

FINAL BULLETIN

► NIRF/Japan Project Figures - Facts and Lessons Learnt

November 2020

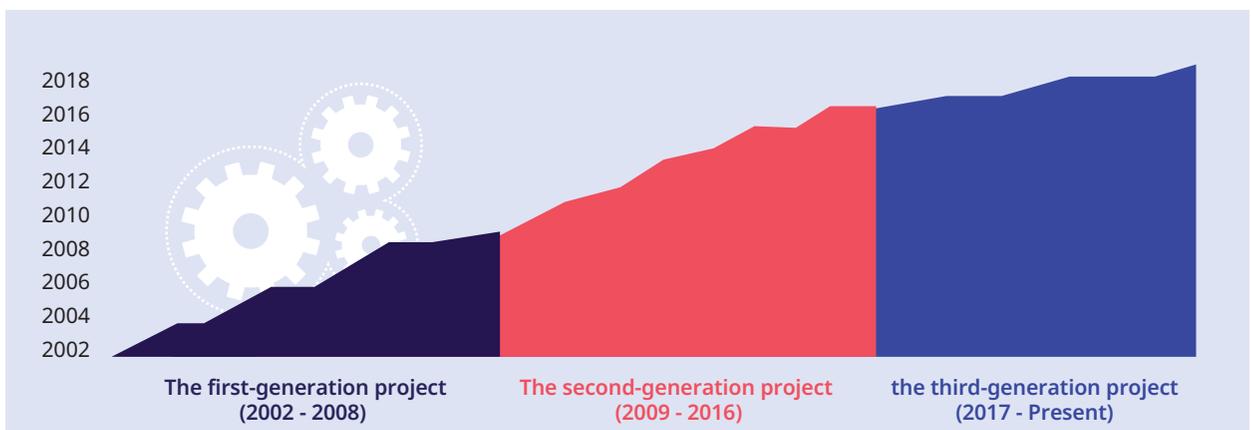


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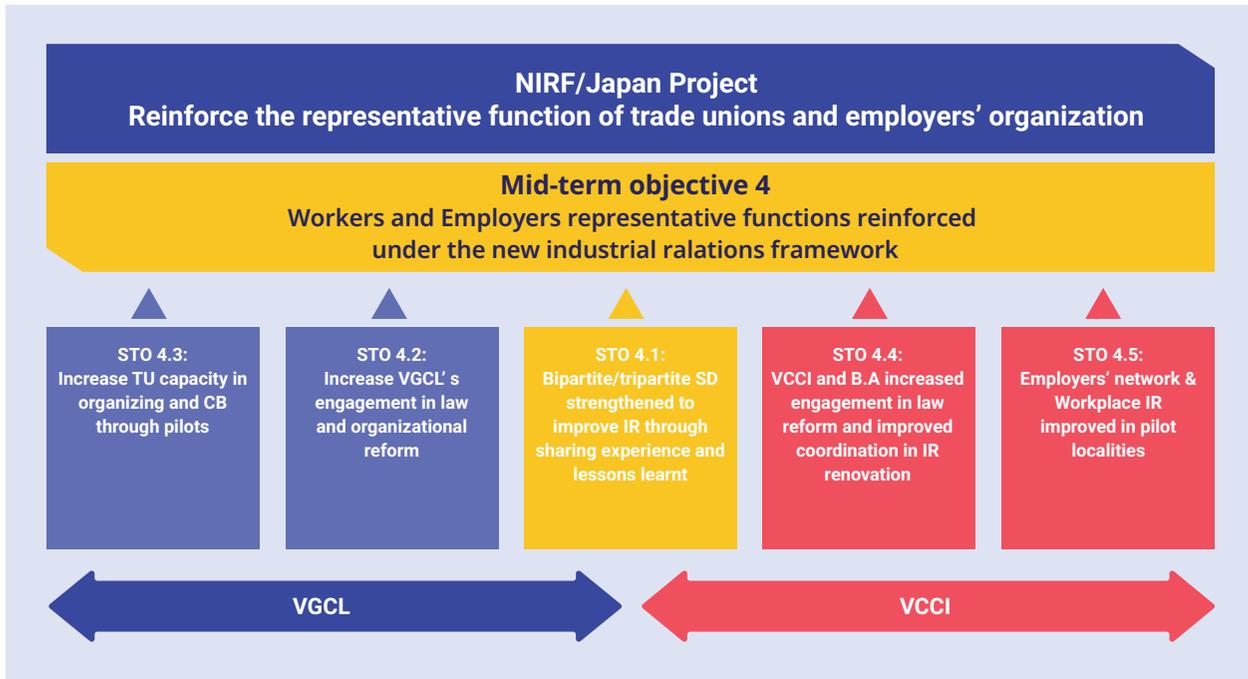
Background

Since the beginning of 2000, technical cooperation projects have been developed by the International Labour Organization (ILO) to provide support to the Government and social partners in Viet Nam to improve the industrial relations systems in the country.



- ▶ **The first-generation project (2002-2008)** supported the government and social partners in improving awareness and basic skills in contemporary industrial relations, leading to changes in legislation and institutions.
- ▶ **The second-generation project (2009-2016)** provided support for the revision of the Labour Code 2012 through the establishment of a National Wage Council, as well as through the implementation of IR pilot activities with a view to building a group of champions in IR reform.
- ▶ **Currently, the third-generation project**, named the New Industrial Relations Framework (NIRF), has been implemented and aims to support the partners in building effective legal and institutional foundations for a new IR framework based on the ILO Declaration on Fundamental Principles and Rights at Work (FDRW Declaration). NIRF/Japan, funded by the Ministry of Health, Labour and Welfare of Japan, is an integral part of the program.

▶ Project Objectives



The NIRF/Japan Project has focused on providing support to the Viet Nam General Confederation of Labour (VGCL) and Viet Nam Chamber of Commerce and Industry (VCCI) in ensuring their representative functions are strengthened under the new industrial relations framework through experience sharing and lessons learnt from IR practical situations across all localities

▶ Partners

Ministry of Labour, Invalids and Social Affairs (MOLISA)

- ▶ Managing Agency: Ministry of Labour, Invalids and Social Affairs
- ▶ Project Owner: Department of Industrial Relations and Wages (DIRWA)

Trade Unions

- ▶ VGCL Technical Departments
- ▶ Federations of Labour in pilot localities (FOLs)
- ▶ Industrial Zone Trade Union Champion Network in 48 provinces and cities nationwide (IZTU network)
- ▶ Trade Union Legal Advisory Network

Employers

- ▶ VCCI – Bureau for Employers' Activities (VCCI BEA)
- ▶ VCCI branches in Ho Chi Minh City and Da Nang
- ▶ Binh Duong Interior and Furniture Association (BIFA) and Quang Nam Tourism Association

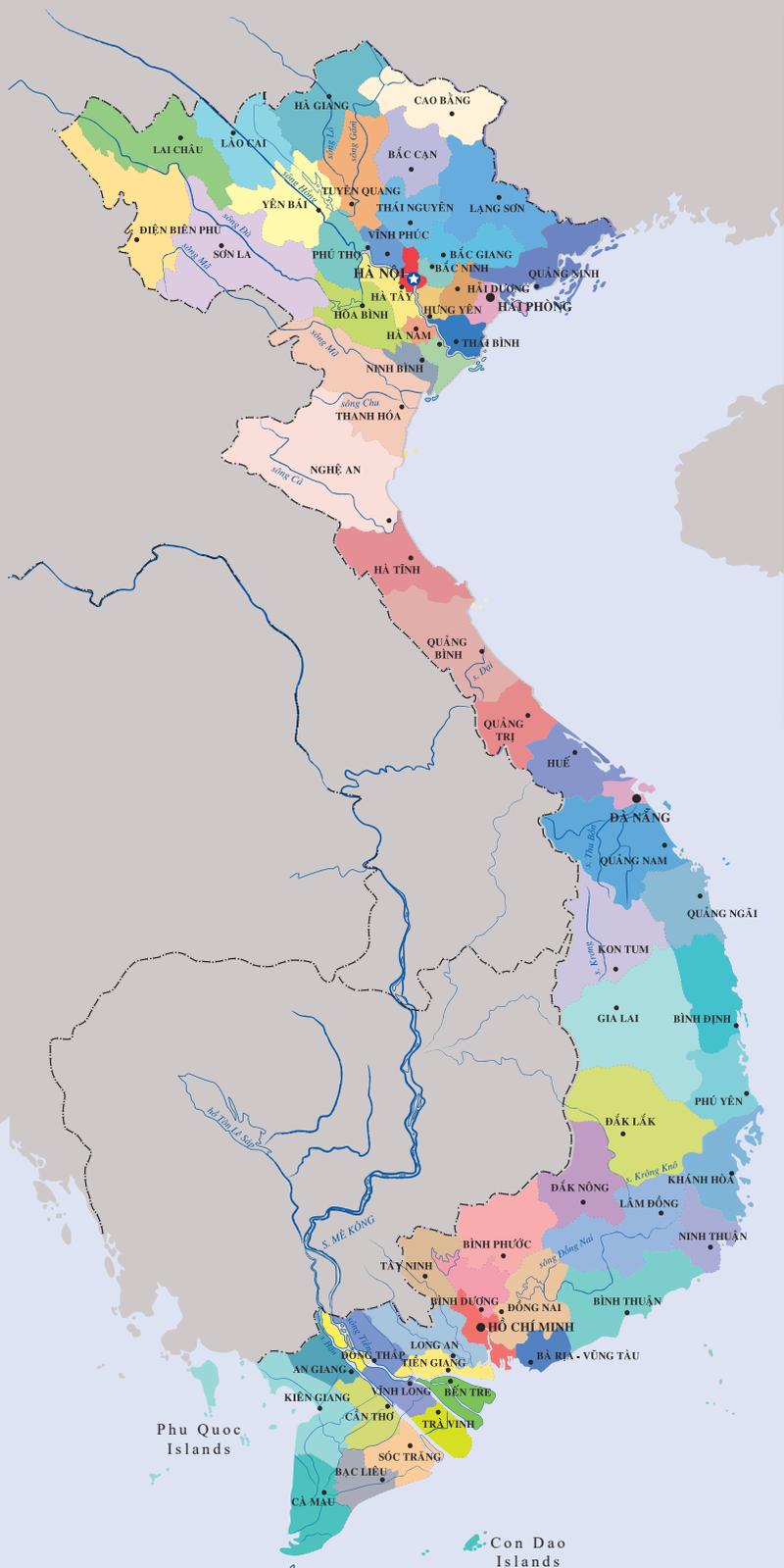


International Labour Organization



Operational Approach

Connecting – Sharing – Scaling



Connecting activities
Connecting network
<ul style="list-style-type: none"> ▶ IZTU network ▶ TU legal advisors network ▶ Local pilot implementing units ▶ Human resource managers clubs
Connecting partners
<ul style="list-style-type: none"> ▶ VGCL/ FOLs/IZTUs/TU Legal advisors ▶ MOLISA/DOLISAs ▶ VCCI/Business Associations ▶ Other partners
Connecting regions
<ul style="list-style-type: none"> ▶ North ▶ Central ▶ South

► Project Operational Structure

Project Staff



Mr. Wim De Groof

CTA of NIRF Program

02/2017 – 02/2018



Ms. Ta Thi Bich Lien

National Project Coordinator
(Responsible for VGCL
Component)
12/2016 – 3/2018

National Project Coordinator -
Responsible for Project
management
4/2018 – 12/2020



Mr. Nguyen Ba Lam

National Project Coordinator
(Responsible for VCCI
Component)

27/9/2017 – 31/3/2019



Ms. Tran Ngoc Diep

Administrative and
Finance Assistant
12/2016 – 4/2019

National Project Officer
5/2019 – 6/2020



Ms. Nguyen Thi Thanh Thao

Programme Assistant

9/2017 – 12/2020



Ms. Lam Thi Phuong

Administrative and
Finance Assistant

12/2018 – 6/2020



Ms. Dang Diep Anh

Administrative and
Finance Assistant

10/07/2019 – 15/03/2020



Ms. Luong Thi Hong Loan

Administrative and
Finance Assistant

03/2020 – 12/2020

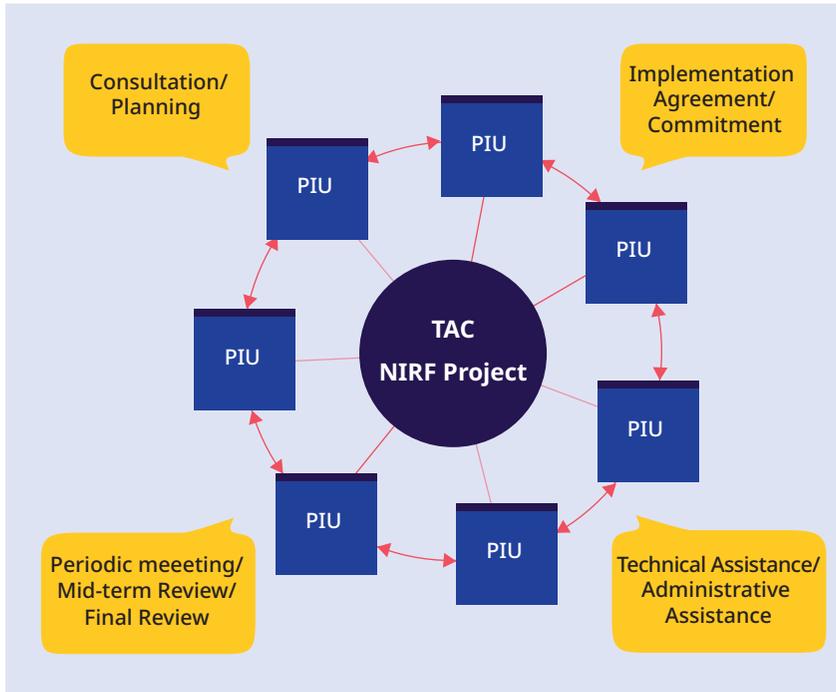


Ms. Margaret Banin

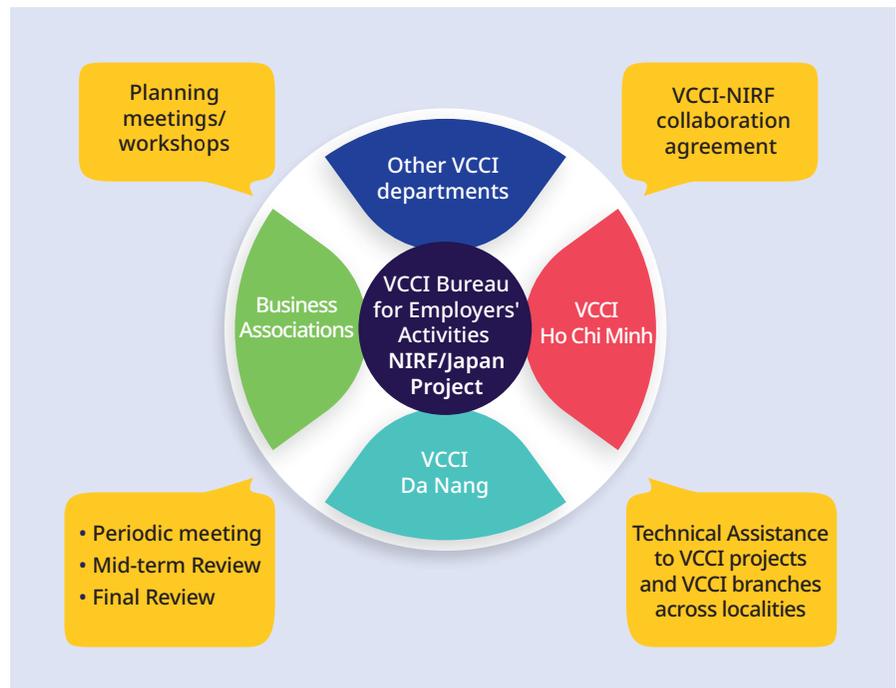
Intern

6 – 12/2018

VGCL management mechanism for the Project: The Project established technical advisory groups (TAC), consisting of VGCL officers from technical departments and pilot implementing units (PIU) at the localities.



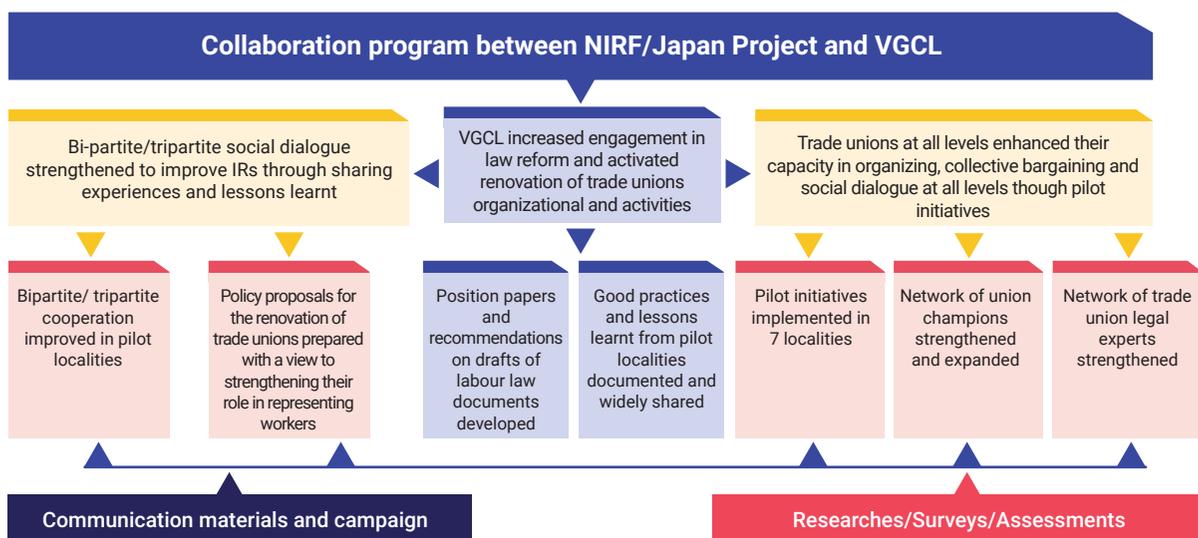
VCCI management mechanism for the Project: A similar mechanism has been formed between the Project team and the VCCI Bureau for Employers' Activities, VCCI representatives at the regional level, and business associations in a selected number of localities.



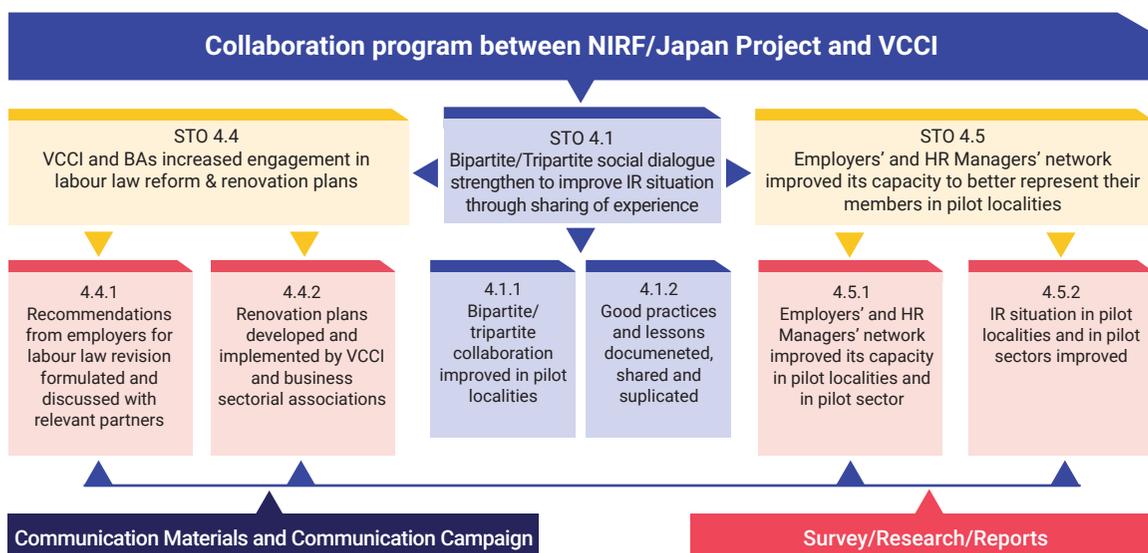
Main Activities

The activities implemented under the project have been designed such that both central and local partners are strongly involved. With a view to capacity building for both trade unions and employers in labour law reform and organizational operational renovation, pilot activities have been implemented through democratic elections at the grassroots level, the organization of multi-employer unions, multi-employer collective bargaining, and social dialogue in various forms. An IZTU Champion Network and TU Legal Advisory Network have been established, and the capacity of employers has been improved in pilot localities. Capacity has been built in human resource officers/managers by sector at the local level, and communications activities have all been undertaken in a synchronous and effective manner.

VGCL activities



VCCI activities



► Figures to Remember



~ **200** activities



IZTU Champion Network established across **50 IZ/EZ/EPZ** in **48 provinces/cities** nationwide



5 Multi-Employer Bargaining Agreements signed, benefitting **32,000 workers** in **62 enterprises** involved



Trade Union Legal Advisory Network with **15** key legal advisors established across **7** pilot localities



15,000 participants
• Government Agencies
• Trade Union
• Employers



3 Human Resource Clubs established, comprising **131** HR managers in the wood processing sector in Binh Duong and the tourism sector in Da Nang and Quang Nam

► Main Events



- ▶ Strategic Planning and Review Workshops
- ▶ Working missions with PIUs and TAC
- ▶ Consultation workshops on Labour Code, Trade Union Law by VGCL and VCCI
- ▶ Awareness Raising workshops on new generations of FTAs and International Labour Standards
- ▶ Talk-show with university students/Roundtables for HR managers/Roundtables for IZTU network
- ▶ Activities on social dialogue, collective bargaining, and union organizing
- ▶ Training workshops and activities for business associations and HR Clubs
- ▶ Bipartite/tripartite meetings

▶ Lessons Learnt from the Project

1. Lesson 1

▶ **Workers remain central to initiatives on organizing unions and bottom-up direct elections**

Driven by the motto of putting the workers at the center of every activity, pilot activities on multi-employer union organizing, direct election of grassroots trade union (GTU) chairpersons at the Congress, and multi-employer collective bargaining have been implemented in pilot localities.

- ▶ A multi-employer union has been established for 39 kindergarten teachers among 10 groups of home-based kindergartens in Tam Ky City, Quang Nam
- ▶ A Tourist Boat Syndicate comprising 140 drivers has been established in Hoi An, Quang Nam
- ▶ Direct election of GTU chairpersons at the workshop has been implemented in 124 GTUs with 123 directly elected chairpersons



Mr. Le Hoang Anh Binh – President of SEDO VINAKO Trade Union, Quang Nam province

“The pilot activity helps workers to know their rights upon union membership, such as being protected, and being nominated as a champion – someone who acts upon collective strength rather than individually, who utilizes that collective strength and the unity of the workers to negotiate and talk with employers so as to earn the employers’ respect and make their own voice heard.

This is also the process of raising the awareness of union members and workers in building strong unions – unions that are truly capable of representing workers, are elected by the workers, and stand for the rights and benefits of the workers”.

2. Lesson 2

▶ **Worker collective strength, a core worker network, the leadership of upper immediate-level unions, and employer goodwill are key to multi-employer collective bargaining**

Aiming to promote genuine and real collective bargaining between employers and workers, a pilot activity on “multi-employer bargaining agreement” was implemented, aligning the efforts of all stakeholders. To date, there have been 5 agreements of this type signed by 62 participating enterprises and benefitting over 32,000 workers in various sectors. The success of the pilot has contributed to reducing labour fluctuations and turnover rates among the enterprises, making employers aware of their rights in industrial relations, and strengthening the workers’ collective in the course of negotiation. Especially, the pilot activity has contributed practical experience in ME CBA to the revision of the Labour Code 2019.

MEBAs	Sector	Province	No. of Enterprises covered	No. of Workers covered	Term	Signatories
ILO/NIRF and VGCL						
Trang Due IZ, Hai Phong	Electronics	Hai Phong	20	7,415	2019-2022	Hai Phong IZ Union and 20 Companies
Da Nang Tourism	Tourism & hospitality	Da Nang	10	2,385	2018-2020	Da Nang FOL and Da Nang Tourism Association
Binh Duong Wood Processing	Wood Processing	Binh Duong	16	9,886	2019-2020	BIFA and Binh Duong FOL
Dong Nai Wood Processing	Wood processing	Dong Nai	6	12,303	2019-2020	Dong Nai IZ Union and 6 companies
Linh Trung IZ (In progress)	Garment	HCMC	5	5,921	2019-2021	HCMC IZ Union and 5 companies
Quang Nam private kindergartens	Education	Quang Nam	10	39	2019-2021	Executive Committee of the Multi -Employer Union amon home-based and private kindergartens



**Mrs. Pham Thi Hang, Former President,
Hai Phong Economic Zone Trade Union**

“The MECBA has contributed to the reduction of worker fluctuation among the enterprises, and to helping workers understand their rights in labour relations, ultimately promoting the collective strength of the workers in the negotiation process.

The pilot has also revealed that the roots of union bargaining strength lie in the support received from GTUs and their members. The

leadership and guidance of immediate upper-level unions, the building of close connections among participating enterprise unions, and in the building of a network of core workers at the enterprises, are of crucial importance.

The Hai Phong EZTU has built a network of workers and core grassroots trade unionists among all the enterprises through using social network platforms, such as Zalo and Facebook. Regular contact is maintained among GTU officers regarding changes in labour law and regulations, union activities, experience sharing, and coordination of collective bargaining”.

- ▶ Additionally, business associations play an indispensable part in the negotiation and extension of MECBAs in Hai Phong, Da Nang, Binh Duong, and Dong Nai. Practical and survey activities have all shown that unions that stay in closer contact with local business associations often experience greater bargaining strength.



Mr. Nguyen Liem, Vice Chairman – BIFA

“Our BA often coordinates with the Binh Duong Federation of Labour to share information on the benefits of a multi-employer agreement with enterprises participating in Collective Bargaining, acting on behalf of the enterprises in negotiating with trade unions, and convincing more enterprises to join a ME CBA. In addition, BIFA has signed a Collaboration Regulation with Binh Duong FoL, in which it is stated that BIFA shall be held responsible for advocacy and communication activities to engage employers and workers in complying with labour law, to negotiate, to sign, and to enforce agreements, while coordinating with GTUs in their operation in the workplace and facilitating issues of mutual concern.”



3. Lesson 3

▶ **Connecting champions**

The Project has successfully connected trade union champions in 50 IZTUs/EZTUs/EPZTUs across 48 provinces in the country through the IZTU Champion Network. It has also established a Trade Union Legal Advisory Network with 15 trade union legal advisors across 7 provinces and cities. There have been 3 HR Clubs established in the tourism sector in Da Nang and Quang Nam, and in the wood processing sector in Binh Duong.



Mr. Dinh Quoc Toan, President of Ha Noi Industrial Zone Trade Union, Chairman of the IZTU Champion Network Liaison Committee

The IZTU Champion Network has been an effective forum for IZTU officers in the country. Here we can exchange information and share our experience with trade union activities. We can also share good practices and experience with collective bargaining, social dialogue, and union organizing with one another.

Also, the members of the network often provide advice and support to trade unions in industrial zones/processing zones. We also share and discuss the challenges in our everyday union work.



Mr. Vu Ngoc Ha, Director, Dong Nai FoL Legal Advisory Center

The Trade Union Legal Advisory Network, with 15 key advisors established across 7 pilot localities, has become a trustworthy friend to workers through their services of providing a credible source of legal information and effective advice. The Network is regularly reinforced and has now played a key role in the process of renovating trade union activities in Viet Nam from the grassroots level.



Ms. Duong Ai Thanh, Chairwomen of Human Resource Managers Club in Tourism sector Da Nang

The HR Club in the tourism sector has now become an important actor in developing and sharing good practices on compliance and good faith in collective bargaining and workplace dialogue, which helps to promote manager-union cooperation.

During the COVID-19 crisis, bipartite dialogue between unions and employers has played a critical role in ensuring the stable operations of businesses and the security of workers' jobs and incomes.

4. Lesson 4

Linking research and practical activities, and conducting communication on good practices in various forms targeting various audiences

- ▶ The Project has conducted an effective communication strategy using a variety of products and through diverse channels, which aims at sharing information with the partners in as rapid and concise a manner as possible.
- ▶ The Project has especially maximized the use of social network services such as Viber, Zalo, and WhatsApp to establish channels for sharing with partners.
- ▶ Surveys, research, and lessons are well-documented to archive data for pilot activity implementation, as well as to draw lessons for greater spillover effect.

Bulletins



Research Document



Lesson learnt reports from pilots





5. Lesson 5

Effective project management in close consultation with partners to promote collaboration towards common goals

- ▶ Activity design is based on close consultation with the partners, with a focus on the partners' strategic priorities and tasks, which promotes stakeholders putting their efforts towards common goals.
- ▶ Bipartite/Tripartite collaboration between trade unions and employers and government agencies is crucial to the success of the pilot program at the locality.



Mrs. Ta Thi Bich Lien,
NIRF/Japan National
Project Coordinator

Close consultation with the partners have been strongly emphasized since the designing stage for the Project. Strategic planning workshops and regular meeting have been periodically organized with each partners and every pilot localities, as well as with technical advisory groups and pilot implementing groups. This is to ensure the relevant stakeholders have the opportunities to discuss and reach agreement on their priorities and strategies, approaches, outputs, progress and timeline of action, upon which the partners will be more proactive in implementing the activities towards the common goals.

During the process, each partners have shown their originality, enthusiasm and improvisation ability to garner breakthrough results. It can be said that the key to these notable outcomes lie in a synchronous project management mechanism, commitment and devoted support from the central-level partner agencies, close coordination by local-level bipartite/tripartite partners, creativity in grassroots-level partners' work and effective communication strategies.

▶ Remarks from ILO Specialists and partners on the Project results



Mr. Ngo Duy Hieu, Vice President, Viet Nam General Confederation of Labour

We highly value supports from the ILO in general and the NIRF/Japan project in particular to the development of Viet Nam Trade Union. The Project has brought about various positive impacts to the union organization in terms of organizing, developing and building of capacity for trade unionists, including for members of IZTU Champion Network, Trade Union Legal Advisors network and on negotiating skills for trade unionists participating in the project implementation. Lessons from the pilot activities have helped us to develop inputs and initiatives to the our proposals for the revision of the Labour Code and the development of Viet Nam Trade Union Statute, as well as to labour law reform. The project's activities have served as a springboard to forge connections between grassroots trade union to union at all levels, between local level and central level, ultimately fostering coordination among project actors, i.e MOLISA, VGCL and VCCI. Practical experience and the accessibility to International Labour Standards have helped to shape the nature of trade union activities in the future. We do believe the outputs have all been overarching, and diverse lessons are sustained upon the Project's completion. We fervently hope to receive further support from the ILO and the project towards a better and stronger growth of Viet Nam Trade Union.



Dr. Lee Chang-Hee, Director of the ILO Country Office for Viet Nam

I am very impressed by the results we have got with our social partners, VGCL and VCCI. They created the results and also they own the results. Now social partners have successfully negotiated CBA including MECBA and they also pave new ways of social dialogue. They are very creative, and they expanded the network of trade union and HR managers in many localities and sectors. I think through this, they have created a foundation for a new industrial relations system - which is very important for Viet Nam's journey to a middle-income country, and eventually high-income country. I am truly impressed by what our partners have achieved. Our project is just facilitating the process.



Mr. Hoang Quang Phong, Vice President, Viet Nam Chamber of Commerce and Industry

We highly value the role of NIRF/Japan in providing support in building capacity for employers. With the Project intervention, VCCI has provided better and more effective supports to employers across sectors, while local units are now capable of compliance with enhanced enforcement of labour commitment upon Viet Nam's entry into new generations of FTAs through good practices and international experience. The fact holds true that sound industrial relations situation at the workplace will contribute to the growth of business and a closer tie between employers and workers, all towards a common goal in business development, job security and better living conditions for the workers.



Mr. Sho Sudo
Chief Technical Advisor, ILO/Japan Multi-Bilateral Programme

One of the traditional main pillars of our program has been to assist in fostering sound industrial relations in some countries in Asia. The NIRF Project in Viet Nam truly matches the objective of our ILO/Japan Multi-Bilateral Programme, and the capacity building of workers and employers will facilitate the collaboration among the companies, which will address foreign investments together with safe and comfortable workplace for all. Together with all the achievement and collaboration with other projects, the project works towards decent work and economic growth through facilitation of production and export. Again, I am pleased to see the success of the Project and wish all the best for the Project team in Viet Nam.



Mr. Lee Dong-Eung, Senior Specialist, ILO Bureau for Employers' Activities

The new Labour Code 2019 will come into effect in 2021. This revision will bring about tremendous changes to labour practices and human resource management in enterprises. As employers have limited knowledge of the changes to Viet Nam's Labour Code, VCCI needs to conduct training for employers on important topics such as: labour union at the enterprise level, multi-party collective bargaining, and settlement of disputes. So the ILO support should be focused on two things: VCCI capacity needs to be strengthened in providing member companies with consultation, advice and guidance on the application of the newly revised Labour Code. Secondly, VCCI membership network with provincial and business associations needs to be strengthened to respond jointly to the changing business environment under the revised Labour Code.



Mr. Yoon Young-Mo
Senior Specialist on Industrial Relations and Social Dialogue

The biggest achievement of the Japan component of the NIRF project is it introduces for the first time in the law the concept of multi-employer collective bargaining..[...]. The most valuable achievement is that it has helped to encourage, to support and to give confidence to various organizations and people inside VGCL at different levels, and to employers organization – VCCI, and different province-level employers' organizations to actually go through the process of collective bargaining and to carry out collective bargaining among themselves. The most valuable achievement is that the Project has helped and seen the emergence of champions or pioneers among trade unionists and human resource managers through the project activities.



VCCI

► **Faces of Honour –
who made up
the results of
the Project**



International
Labour
Organization



- ▶ During past time, the ILO specialists and staff have been always accompanied and working closely with tripartite partners. They are knowledgeable, rich-experienced backstopping specialists who are extremely compassionate. The project staff who are very responsible, hardworking and committed; The communications officers, program and finance officers, administrative assistants who have been patiently supporting partners for the common goal; Above all, there are always timely and enormous supports to the project from Dr. Chang-Hee Lee, Director of ILO Country Office for Viet Nam who is also a senior IR Specialist who works in earnest towards the development of Viet Nam.





All those people have worked closely together and have gained extremely valuable lessons in industrial relations practice. These lessons have contributed to significant changes in industrial relations in Vietnam with the recognition of the collective power of the Workers; better presentation of Employers good faith in collective bargaining; a more complete legal framework and the closer collaboration between different stakeholders in IR activities.

▶ **The future of Viet Nam's Industrial Relation System has been building of the hands, minds, smiles, eyes and hearts of all of us.**



We are working closely together to build a solid foundation for industrial relations in Viet Nam

List of Project Products

BROCHURES

- ▶ **Collective Bargaining in Viet Nam**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_715206/lang--en/index.htm
- ▶ **Multi-Employer Collective Bargaining among tourism enterprises in Da Nang**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_704339/lang--en/index.htm
- ▶ **Multi-Employer Collective Bargaining Agreement in Trang Due Industrial Zone - Hai Phong**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_733167/lang--en/index.htm
- ▶ **Multi-Employer Collective Bargaining Agreement among wood-processing enterprises in Binh Duong**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_733330/lang--en/index.htm

LESSON LEARNT REPORTS FROM PILOTS

- ▶ **Direct Election of Grass- root Trade Union Leaders at the Congress**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_745429/lang--en/index.htm
- ▶ **Multi-Employer Collective Bargaining Agreement - Towards a High-road Approach**
https://ilo.org/hanoi/Whatwedo/Publications/WCMS_747753/lang--en/index.htm

BULLETINS

- ▶ **COVID 19: Situation – Impacts and Responses” – What Trade Unions and Employers need to know**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_744705/lang--en/index.htm
- ▶ **Bulletin: Trade Union Reforms for Workers' Rights and Interests - Quarter IV 2019**
https://www.ilo.org/hanoi/Whatwedo/Publications/W-CMS_735915/lang--en/index.htm
- ▶ **Bulletin: Trade Union Reforms for Workers' Rights and Interests - Quarter III 2019**
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_727293.pdf

- ▶ **Bulletin: Trade Union Reforms for Workers' Rights and Interests - Quarter II 2019**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Newsletters/WCMS_714324/lang--en/index.htm
- ▶ **Bulletin: Trade Union Reforms for Workers' Rights and Interests - Quarter I 2019**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Newsletters/WCMS_695139/lang--en/index.htm
- ▶ **Bulletin: Trade Union Reform for Workers' Rights and Interests No.3, Quarter IV/2018**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Newsletters/WCMS_667554/lang--en/index.htm
- ▶ **Bulletin: Trade Union Reform for Workers' Rights and Interests No.2, Quarter III/2018**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Newsletters/WCMS_648912/lang--en/index.htm
- ▶ **NIRF/Japan Project Quarter I - II 2018 Newsletter**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Newsletters/WCMS_635360/lang--en/index.htm

VIDEO CLIPS

- ▶ **Identifying and responding to unfair labour practices against trade union and workers in Viet Nam**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Videos/WCMS_521710/lang--en/index.htm
- ▶ **Guidance on Trade Union engagement in labour dispute settlement and proceedings in the courts**
https://www.ilo.org/hanoi/Informationresources/Publicinformation/Videos/WCMS_724735/lang--en/index.htm
- ▶ **How to protect workers at the court**
<https://www.youtube.com/watch?v=1gsOM2eQdzM>



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