buying, selling, exchanging, appropriating, or using information and data in the labor database and labor market information.

Article 6. The state management of employment

1. Contents of the state management of employment include:
 - a) Promulgating, and organizing the implementation of, legal documents on employment;
 - b) Propagating, disseminating and educating about the law on employment;
 - c) Carrying out the management of labor, labor market information, occupational skill development, employment creation support policies, employment services, and unemployment insurance;
 - d) Inspecting, examining, and supervising the implementation of employment policies and laws; settling complaints and denunciations, and handling violations of the law on employment;
 - dd) Carrying out international cooperation on employment.
2. The responsibility of state management of employment shall be defined as follows:
 - a) The Government shall uniformly perform the state management of employment nationwide;
 - b) The Ministry of Home Affairs shall be the focal agency assisting the Government in performing the state management of employment;
 - c) Ministries and ministerial-level agencies shall, within the scope of their respective duties and powers, take the responsibility for coordinating with the Ministry of Home Affairs in performing the state management of employment;
 - d) People's Committees at all levels shall, within the scope of their respective duties and powers, perform the state management of employment in their localities.

Article 7. Responsibilities of agencies, organizations and individuals for employment

1. The Vietnam Fatherland Front and its member organizations shall, within the ambit of their functions and tasks, mobilize agencies, organizations and individuals to create employment; and conduct supervision and social commentary on the formulation and supervision of the implementation of, policies and laws on employment in accordance with law regulations.

2. Agencies and organizations shall, within the ambit of their tasks and powers, propagate and disseminate policies and laws on employment; create employment; and protect the lawful rights and interests of workers and employers in accordance with law regulations.

3. Individuals shall take the initiative in seeking employment, participating in employment creation, as well as enhancing their occupational skill levels.

Chapter II EMPLOYMENT CREATION SUPPORT POLICIES

Article 8. Credit policies for employment creation

1. The State implements credit policies to support employment creation and maintain and expand employment, and assist Vietnamese guest workers through the Vietnam Bank for Social Policies from the capital allocated for loans for employment creation.

2. Sources of capital for loans for employment creation include:

- a) Central budget allocated to the Vietnam Bank for Social Policies;
- b) Local budget entrusted to the Vietnam Bank for Social Policies;
- c) Capital mobilized by the Vietnam Bank for Social Policies, with management fees and interest rate difference subsidies provided by the state budget;
- d) Capital entrusted by organizations and individuals to the Vietnam Bank for Social Policies.

3. Based on the local budget balancing capacity and employment creation needs, the provincial-level People's Councils shall decide on the allocation of capital from the local budget and other lawful sources, and assign the People's Committees of the same level to entrust the Vietnam Bank for Social Policies to provide loans for employment creation.

Article 9. Policies of loans for employment creation

1. Borrowers eligible for loans to support employment creation and maintain and expand employment include:

a) Small and medium-sized enterprises, cooperatives, unions of cooperatives, cooperative groups, business households (hereinafter collectively referred to as production and business establishments);

b) Workers.

2. Borrowers eligible for loans for working abroad under contracts are Vietnamese guest workers.

3. Borrowers eligible for loans to support employment creation and maintain and expand employment at lower interest rates include:

a) Production and business establishments employing a large number of workers who are persons with disabilities, ethnic minority people, persons who have completely served their imprisonment sentences, persons who have completely executed decisions on consignment to compulsory education institution, persons who have completely executed decisions on consignment to compulsory detoxification establishment;

b) Workers who are ethnic minority people being poor households;

c) Workers who are Kinh ethnic people being poor households residing in areas with extremely difficult socio-economic conditions as prescribed by the Government;

d) Workers who are persons with disabilities; workers in households directly nurturing and taking care of persons with exceptionally serious disabilities; workers who undertake to nurture and take care of persons with exceptionally serious disabilities;

dd) Other beneficiaries as decided by the Government based on the socio-economic situation and the demand for loans for employment creation.

4. Borrowers eligible for loans for working abroad at lower interest rates include:

a) Workers who are ethnic minority people being poor households;

b) Workers who are Kinh ethnic people being poor households residing in areas with extremely difficult socio-economic conditions as prescribed by the Government;

c) Other beneficiaries as decided by the Government based on the socio-economic situation and the demand for loans for employment creation.

5. Production and business establishments are eligible for loans to support employment creation and maintain and expand employment when they meet the following conditions:

a) Have a feasible loan utilization plan consistent with their production and business lines, aimed at supporting employment creation, employment maintenance and expansion;

b) Provide loan collateral in accordance with the law regulations.

6. Workers are eligible for loans to support employment creation and maintain and expand employment when they meet the following conditions:

a) Have full civil act capacity;

b) Have a loan utilization plan for employment creation, employment maintenance or expansion.

7. Workers are eligible for loans for working abroad under contracts when they meet the following conditions:

a) Have full civil act capacity;

b) Have signed a contract with a service enterprise or non-business unit sending workers abroad under contracts in accordance with the law;

c) Provide loan collateral in accordance with the law regulations.

8. For local budget capital entrusted to the Vietnam Bank for Social Policies, the provincial-level People's Councils shall decide on other beneficiaries, apart from those specified in Clauses 3 and 4 of this Article, who are eligible for loans at lower interest rates.

9. For capital entrusted by organizations and individuals to the Vietnam Bank for Social Policies, the entrusting organizations and individuals shall decide on the beneficiaries of loans.

10. The Government shall detail Point a, Clause 3 of this Article; regulate loan interest rates, loan levels, loan terms, dossiers, order, procedures, and loan collateral conditions for loans to support employment creation, maintain and expand employment, and loans to support working abroad under contracts for the capital sources specified in Clause 2, Article 8 of this Law.

Article 10. Policy of support for occupation or employment change for workers in rural areas

1. Based on socio-economic development strategies, master plans and plans, the State shall support occupation or employment change for workers in rural areas.

2. Workers in rural areas who participate in occupation or employment change are entitled to:

a) Loans for support of employment creation, employment maintenance and expansion, and loans for support of working abroad under contracts in accordance with this Law;

b) Vocational training support as defined by the Government.

Article 11. Public employment policies

1. Public employment policies are implemented through state-funded programs, projects or activities associated with socio-economic development in the localities.

2. The programs, projects and activities defined in Clause 1 of this Article shall have the form of contractor selection being community participation in execution in accordance with the law regulations on bidding.

3. Priority in participating in public employment is given to workers being ethnic minority people; members of poor households or households living just above the poverty line; elderly; persons with disabilities; persons in households directly nurturing and taking care of persons with exceptionally serious disabilities; persons who undertake to nurture and take care of persons with exceptionally serious disabilities; persons whose land has been recovered and are eligible for training, vocational change, and job seeking support under the land law.

4. The Government shall detail the implementation of public employment policies.

Article 12. Employment support policies for young people

1. Youth workers shall receive vocational training support as defined by the Government in the following cases:

a) Youth people who have completed their military obligation or public security obligation;

b) Youth volunteers who have completed their tasks in socio-economic development programs or projects;

c) Young intellectuals who volunteered and have completed their work assignments in economic-defense zones.

2. Youth workers are eligible for loans for support of employment creation, employment maintenance and expansion, and loans for support of working abroad under contracts in accordance with this Law.

3. Youth workers may receive the support to start up their career or business in accordance with the law.

Article 13. Employment support policies for elderly workers

1. Elderly workers are eligible for loans for support of employment creation, employment maintenance and expansion in accordance with this Law.

2. They receive support for training, fostering to improve occupational skills qualifications, and assistance in participating in assessment and grant of certificates of national occupational skills in accordance with this Law.

3. Based on socio-economic conditions in each period and budget balancing capacity, the State implements policies to support employment creation, retraining, and vocational change for elderly workers to adapt to population ageing.

Article 14. Support for Vietnamese guest workers

1. Vietnamese guest workers falling into one of the following cases shall be entitled to support before their overseas working:

- a) People with meritorious service to the revolution or their relatives;
- b) Ethnic minority people;
- c) Members of poor households or households living just above the poverty line;
- d) Persons whose land has been recovered and are eligible for training, vocational change, and job seeking support under the land law;
- dd) Persons who have completed their military obligation or public security obligation;
- e) Youth volunteers who have completed their tasks in socio-economic development programs or projects;
- g) Young intellectuals who volunteered and have completed their work assignments in economic-defense zones.

2. The support regimes include:

- a) Orientation education before working abroad under contracts;
- b) Training, fostering to improve occupational skills and foreign languages qualifications to meet the requirements of the host country;
- c) Other expenses for Vietnamese guest workers.

3. The Government shall detail Clause 2 of this Article.

Article 15. Activities of support for labor market development

1. The State's responsibilities in supporting labor market development include:

- a) Building, managing, operating, utilizing, and upgrading technology infrastructure systems, labor databases, and labor market information systems;
- b) Investing in building, enhancing capacity, and modernizing the employment service activities of public employment service organizations; developing the national labor exchange.

2. The funding for the implementation of Clause 1 of this Article shall be allocated from the state budget in accordance with the laws on the state budget, public investment, and other sources as specified by law regulations.

Chapter III

LABOR REGISTRATION

Article 16. Principles for labor registration

1. Ensuring the simple, convenient, timely, accurate, public, and transparent order and procedures for labor registration.

2. Ensuring the legitimate rights and interests of employers and workers during labor registration.

3. Applying science, technology, and electronic transactions in labor registration.

4. Receiving, updating, and adjusting worker information into the labor database and connecting, synchronizing with the national general database, national databases, specialized databases, and other databases.

Article 17. Labor registration information and labor database

1. Labor registration information of a worker includes the following groups of information:

a) Basic information: full name; personal identification number; date of birth; gender; ethnicity; current place of residence;

b) Information on general education, vocational education, higher education, certificates of occupational skills, and other certificates;

c) Information on employment status and employment needs;

d) Information on social insurance, unemployment insurance;

dd) Other information groups regarding the characteristics and specifics of the registrant.

2. Employers and workers shall carry out the registration and adjustment of labor registration information when registering or adjusting social insurance participation information.

3. Workers not being those defined in Clause 2 of this Article that wish to register or adjust labor registration information shall submit their dossiers for registration or adjustment of labor registration information to the labor registration location.

4. The information specified in Clause 1 of this Article shall be connected, updated, synchronized, and shared from the national general

database, national databases, specialized databases, and other databases in accordance with this Law, data law, and other relevant law regulations.

5. The labor database is built and managed centrally and uniformly nationwide in accordance with law regulations on data.

6. The Government shall detail this Article; define the dossiers, order, procedures, and locations for labor registration; and specify the receipt, management, exploitation, connection, sharing, and use of the labor database.

Article 18. Rights and obligations of workers

1. Workers have the following rights:

a) To have their labor registration information protected in accordance with the law on personal data protection and other relevant law regulations;

b) To access their own information within the labor database;

c) To have their labor registration information in the labor database adjusted and updated by competent agencies;

d) To use their own information in the labor database for transactions, accessing, and enjoying employment creation support policies; assessment and grant of certificates of national occupational skills; job counseling and recommendation; and unemployment insurance in accordance with this Law.

2. Workers have the following obligations:

a) To carry out labor registration in accordance with this Law;

b) To provide timely their complete, accurate and truthful labor registration information to competent state agencies and employers, and to take the responsibility for the information provided;

c) To promptly adjust information in the labor database upon changes to the information specified at Point c, Clause 1, Article 17 of this Law.

Chapter IV LABOR MARKET INFORMATION SYSTEM

Article 19. Labor market information system

1. The labor market information system is a comprehensive collection of technological infrastructure, software, and data that is built and managed centrally and uniformly nationwide to serve the management, research and formulation of policy, analysis, and forecasting of the labor market, and to support agencies, organizations, and individuals participating in the labor market.

2. The labor market information system is connected, updated, synchronized, and shares data with the national general database, national

databases, labor databases, specialized databases, and other databases to update, share, and utilize labor market information.

3. The Government shall detail this Article.

Article 20. Labor market information

1. The labor market information includes:

- a) Information about labor supply, labor demand, and labor supply-demand matching;
- b) Information about occupational skills qualifications and training
- c) Information about job search trends and labor demand;
- d) Information about wages and income of workers.

2. Ministries, ministerial-level agencies, Government-attached agencies, and People's Committees at all levels shall, within the scope of their functions, duties, and powers, provide and share information and data related to labor market information with the Ministry of Home Affairs.

3. The Government shall detail this Article.

Article 21. Management, operation, and exploitation of the labor market information system

1. The management, operation, and exploitation of labor market information must comply with this Law, the law on access to information, law on data, and other relevant law regulations.

2. State management agencies in charge of employment shall be responsible for:

- a) Managing, operating, updating, and exploiting the labor market information system to serve research and formulation of policies;
- b) Analyzing, forecasting, and disseminating labor market information within their authority;
- c) Disseminating labor market information on the websites of state management agencies in charge of employment; mass media; and other lawful methods.

3. Agencies, organizations, and individuals are permitted to access, exploit, and use publicized labor market information.

CHAPTER V DEVELOPMENT OF OCCUPATIONAL SKILLS

Article 22. Contents and support of development of occupational skills

1. Development of occupational skills includes the following contents:

a) Development, management, and implementation of the national occupational skills qualification framework;

b) Development and announcement of national occupational skills standards in accordance with the national occupational skills qualification framework, meeting labor market demands and aligning with regional and global vocational skill standards and qualifications; development of assessment toolkits for recognition and grant of certificates of national occupational skills;

c) Promulgation of the list of occupations or jobs requiring certificates of national occupational skills;

d) Provision of training, fostering to improve occupational skills qualifications for workers in accordance with law regulations;

dd) Improvement of the capacity of the system of occupational skills assessment organizations;

e) Mutual recognition of certificates of national occupational skills between Vietnam and other countries;

g) Assurance of workers' and employers' rights and obligations regarding the improvement of workers' occupational skills qualifications in accordance with law regulations;

h) Establishment of a database on development of occupational skills.

2. Ensuring the participation of relevant parties in development of occupational skills.

3. The State supports the following workers when they participate in training, fostering to improve occupational skills qualifications, and assessment and grant of certificates of national occupational skills:

a) People with meritorious service to the revolution or their relatives;

b) Members of poor households or households living just above the poverty line;

c) Persons with disabilities;

d) Elderly;

dd) Ethnic minority people;

e) Persons who have completed their military obligation or public security obligation;

g) Youth volunteers who have completed their tasks in socio-economic development programs or projects;

h) Young intellectuals who volunteered and have completed their work assignments in economic-defense zones;

i) Other beneficiaries decided by the Government based on the socio-economic situation.

4. The Government shall detail this Article; provide the regulations on support for training, fostering to improve occupational skills qualifications, and support for assessment and grant of certificates of national occupational skills.

Article 23. National occupational skills qualification framework and standards

1. The national occupational skills qualification framework means a framework for classifying vocational skill qualification levels.

2. National occupational skills standards shall be developed, appraised, announced and applied for each qualification level of occupational skills for each occupation and the national occupational skills qualification framework.

3. The Government shall detail this Article.

Article 24. Assessment and grant of certificates of national occupational skills

1. Certificate of national occupational skills is a document issued by a competent state agency to recognize that a worker possesses sufficient ability to perform work and meets the requirements at a specific qualification level of skills of an occupation, based on the results of the occupational skills assessment conducted by a national occupational skills assessment organization.

2. Individuals requesting the grant or re-grant of a certificate of national occupational skills must pay fees in accordance with the law on charges and fees, except for cases of errors made by the competent authority.

3. The assessment of national occupational skills must adhere to the following principles:

- a) Ensuring voluntariness of workers;
- b) Being based on national occupational skills standards;
- c) Ensuring accuracy, independence, impartiality, equality and transparency.

4. Contents of assessment of national occupational skills include:

- a) Professional and technical knowledge;
- b) Practice skills;
- c) Occupational safety and hygiene process;
- d) Other contents specific to the occupation or job.

5. In case of mutual recognition of certificates of national occupational skills between Vietnam and other countries, the certificates of national occupational skills of the countries are valid in Vietnam and vice versa.

6. The Government shall detail this Article; define the authority, conditions, dossiers, order, and procedures for grant, re-grant, and revocation of certificates of national occupational skills; and the mutual recognition of certificates of national occupational skills between Vietnam and other countries.

Article 25. National occupational skills assessment organizations

1. National occupational skills assessment organization means a legal entity that is granted a certificate for assessment of national occupational skills by a competent state agency when it fully satisfies the conditions on physical foundations, equipment, assessors, and other personnel.

2. National occupational skill assessment organizations that collect fees for national occupational skills assessment services must determine by themselves the prices and post the list of the service prices in accordance with the law on prices.

3. National occupational skill assessment organizations requesting the grant or re-grant of certificate for assessment of national occupational skills must pay fees in accordance with the law on charges and fees, except for cases of errors made by the competent agency.

4. The Government shall detail this Article, specify the dossier, order, and procedures for grant of certificates for assessment of national occupational skills.

Article 26. Occupations or jobs requiring certificates of national occupational skills

1. Certificates of national occupational skills are required for workers who do occupations or jobs that directly affect the safety and health of themselves or of the community.

2. The Government shall promulgate the list of occupations or jobs requiring certificates of national occupational skills.

Chapter VI EMPLOYMENT SERVICES

Article 27. Employment service contents and employment service organizations

1. Employment services include job counseling and recommendation; supply and referral of workers to employers; and collection, analysis, storage and provision of labor market information.

2. Employment service organizations include public employment service organizations and employment service enterprises.

3. Employment service organizations that meet the conditions for conducting e-transactions in the field of employment services shall carry out e-transactions with workers and employers in accordance with this Law and the law on e-transactions.

4. Employment service business activities conducted through e-commerce may only be carried out by enterprises holding an employment service license when they meet the conditions defined by the law on e-commerce.

5. The Government shall detail the establishment conditions for, and organization and operation of, public employment service organizations.

Article 28. Employment service enterprises

1. Employment service enterprise means an enterprise established and operating under the law on enterprises and granted an employment service license by a competent state agency.

2. An employment service license shall be granted to an enterprise that has facilities and personnel meeting the requirements for employment service activities, has made a deposit, and must maintain these conditions throughout its operation.

3. An employment service enterprise may establish a branch if the branch has facilities meeting the requirements for employment service activities and must notify the specialized agency in charge of employment of the People's Committee of the province where its head office is located before commencing employment service activities.

4. Employment service enterprises shall self-determine the prices of its employment services and post such prices in accordance with the law on prices.

5. The Government shall detail Clauses 2 and 3 of this Article; define the sample license, dossiers, order, and procedures for grant, re-grant, extension, and revocation of employment service licenses.

Chapter VII UNEMPLOYMENT INSURANCE

Section 1 PRINCIPLES, PARTICIPANTS AND BENEFITS OF UNEMPLOYMENT INSURANCE

Article 29. Principles of unemployment insurance

1. Ensuring risk sharing among unemployment insurance participants.

2. The levels of payable unemployment insurance premiums are based on monthly wages of workers.

3. The levels of unemployment insurance benefits are based on the levels and duration of payment of unemployment insurance premiums.

4. Unemployment insurance is implemented in a simple, easy and convenient manner, promptly and adequately ensuring the interests of unemployment insurance participants.

5. The Unemployment Insurance Fund is managed in a centralized, uniform, public, and transparent manner; used for its intended purpose; protected by the State, ensuring the safety and growth.

Article 30. Unemployment insurance benefits

1. Unemployment insurance benefits include:

- a) Job counseling and recommendation;
- b) Provision of training, fostering to improve occupational skills qualifications to workers;
- c) Unemployment allowance;
- d) Provision of support for training and retraining to improve occupational skills qualifications for job maintenance for workers to employers.

2. In cases of economic crisis or recession, natural disasters, fires, enemy calamity, or dangerous epidemics, the Government shall, based on the actual situation and the balance of the Unemployment Insurance Fund, specify reduction in unemployment insurance premium levels, provision of monetary support, or other forms of support.

Article 31. Participants in unemployment insurance

1. Workers being participants in unemployment insurance include:

a) Persons working under indefinite-term labor contracts, definite-term labor contracts with a term of full 01 month or more, also including cases where the workers and employers agree on a document with a different name which contains the contents showing paid work, salary and management, operation and supervision by one party;

b) Workers specified at Point a of this Clause who work part-time and have monthly salary equal to or higher than the lowest salary on which compulsory social insurance premiums are based in accordance with Law on Social Insurance;

c) Persons working under working contracts;

d) Salaried managers of enterprises, controllers, representatives of enterprise capital as prescribed by law regulations; salaried members of the

Board of Directors, General Directors, Directors, members of the Board of Supervisors or controllers and other elected management positions of cooperatives and unions of cooperatives as prescribed by the Law on Cooperatives.

If a worker simultaneously falls into different categories of unemployment insurance participants as specified in this Clause, the worker and the employer shall be responsible for participating in unemployment insurance along with compulsory social insurance.

2. Workers as specified in Clause 1 of this Article who are currently entitled to salaries, social insurance allowances and monthly allowances according to the Government's regulations, or who are eligible to enjoy a pension; workers on probation contracts as defined by labor law; and domestic workers are not subject to participation in unemployment insurance.

3. Employers participating in unemployment insurance include state agencies, public non-business units; agencies, units and enterprises of the People's Army and the People's Public Security forces and cipher organizations; political organizations, socio-political organizations, socio-politico-professional organizations, socio-professional organizations and other social organizations; foreign agencies and organizations, and international organizations operating in Vietnam's territory; enterprises, cooperative groups, cooperatives, unions of cooperatives, business households, other organizations, and individuals that hire or employ employees as defined in Clause 1 of this Article.

4. The National Assembly Standing Committee shall decide on the participation of unemployment insurance for persons other than those specified in Clause 1 of this Article who have regular and stable jobs and incomes at the Government's proposal to suit socio-economic development conditions in each period.

Section 2

PARTICIPATION IN UNEMPLOYMENT INSURANCE AND PAYMENT OF UNEMPLOYMENT INSURANCE PREMIUMS

Article 32. Participation in unemployment insurance

1. The identification of unemployment insurance participants, registration for participation in unemployment insurance, modification of information in declaration forms for registration for participation in unemployment insurance shall be coordinated with the identification of compulsory social insurance participants, registration for participation in compulsory social insurance, and modification of information in declaration forms for registration for participation in compulsory social insurance in accordance with the law regulations on social insurance.

2. Participation in unemployment insurance, payment of unemployment insurance premiums, and enjoyment of unemployment insurance benefits are recorded in the social insurance books as defined by the Law on Social Insurance, serving as the basis for settlement of unemployment insurance regimes in accordance with this Law.

Article 33. Payment of unemployment insurance premiums

1. The levels of and responsibility to pay unemployment insurance premiums are specified as follows:

a) Workers shall pay unemployment insurance premiums equal to 1% of their monthly wage at most;

b) Employers shall pay unemployment insurance premiums equal to 1% of the monthly wage fund of the workers currently participating in unemployment insurance at most;

c) The State shall provide at most 1% of the monthly wage fund from the central budget as support for payment of unemployment insurance premiums of workers currently participating in unemployment insurance.

2. Monthly, employers shall pay unemployment insurance premiums at the level specified at Point b, Clause 1 of this Article and make deductions from the wages of workers at the level specified at Point a, Clause 1 of this Article, for simultaneous payment to the Unemployment Insurance Fund.

In case the workers defined at Point a Clause 1 Article 31 of this Law are entitled to product-based wages or contractual wages at enterprises, cooperative groups, cooperatives, unions of cooperatives or business households engaged in agriculture, forestry, fisheries or salt making, employers shall register with the social insurance agency and pay unemployment insurance premiums monthly, every 3 months, or every 6 months. The deadline for payment is no later than the last day of the month immediately following the payment cycle.

3. The time for payment of unemployment insurance premiums of employers is the time for payment of compulsory social insurance premiums.

4. The workers who do not receive salary for 14 working days or more in a month are not required to pay unemployment insurance premiums for that month.

5. Employers shall be responsible for fully payment unemployment insurance premiums. The acts of making late payment and evading payment of unemployment insurance premiums shall be settled in accordance with the Law on Social Insurance.

6. Employers shall be eligible for a reduction in the unemployment insurance premiums that they are responsible for paying for workers with

disabilities for a period not exceeding 12 months when newly recruiting and employing workers with disabilities.

7. Employers shall be responsible for fully paying unemployment insurance premiums as defined for workers upon termination of labor contracts, working contracts, or cessation of work to timely settlement of unemployment insurance benefits for workers.

If an employer fails to fully payment the unemployment insurance premiums for a worker, the employer must pay an amount equivalent to the unemployment insurance benefits the worker would have received in accordance with the law regulations.

8. The State transfers support funds from the state budget to the Unemployment Insurance Fund.

9. The Government shall detail Clauses 1, 6, 7, and 8 of this Article.

Article 34. Basis for payment of unemployment insurance premiums

1. The salary for use as a basis for payment of unemployment insurance premiums is specified as follows:

a) For workers who are entitled to the State's salary regimes, salaries used as a basis for unemployment insurance premium payment are monthly salaries based on their position, title, rank, grade and position-based allowance, seniority allowance beyond salary frame, occupation-based seniority allowance, and salary reservation difference coefficient (if any);

b) For workers who are entitled to salary regimes decided by employers, salaries used as a basis for unemployment insurance premium payment are monthly salaries, including salaries based on job performance or title, salary-based allowance, and other additional amounts agreed upon to be paid on a regular and stable basis in each salary payment period.

Workers who are laid off but still enjoy monthly salary equal to or higher than the lowest salary used as a basis for payment of compulsory social insurance premiums, their unemployment insurance premiums shall still paid on the basis of the salaries they received during the layoff period.

2. The salary for use as a basis for unemployment insurance premium payment must not exceed 20 times the region-based monthly minimum wage announced by the Government at the time of premium payment.

3. In case a worker as unemployment insurance participant is temporarily detained or suspended from work, he/she and his/her employer shall suspend the payment of unemployment insurance premiums; in case the worker is entitled to retrospectively receive full salary, he/she and his/her employer shall make premium payment for the period of temporary detention or work suspension that is equal to the payable amount of the months of payment suspension at the same

time of payment of compulsory social insurance premiums for such period of temporary detention or work suspension.

4. The retrospective collection and payment of unemployment insurance premiums shall be carried out concurrently with the retrospective collection and payment of compulsory social insurance premiums in accordance with the law regulations on social insurance.

5. The Government shall detail this Article.

Article 35. Period of payment of unemployment insurance premiums

1. The period of payment of unemployment insurance premiums for receipt of unemployment insurance benefits is the total of periods of payment of unemployment insurance premiums from the starting time of such payment to the time the worker terminates his/her labor contract or working contract or terminates his/her work under law but during which he/she has not yet received any unemployment allowance.

2. After a worker stops receiving unemployment allowance, his/her subsequent period of payment of unemployment insurance premiums will be counted from the beginning, except for cases having the period of payment of unemployment insurance premiums reserved as defined in Clauses 5 and 6 Article 41 of this Law.

3. The period of payment of unemployment insurance premiums is not counted for receipt of job loss allowance or severance pay under the laws on labor and public employees.

4. The Government shall define the workers' period of payment of unemployment insurance premiums during which they have not yet received any unemployment allowance.

Section 3

JOB COUNSELING AND RECOMMENDATION, SUPPORT FOR TRAINING TO IMPROVE OCCUPATIONAL SKILLS QUALIFICATIONS FOR WORKERS

Article 36. Job counseling and recommendation

1. The workers defined in Clause 1, Article 31 of this Law who currently pay unemployment insurance premiums, have their labor contracts or working contracts terminated or cease their work and wish to seek employment shall be provided with job counseling and recommendation.

2. The Government shall detail the job counseling and recommendation.

Article 37. Support for training to improve occupational skills qualifications for workers

1. Workers who are receiving unemployment benefits are eligible for support in training to improve occupational skills qualifications for workers.

2. Workers not falling into one of the subjects specified in Clause 1 of this Article must satisfy all the following conditions:

a) Being the subjects defined at Point a Clause 1 Article 38 of this Law;

b) Having submitted a dossier of request for support for training to improve occupational skills qualifications within 12 months from the date of termination of the labor contract, working contract, or cessation of work;

c) Within 10 working days from the date of submitting a complete dossier of request for support for training to improve occupational skills qualifications, if the worker does not fall into one of the cases of having a job and being subject to participation in compulsory social insurance in accordance with the Law on Social Insurance, or performing the military obligation, public security obligation or full-time militia, or attending a training course of more than 12 months, or executing a decision on application of the measure of consignment to compulsory education institution or to compulsory detoxification establishment, or being kept in temporary detention or serves a prison sentence, going abroad for settlement, or dying;

d) Having paid unemployment insurance premiums for at least full 9 months within 36 months prior to the termination of the labor contract, working contract, or cessation of work.

3. The duration of support for training to improve occupational skills qualifications is based on the course duration and study time, but the total support period must not exceed 6 months.

4. Contents of support for training to improve occupational skills qualifications include:

a) Tuition fees;

b) Meal allowances for workers during the period of training to improve occupational skills qualifications.

5. The Government shall detail this Article; define the dossiers, order, and procedures for supporting workers participating in training to improve occupational skills qualifications.

Section 4

UNEMPLOYMENT ALLOWANCE

Article 38. Conditions for unemployment allowance receipt

1. A worker defined in Clause 1, Article 31 of this Law who currently pays unemployment insurance premiums may receive unemployment allowance when fully meeting the following conditions:

a) Terminating the labor contract or working contract or cease his/her work in accordance with law regulations and not being one of the cases in which the worker unilaterally terminates the labor contract in contravention of law under the Labor Code or the worker resigns when meeting the conditions for enjoying pension.

b) Having paid unemployment insurance premiums for at least full 12 months within 24 months prior to the termination of the labor contract or working contract or cease his/her work under law regulations.

For a worker signing a labor contract with a term of between full 01 month and under 12 months, the payment of unemployment insurance premiums for at least full 12 months within the 36 months prior to the termination of the labor contract is required.

c) Having submitted a dossier of request for enjoyment of unemployment allowance within 03 months from the date of termination of the labor contract, working contract, or cessation of work.

d) Within 10 working days from the date of submitting a complete dossier of request for enjoyment of unemployment allowance, if the worker does not fall into one of the cases of having a job and being subject to participation in compulsory social insurance in accordance with the Law on Social Insurance, or performing the military obligation, public security obligation or full-time militia, or attending a training course of more than 12 months, or executing a decision on application of the measure of consignment to compulsory education institution or to compulsory detoxification establishment, or being kept in temporary detention or serves a prison sentence, going abroad for settlement, or dying.

2. The Government shall detail this Article.

Article 39. Levels, duration and time of receipt of unemployment allowance, dossiers, order and procedures for receipt of unemployment allowance

1. The monthly unemployment allowance level equals 60% of the average monthly salary of 06 most recent months of unemployment insurance premium payment prior to the termination of the labor contract, working contract, or cessation of work on which unemployment insurance premiums are based, but must not exceed 5 times the region-based monthly minimum salary announced by the Government that is applicable in the last month of unemployment insurance premium payment.

2. The duration of unemployment allowance receipt is based on the number of months of payment of unemployment insurance premiums. This duration is 3 months if the period of payment of unemployment insurance premiums is between full 12 months and full 36 months, which is added with 1 month for each additional period of payment of full 12 months, but such duration of unemployment allowance receipt must not exceed 12 months.

3. The timing of unemployment allowance receipt is the 11th working day from the date a complete dossier of request for unemployment allowance is submitted.

4. Workers currently receiving unemployment allowance are entitled to the health insurance regime according to the law on health insurance, including periods of suspension of unemployment allowance receipt as specified in Clause 2, Article 41 of this Law. Persons currently receiving unemployment allowance shall have their health insurance premiums paid by the social insurance agency from the Unemployment Insurance Fund.

5. The Government shall detail Clauses 1 and 2 of this Article; and define the dossier, order, and procedures for receipt of unemployment allowance.

Article 40. Worker's responsibility on notification of job seeking

1. During the period of receiving unemployment allowance, workers must monthly notify their job seeking status to the public employment service organization where they are receiving unemployment allowance.

2. The Government shall detail this Article.

Article 41. Change of places for, suspension, resumption, termination and cancellation of unemployment allowance receipt

1. During the time of unemployment allowance receipt, workers may change their places for receipt of unemployment allowance if needed.

2. Persons on unemployment allowance will be suspended from receiving it if they fail to monthly notify their job seeking under Article 40 of this Law.

Workers shall not receive the unemployment allowance during the period of suspension of unemployment allowance receipt and such suspension period shall not be reserved.

3. Workers who are suspended from receiving unemployment allowance may continue receiving it if the receipt duration has not yet expired and they monthly notify their job seeking under Article 40 of this Law.

4. A worker on unemployment allowance will stop receiving it in the following cases:

a) He/she has a job and is subject to participation in compulsory social insurance in accordance with the Law on Social Insurance;

b) He/she performs the military obligation, public security obligation or full-time militia;

c) He/she receives monthly pension;

d) He/she has twice refused without a plausible reason to take up the job recommended by the public employment service organization of the locality where he/she currently receives unemployment allowance;

dd) He/she fails to monthly notify his/her job seeking under Article 40 of this Law for 3 consecutive months;

e) He/she goes abroad for settlement;

g) He/she attends a training course of more than 12 months;

h) He/she is administratively sanctioned for violations of the law on unemployment insurance;

i) He/she dies;

k) He/she serves a decision on application of the measure of consignment to compulsory education institution or to compulsory detoxification establishment;

l) He/she is declared by a court as missing;

m) He/she is kept in temporary detention or serves a prison sentence;

n) Upon the worker's request.

5. Workers who stop receiving unemployment allowance in the cases specified at Points a, b, g, k, l, m and n, Clause 4 of this Article may have the period of payment of unemployment insurance premiums reserved for calculating the subsequent duration of receipt of unemployment allowance except for the cases of failing to notify the labor status as defined at Points a, b, g, k, l, m and n of Clause 4 of this Article.

6. The Government shall detail this Article, define cases of cancellation of unemployment insurance benefit receipt and the reserved period of unemployment insurance premium payment when the receipt of unemployment allowance are terminated.

Section 5

PROVISION OF SUPPORT FOR TRAINING AND RETRAINING TO IMPROVE OCCUPATIONAL SKILLS QUALIFICATIONS FOR JOB MAINTENANCE FOR WORKERS TO EMPLOYERS

Article 42. Provision of support for training and retraining to improve occupational skills qualifications for job maintenance for workers participation in unemployment insurance to employers

1. Employers may receive the support in cases the employment of numerous workers participating in unemployment insurance is affected or at risk of being affected, as follows:

- a) Changes in structure, technology, or for economic reasons as defined in the Labor Code;
- b) Natural disasters, fires, enemy calamity, or dangerous epidemics;
- c) Compliance with competent state agencies' decisions on relocation or narrowing of the production and business premises;
- d) Other cases as defined by the Government.

2. Employers are eligible for support when they meet all the following conditions:

- a) Have fully paid unemployment insurance premiums for 12 months or more within the 24 months until the time of requesting support;
- b) Having a plan for training and retraining activities to improve occupational skills qualifications for job maintenance for workers.

3. The duration of support for training and retraining to improve occupational skills qualifications for job maintenance for workers depends on the course and study time, but the total support period must not exceed 6 months.

4. The Government shall detail this Article; define the support levels, dossiers, order, and procedures for supporting employers in training and retraining to improve their workers' occupational skills qualifications for job maintenance for workers.

Section 6

THE UNEMPLOYMENT INSURANCE FUND

Article 43. The Unemployment Insurance Fund

1. The Unemployment Insurance Fund is a financial fund independent of the state budget. It is accounted for, prepared with financial reports, and subject to internal audit in accordance with accounting law and other relevant law regulations.

2. Every three years, the State Audit Office of Vietnam shall conduct an audit of the Unemployment Insurance Fund, its investment activities, and reports the results to the National Assembly. Upon request by the National Assembly, the Standing Committee of the National Assembly, or the Government, the Unemployment Insurance Fund may be subject to unscheduled audits.

Article 44. Sources forming the Unemployment Insurance Fund include:

1. Contributions and support specified in Clause 1 of Article 33 of this Law.
2. Profits from the Unemployment Insurance Fund's investment activities.
3. Other lawful revenues as specified by law regulations.

Article 45. Use of the Unemployment Insurance Fund

1. Payment of Unemployment insurance benefits
2. Provision of monetary support and other support as specified in Clause 2 Article 30 of this Law.
3. Payment of health insurance premiums only for workers on unemployment allowance.
4. Payment of the organization and operation of unemployment insurance.
5. Making investment for preservation and growth of the fund.

Article 46. Expenses for the organization and operation of unemployment insurance

1. The expenses for the organization and operation of unemployment insurance include the following contents:

a) Carrying out public communication about, disseminating, answering inquiries, and providing consultancy on unemployment insurance policies and laws; and organizing professional training and further training on unemployment insurance;

b) Carrying out the administrative reform of unemployment insurance; developing and managing participants and beneficiaries of unemployment insurance benefits;

c) Investing in, upgrading, renovating, expanding, maintaining and repairing assets, and renting and procuring assets, goods and services related to the management and operation of unemployment insurance;

d) Organizing the collection of social insurance premiums, resolution, and payment of unemployment insurance benefits and the apparatus operation of agencies implementing unemployment insurance policies.

2. The payment level for the organization and operation of unemployment insurance shall be calculated based on the percentage of estimated unemployment insurance revenues and expenditures, excluding amounts for payment of health insurance premiums only for workers on unemployment allowance, and is deducted from the Unemployment Insurance Fund.

3. Every three years, the Government shall report to the National Assembly Standing Committee for decision the levels of expenses for the organization and operation of unemployment insurance, concurrently with the levels of expenses for social insurance organization and operation.

4. The State Audit Office of Vietnam shall conduct annual audit of account-finalization reports on expenses for unemployment insurance organization and operation.

5. The Government shall detail Clauses 1 and 2 of this Article.

Article 47. Management of the Unemployment Insurance Fund's investment activities

1. The Unemployment Insurance Fund may apply independent cost-accounting and investment.

2. Investment activities of the Unemployment Insurance Fund must ensure safety, sustainability and efficiency; they must be controlled, risk-managed, and have risk provisions established.

3. The Government shall regulate the investment of the Unemployment Insurance Fund, the control and management of investment risks, and the setting aside and use of provisions.

Article 48. Responsibilities of the Government regarding unemployment insurance

1. To decide or submit to competent authorities for decision the handling measures and support measures, if necessary, to protect the legitimate rights and interests of workers and employers concerning unemployment insurance.

2. Annually, to report to the National Assembly on the implementation of unemployment insurance policies and regimes, and the management and use of the Unemployment Insurance Fund, as part of the report on the implementation of social insurance policies and regimes, and the management and use of the Social Insurance Fund according to regulations.

3. To specify the finalization and assign state management agencies to approve, appraise, and ratify the finalization of expenditures for the organization and operation of unemployment insurance.

4. To define the rights and responsibilities of relevant agencies, organizations, and individuals in implementation of unemployment insurance.

Section 7

COMPLAINTS AND DENUNCIATIONS ABOUT UNEMPLOYMENT INSURANCE

Article 49. The right to file complaints about unemployment insurance

Agencies, organizations and individuals have the right to request competent agencies, organizations and individuals to review the latter's decisions and acts when having grounds to believe that such decisions and acts are contrary to the law on unemployment insurance and infringe upon their lawful rights and interests.

Article 50. Complaints and settlement of complaints about unemployment insurance-related administrative decisions and acts; decisions and acts in unemployment insurance inspection activities

1. Complaints and settlement of complaints about unemployment insurance-related administrative decisions and acts must comply with the law on complaints, except the case specified in Clause 2 of this Article.

2. Complaints and settlement of complaints about administrative decisions and acts, other decisions and acts in unemployment insurance inspection activities must comply with the inspection law.

Article 51. Complaints and settlement of complaints; lawsuits against unemployment insurance-related decisions and acts

1. An unemployment insurance-related decision or act is a decision or an act of a social insurance agency or public employment service organization, or the competent person of a social insurance agency or public employment service organization performing or failing to perform its/his/her responsibilities in accordance with the law on unemployment insurance.

2. The procedures for filing a complaint about an unemployment insurance-related decision or act are as follows:

a) When having grounds to believe that an unemployment insurance-related decision or act is contrary to law and infringes upon his/her lawful rights and interests, the complainant shall file a first-time complaint to the social insurance agency or public employment service organization employing the person who has issued the unemployment insurance-related decision or has committed the unemployment insurance-related act or initiate a lawsuit at court in accordance with law;

b) In case the complainant disagrees with the results on settlement of the first-time complaint of the social insurance agency or the complaint has not been settled within the law-specified time limit, he/she has the right to file a second-time complaint to the head of the immediately superior agency or initiate a lawsuit at court in accordance with law.

In case the complainant disagrees with the results on settlement of the first-time complaint of the public employment service organization or the

complaint has not been settled within the law-specified time limit, he/she has the right to file a second-time complaint to the head of the specialized employment agency of the provincial-level People's Committee or initiate a lawsuit at court in accordance with law;

c) In case the complainant disagrees with the decision on settlement of the second-time complaint or the complaint has not been settled within the law-specified time limit, he/she has the right to initiate a lawsuit at court in accordance with law.

3. The competence to settle complaints about unemployment insurance-related decisions or acts of social insurance agencies or public employment service organizations is defined as follows:

a) The head of a social insurance agency or public employment service organization is competent to settle a first-time complaint about the unemployment insurance-related decision or act of his/her own and of the competent person under his/her management;

b) The head of the immediately superior agency of the social insurance agency is competent to settle the second-time complaint about the unemployment insurance-related decision or act that has been settled by the head of the subordinate social insurance agency for the first time but is still being complained about or when the first-time complaint is left unsettled though the law-specified time limit for settlement has expired;

c) The head of the specialized employment agency of the provincial-level People's Committee is competent to settle the second-time complaint about the unemployment insurance-related decision or act that has been settled by the head of the public employment service organization for the first time but is still being complained about or when the first-time complaint is left unsettled though the law-specified time limit for settlement has expired.

4. The statute of limitations for filing complaints, and the order and procedures for settling complaints about unemployment insurance must comply with the law on complaints.

Article 52. Denunciations and settlement of denunciations about unemployment insurance

1. The denunciations and settlement of denunciations against law violations in the performance of unemployment insurance-related tasks and official duties and acts of violation of the law on state management in the field of unemployment insurance shall be carried out in accordance with the law on denunciations.

2. Social insurance agencies and public employment service organizations shall settle denunciations about acts of violation in the implementation of the law on unemployment insurance.

3. The order and procedures for denunciations and settlement of denunciations against law violations specified in Clause 2 of this Article must comply with the law on denunciations.

Chapter VIII

IMPLEMENTATION PROVISIONS

Article 53. Amending and supplementing Law on Charges and Fees No. 97/2015/QH13, which was amended and supplemented by Law No. 09/2017/QH14, Law No. 23/2018/QH14, Law No. 72/2020/QH14, Law No. 16/2023/QH15, Law No. 20/2023/QH15, Law No. 24/2023/QH15, Law No. 33/2024/QH15, and Law No. 35/2024/QH15

To add the contents No. 36 and No. 37 after No. 35, Section III, Part B of Appendix No. 01 on the List of Charges and Fees as follows:

36	Fee for grant of certificates for assessment of national occupational skills	The Ministry of Finance
37	Fee for grant of certificates of national occupational skills	The Ministry of Finance

Article 54. Effect

1. This Law takes effect on January 1, 2026.

2. The Law on Employment No. 38/2013/QH13, which was amended and supplemented by Law No. 41/2024/QH15, shall cease to be effective from the effective date of this Law, except for the cases specified in Clauses 1, 2, and 3 Article 55 of this Law.

Article 55. Transitional provisions

1. Transferring the National Employment Fund into a central budget allocation for the Vietnam Bank for Social Policies to serve as loan capital for employment creation as specified by the Government.

2. Customers who borrowed capital from the National Employment Fund and other preferential credit sources under Law on Employment No. 38/2013/QH13, which was amended and supplemented by Law No. 41/2024/QH15, and signed credit contracts with the Vietnam Bank for Social Policies before the effective date of this Law, shall continue to implement those contracts until the completion.

3. Occupational skills assessment organizations that are granted certificates for assessment of national occupational skills before the effective date of this Law may continue their operation according to these certificates.

4. Workers and employers who have submitted dossiers of request for unemployment insurance benefits before the effective date of this Law but have not yet received a decision on the enjoyment of unemployment insurance benefits shall comply with this Law.

This Law was adopted on June 16, 2025, by the XVth National Assembly of the Socialist Republic of Vietnam at its 9th session.

**THE CHAIRMAN OF THE
NATIONAL ASSEMBLY**

Tran Thanh Man