

**GOVERNMENT**

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**SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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No: 90/2019 / ND-CP

*Hanoi, November 15, 2019*

**DECREE**

**REGIONAL MINIMUM WAGES FOR EMPLOYEES WORKING UNDER LABOR  
CONTRACTS**

*Pursuant to the Law on Government Organization dated June 19, 2015;*

*Pursuant to the Labor Code dated June 18, 2012;*

*Pursuant to the Law on Enterprises dated November 26, 2014;*

*At the request of the Minister of Labor, War Invalids and Social Affairs;*

*The Government promulgates a Decree on regional minimum wages for employees working under labor contracts.*

**Article 1. Scope**

This Decree provides for the regional minimum wage applicable to employees working under labor contracts in accordance with the Labor Code.

**Article 2. Subjects of application**

1. The employee works under the labor contract regime according to the provisions of the Labor Code.
2. Enterprises established, organized, managed and operated under the Enterprise Law.
3. Cooperatives, unions of cooperatives, cooperative groups, farms, households, individuals and other organizations in Vietnam that hire labor under labor contracts.
4. Foreign agencies, organizations, international organizations and foreign individuals in Vietnam that hire labor under labor contracts (except for international treaties to which the Socialist Republic of Vietnam is being a member has provisions different from the provisions of this Decree).

Enterprises, cooperatives, unions of cooperatives, cooperative groups, farms, households, agencies, organizations and individuals specified in Clauses 2, 3 and 4 of this Article hereinafter referred to collectively is a business.

**Article 3. Regional minimum wage**

1. The regional minimum wage applicable to laborers working in enterprises is as follows:

- a) VND 4,420,000 / month, applicable to businesses operating in the area of region I.
- b) The rate of 3,920,000 VND / month, applicable to enterprises operating in the area of region II.
- c) VND 3,430,000 / month, applicable to businesses operating in the area of region III.
- d) The rate of 3,070,000 VND / month, applicable to businesses operating in the area of region IV.

2. The geographical areas where the regional minimum wages are applied are defined according to the administrative units of the district, district, town and city directly under the province. The list of localities where minimum wages are applied in region I, region II, region III and region IV is specified in the Appendix enclosed herewith.

#### **Article 4. Principles for application of regional minimum wages by geographical location**

1. Enterprises operating in any geographical area shall apply the specified regional minimum wage for that geographical area. In case an enterprise has a unit or branch operating in an area with a different regional minimum salary, in which area the unit or branch operates in the region and applies the regional minimum wage applicable to that locality. there.

2. Enterprises operating in industrial parks and export processing zones located in regions with different regional minimum wages shall apply according to the locality with the highest regional minimum wage.

3. If an enterprise operates in an area where there is a change of name or division, it shall temporarily apply the prescribed regional minimum salary level to the area prior to the change of name or division until new regulations are issued by the Government. .

4. Enterprises operating in newly established areas from an area or many geographical areas with different regional minimum wages shall apply the regional minimum wage according to the locality with the highest regional minimum wage. In case an enterprise operates in an area that is a new city directly under the province from a newly established area or areas in region IV, the applicable regional minimum salary level applicable to the remaining province shall be applied. again in Section 3 of the Appendix enclosed herewith.

#### **Article 5. Application of the regional minimum wage**

1. The regional minimum salary level specified in Article 3 of this Decree is the lowest level serving as a basis for enterprises and employees to negotiate and pay salaries, of which the salary is paid to employees working in working conditions. working normally, ensuring enough normal working hours in a month and completing the labor quota or the agreed work must ensure:

- a) Not lower than the regional minimum salary for the employee doing the simplest job;

b) At least 7% higher than the regional minimum salary applicable to the employee doing the job requiring the worker who has passed vocational training or vocational training as prescribed in Clause 2 of this Article.

2. An employee who has passed vocational training or vocational training includes:

a) Persons who have been granted a vocational certificate, vocational diploma, professional high school diploma, vocational high school diploma, a college degree, a general university diploma, a university degree, a bachelor's degree, a master's degree or a master's degree and a doctorate degree under the Government's Decree No. 90-CP of November 24, 1993 defining the framework structure of the national education system, the system of education and training diplomas and certificates;

b / Persons who have been granted a professional high school diploma, vocational training diploma, college diploma, university diploma, master's degree or doctorate degree; vocational education diplomas and certificates; higher education diplomas and continuing education diplomas and certificates according to the provisions of the 1998 Education Law and the 2005 Education Law;

c) Persons who have been granted certificates under regular vocational training programs, elementary vocational certificates, intermediate vocational diploma, vocational college diploma or have completed apprenticeship programs under the prescribed apprenticeship contracts. in the Law on Vocational Training;

d) Persons who have been granted a certificate of national occupational skills according to the provisions of the Employment Law;

dd) Persons who have been granted elementary, intermediate or college degrees or certificates of vocational training; continuing training and other vocational training programs according to the provisions of the Law on Vocational Education;

e) Persons who have been granted the diploma of the training qualification of higher education according to the Law on Higher Education;

g) Persons who have been granted diplomas or certificates of foreign training institutions;

h) Persons who have received vocational training or vocational training by the enterprise and have been inspected and assigned to do jobs requiring vocational training.

3. When implementing the regional minimum wages specified in this Decree, enterprises are not allowed to eliminate or reduce the salary regimes when employees work overtime, work at night, or work in working conditions. hard and hazardous labor, in-kind allowances for heavy and hazardous occupations and other regimes according to the provisions of the labor law. Other allowances and supplements, subsidies and bonuses specified by the enterprise shall comply with the agreement in the labor contract, the collective labor agreement or in the enterprise's regulations.

## **Article 6. Effect and responsibility for implementation**

1. This Decree takes effect from January 1, 2020. Decree No. 157/2018 / ND-CP dated November 16, 2018 of the Government regulating the regional minimum salary for the employees. work under the labor contract expires from the effective date of this Decree.

2. Ministers, heads of ministerial equivalent bodies, Government bodies, chairmen of people's committees of central-affiliated cities and provinces and agencies and enterprises shall be responsible for the implementation of this Decree. ./.

**Recipients:**

- Secretariat of the Party Central Committee;
- Prime Minister, Deputy Prime Ministers;
- Ministries, ministerial-level agencies, Governmental agencies;
- People's Councils and People's Committees of centrally-affiliated cities and provinces; Central Office and Committees of the Party;
- Office of the General Secretary;
- Office of the State President;
- Ethnic Council and Committees of the National Assembly;
- Office of the National Assembly;
- Supreme People's Court;
- The Supreme People's Procuracy;
- State Audit;
- National Financial Supervisory Committee;
- Bank for Social Policies;
- Vietnam Development Bank;
- Central Committee of the Fatherland Front Vietnam;
- Central agencies of unions;
- Office of the Union: Vice Chairman, Vice Chairmen, Assistant to TT, General Director of the portal, departments, subordinate units, Official Gazette;
- Archives: VT, KTTH (2 ).

**TM. GOVERNMENT**

**PRIME MINISTER**

**Nguyen Xuan Phuc**

**APPENDIX**

**LIST OF ZONES APPLYING THE MINIMUM WAGES IN THE REGION FROM JANUARY 1, 2020**

*(Attached to the Government's Decree No. 90/2019 / ND-CP dated November 15, 2019)*

1. Region I, including the following regions:

- The urban districts and rural districts of Gia Lam, Dong Anh, Soc Son, Thanh Tri, Thuong Tin, Hoai Duc, Thach That, Quoc Oai, Thanh Oai, Me Linh, Chuong My and Son Tay town of Hanoi city;
- The urban districts and rural districts of Thuy Nguyen, An Duong, An Lao, Vinh Bao, Tien Lang, Cat Hai and Kien Thuy of Hai Phong city;

- Urban districts and Cu Chi, Hoc Mon, Binh Chanh and Nha Be rural districts of Ho Chi Minh City;
- Bien Hoa City, Long Khanh town and Nhon Trach, Long Thanh, Vinh Cuu and Trang Bom rural districts of Dong Nai province;
- Thu Dau Mot City, Thuan An, Di An, Ben Cat, Tan Uyen towns and Bau Bang, North Tan Uyen, Dau Tieng and Phu Giao rural districts of Binh Duong province;
- Vung Tau City, Phu My town in Ba Ria - Vung Tau province.

2. Region II, including the following regions:

- The remaining districts of Hanoi City;
- The remaining districts of Hai Phong city;
- Hai Duong City of Hai Duong province;
- Hung Yen City, My Hao town and Van Lam, Van Giang and Yen My rural districts of Hung Yen province;
- Vinh Yen, Phuc Yen City and Binh Xuyen and Yen Lac rural districts of Vinh Phuc province;
- Bac Ninh City, Tu Son town and Que Vo, Tien Du, Yen Phong, Thuan Thanh, Gia Binh and Luong Tai rural districts of Bac Ninh province;
- Ha Long, Cam Pha, Uong Bi and Mong Cai Cities of Quang Ninh province;
- Thai Nguyen City, Song Cong City and Pho Yen town of Thai Nguyen province;
- Viet Tri City of Phu Tho province;
- Lao Cai City of Lao Cai province;
- Nam Dinh City and My Loc district of Nam Dinh province;
- Ninh Binh City of Ninh Binh province;
- Hue City of Thua Thien Hue province;
- Hoi An and Tam Ky cities of Quang Nam province;
- Urban districts and rural districts of Da Nang city;
- Nha Trang and Cam Ranh cities of Khanh Hoa province;
- Da Lat and Bao Loc cities of Lam Dong province;

- Phan Thiet City of Binh Thuan province;
- Can Gio district of Ho Chi Minh City;
- Tay Ninh City and the rural districts of Trang Bang and Go Dau in the province of Tay Ninh;
- The rural districts of Định Quán, Xuân Lộc and Thống Nhất of the province of Đồng Nai;
- Dong Xoai City and Chon Thanh and Dong Phu rural districts of Binh Phuoc province;
- Ba Ria City of Ba Ria - Vung Tau province;
- Tan An City and Duc Hoa, Ben Luc, Thu Thua, Can Duoc and Can Giuoc rural districts of Long An province;
- My Tho City and Chau Thanh district of Tien Giang province;
- Ben Tre City and Chau Thanh district of Ben Tre province;
- Urban districts of Can Tho city;
- Rach Gia, Ha Tien cities and Phu Quoc district of Kien Giang province;
- Long Xuyen and Chau Doc cities of An Giang province;
- Tra Vinh City of Tra Vinh province;
- Ca Mau City of Ca Mau province;
- Dong Hoi City of Quang Binh province.

### 3. Region III, including the following regions:

- Cities in the remaining provinces (except for cities directly under the province mentioned in region I, region II);
- Cam Giang, Nam Sach, Kim Thanh, Kinh Mon, Gia Loc, Binh Giang and Tu Ky rural districts of Hai Duong province;
- The rural districts of Vĩnh Tường, Tam Đảo, Tam Dương, Lập Thạch and Sông Lô in the province of Vĩnh Phúc;
- Phu Tho town and Phu Ninh, Lam Thao, Thanh Ba and Tam Nong rural districts of Phu Tho province;
- Viet Yen, Yen Dung, Hiep Hoa, Tan Yen and Lang Giang rural districts of Bac Giang province;
- Quang Yen, Dong Trieu towns and Hoanh Bo district of Quang Ninh province;

- The rural districts of Bảo Thắng and Sa Pa in the province of Lào Cai;
- The remaining rural districts of Hưng Yên province;
- The rural districts of Phú Bình, Phú Lương, Đông Hy, Đại Từ of Thái Nguyên province;
- The rural district of Lương Sơn in the province of Hòa Bình;
- The remaining districts of Nam Định province;
- The rural districts of Duy Tiên and Kim Bảng in the province of Hà Nam;
- Cua Lo town and Nghi Lộc and Hưng Nguyên rural districts of Nghệ An province;
- The rural districts of Gia Viễn, Yên Khánh and Hoa Lư in the province of Ninh Bình;
- Bim Sơn town and Tinh Gia, Đông Sơn and Quảng Xương rural districts of Thanh Hóa province;
- Kỳ Anh town of Hà Tĩnh province;
- Hương Thủy, Hương Trà towns and Phú Lộc, Phong Điền, Quảng Điền and Phú Vang rural districts of Thừa Thiên Huế province;
- Diên Ban town and Đại Lộc, Duy Xuyên, Núi Thành, Quê Sơn, Thăng Bình, Phú Ninh rural districts of Quảng Nam province;
- The rural districts of Bình Sơn and Sơn Tịnh in the province of Quảng Ngãi;
- Song Cầu town and Đông Hòa district of Phú Yên province;
- The rural districts of Ninh Hải and Thuận Bắc in the province of Ninh Thuận;
- Ninh Hòa town and Cam Lâm, Diên Khánh and Vạn Ninh rural districts of Khánh Hòa province;
- The rural district of Đắk Hà in the province of Kon Tum;
- The rural districts of Đức Trọng and Di Linh in the province of Lâm Đồng;
- La Gi town and Ham Thuận Bắc and Ham Thuận Nam rural districts of Bình Thuận province;
- Phước Long, Bình Long town and Hòn Quan, Lạc Ninh and Phú Riềng rural districts of Bình Phước province;
- The remaining rural districts of Tây Ninh province;
- The remaining rural districts of Đồng Nai province;

- Long Dien, Dat Do, Xuyen Moc, Chau Duc and Con Dao rural districts of Ba Ria - Vung Tau province;
- Kien Tuong town and Duc Hue, Chau Thanh, Tan Tru and Thanh Hoa rural districts of Long An province;
- The townships of Go Cong, Cai Lay and the rural districts of Cho Gao and Tan Phuoc in the province of Tien Giang;
- The rural districts of Ba Tri, Binh Dai and Mo Cay Nam in the province of Ben Tre;
- Binh Minh town and Long Ho district of Vinh Long province;
- The rural districts of Cần Thơ;
- The rural districts of Kien Luong, Kien Hai and Chau Thanh in the province of Kien Giang;
- Tan Chau town and Chau Phu, Chau Thanh and Thoai Son rural districts of An Giang province;
- Nga Bay town and Chau Thanh and Chau Thanh A rural districts of Hau Giang province;
- Duyen Hai town of Tra Vinh province;
- Gia Rai town in Bac Lieu province;
- The towns of Vinh Chau and Nga Nam in the province of Soc Trang;
- The rural districts of Nam Can, Cai Nuoc, U Minh and Tran Van Thoi in the province of Ca Mau;
- The rural districts of Le Thuy, Quang Ninh, Bo Trach, Quang Trach and Ba Don town of Quang Binh province.

4. Region IV, including the remaining areas./.