

## **DECISION**

INTRODUCING REGULATIONS OF TRADE UNIONS OF VIETNAM (XII<sup>TH</sup> TENURE)

### **THE PRESIDIUM OF VIETNAM GENERAL CONFEDERATION OF LABOUR**

*- Pursuant to the Law on Trade Unions of Vietnam passed in the 3<sup>rd</sup> session of the XIII<sup>th</sup> National Assembly of the Socialist Republic of Vietnam held on June 20, 2012;*

*- Pursuant to the Resolution of the XII<sup>th</sup> General Meeting of Trade Unions of Vietnam, approving the amended Regulations of Trade Unions of Vietnam;*

*- Pursuant to the Notification Letter No. 11384-CV/VPTW dated January 13, 2020 of the Central Office regarding introduction of the Regulations of Trade Unions of Vietnam (XII<sup>th</sup> tenure);*

*At the request of from the Organizing Committee of Vietnam General Confederation of Labour,*

### **HEREIN DECIDES**

**Article 1.** To promulgate the Regulations of Trade Unions of Vietnam (XII<sup>th</sup> tenure) amended pursuant to the Resolution of the XII<sup>th</sup> General Meeting of Trade Unions of Vietnam and review opinions of competent authorities.

**Article 2.** The Regulations of Trade Unions of Vietnam shall enter into force as of the signature date. Trade unions at all levels, trade union officials and members shall be responsible for strictly complying with the Regulations of Trade Unions of Vietnam.

**PP. PRESIDIUM  
CHAIRMAN**

**Nguyen Dinh Khang**

## **REGULATIONS OF TRADE UNIONS OF VIETNAM**

*(APPROVED IN THE XII<sup>TH</sup> GENERAL MEETING ON SEPTEMBER 24, 2018)*



### **PREFACE**

Vietnam General Confederation of Labour (hereinafter referred to as VGCL), formerly the Tonkin Red Federation of Trade Unions, was established on July 28, 1929.

VGCL, as a broad socio-political organization of the working class, is established on a voluntary basis to assemble, associate and unite forces and build a strong working class of Vietnam; uphold the tradition of international solidarity for peace, democracy, national independence and social progress.

VGCL with the nature of the working class and mass is a member of the political system under the

leadership of the Communist Party of Vietnam, has working relationship with the State, cooperates with socio-political and other social organizations and institutions; operates within the framework of the Constitution and laws of the Socialist Republic of Vietnam.

VGCL is always loyal to the interests of the working class closely attached to those of the country; has the functions of representing workers, and protecting workers' legal and legitimate rights and interests; participating in state and socio-economic management; getting involved in the inspection, examination and monitoring of operations of state agencies, organizations, establishments and enterprises to find out issues relating to workers' rights and obligations; encourage workers to study, improve professional skills and qualification, observe laws, build and defend the Fatherland.

#### **VGCL'S EMBLEM**

1. The industrial gear wheel has 13 black tooth sprockets that are not covered up, placed in the center of the globe, and above which is the National Flag of Vietnam in the middle.
2. The black calipers are located inside the industrial gear wheel on a blue background.
3. The white open book is placed in the middle, front position and just below the industrial gear wheel.
4. The entire large circle has a metallic yellow background, white latitudinal and longitude lines.
5. Below is a curled stylized ribbon in blue depicting blue-collar workers and inside the ribbon has the acronym "CDVN" (standing for "Trade Union of Vietnam (TUVN)").

#### **Chapter I**

### **TRADE UNION MEMBERS AND OFFICIALS**

#### **Article 1. Eligible applicants and eligible conditions for membership of the Trade Union of Vietnam**

1. Applicants may be eligible for admission to the Trade Union of Vietnam if they are Vietnamese people working as salaried workers for employing entities lawfully operating in the Vietnamese territory, and lawful Vietnamese freelancers, regardless of their occupation, gender, or belief, who agree to Regulations of Trade Union of Vietnam, voluntarily live in a grassroots establishment of the trade union, and pay required union dues.
2. Vietnamese working abroad under contracts, and foreigners working legally in Vietnam are encouraged to participate in various forms of association organized by the Trade Union of Vietnam.
3. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

#### **Article 2. Rights and duties of TUVN members**

##### **1. Rights**

- a. Participate in the establishment of grassroots trade unions, occupational organization, and trade union activities as prescribed in the Regulations of Trade Union of Vietnam.
- b. Request trade unions to represent and protect their legitimate rights and interests when infringed.
- c. Have access to requested information about the work of the trade union, discuss, propose and vote on the work of the trade union; stand for nomination or election to, recommend or elect candidates to the leadership of the trade union; question trade union officials; call on disciplinary sanctions to be imposed on trade union officials committing offences. Trade union members delivering outstanding performance should be recommended for admission to the Communist Party of Vietnam.
- d. Have access to information about views, guidelines and resolutions of the Communist Party of Vietnam, regulatory policies and laws of the system of government related to trade unions and workers or employees; recommend trade unions to request employers to follow legal policies and regulations.
- dd. Receive free-of-charge instructions, counsels and legal assistance about labor and trade union laws; request trade unions to represent them and protect their legal and legitimate rights and interests in court proceedings in labor cases in accordance with laws.
- e. Receive relief visits and favours from trade unions when they are sick, in difficulty or in distress; participate in cultural, sports, entertainment and tourism activities organized by trade unions; for trade union members delivering outstanding performance, receive preferential treatment in the form of enrolment in training courses and classes organized by trade unions; have access to guidance and support relating to job seeking and vocational training offered by trade unions.
- g. Receive trade union membership cards and enjoy offers when using services from trade union institutions, other forms of association and cooperation under the control of trade unions.
- h. As regards trade union members who lose their jobs, have access to temporary suspension from trade union activities and payment of trade union dues within 12 months following the start date of job loss.

i. Have access to exemption from trade union activities or gatherings upon retirement and, when in a difficult situation or hardship, receive support or assistance from trade unions of the entities that approve their retirement applications and trade unions of the localities where they are permanently residing; join retirement clubs or retiree relations committees endorsed by trade unions.

## 2. Duties

a. Duly discharge obligations of a citizen, live and work in compliance with the country's Constitution and laws, contribute to the building and defence of the Fatherland of Vietnam.

b. Observe and implement the Regulations of Trade Union of Vietnam and resolutions of trade unions at all levels; participate in trade union events and activities, and pay required membership dues.

c. Constantly study and improve cultural and political qualifications, professional skills; cultivate quality of the working class.

d. Be in solidarity with and help colleagues and co-workers in all employment and life aspects; protect the lawful and legitimate rights and interests of employees and trade unions; incessantly improve productivity, efficiency and performance; get involved in building strong enterprises and other entities.

dd. Raise awareness amongst workers and employees so that they will be willing to become TUVN's members and get involved in building a strong trade union.

## **Article 3. Procedures for accession to TUVN, TUVN membership cards and trade union referrals**

### 1. Procedures for accession to TUVN

a. The workers or employees wishing to become TUVN's members shall be required to apply for accession to TUVN on a voluntary basis.

b. The receiving grassroots trade unions, occupational organizations shall consider issuing the decision on recognition or admission as a member of the trade union.

c. When working for employing entities without trade unions, workers or employees may submit their application for accession to TUVN via the committee on promotion of establishment of grassroots trade unions pursuant to Article 14 herein, or to the superior trade union for its review before approval of their accession to TUVN.

d. For trade union members who have left, if any of them wishes to be re-admitted to TUVN, he/she shall be required to re-apply for admission and his/her re-admission shall be considered by the superior trade union.

### 2. Membership cards

a. By granting a membership card, a trade union organization has confirmed the membership of a single person.

b. As trade union members, they shall obtain membership cards from trade unions for use in trade union activities. Membership card holders may be entitled to rights and interests regulated by trade unions at the corresponding levels.

c. Management and usage of membership cards shall be subject to regulations imposed by the Presidium of the Vietnam General Confederation of Labour.

### 3. Referral to other trade unions

When there is any change of workplace, trade union members shall be required to inform the grassroots trade unions or occupational organizations of which they are active members of such change; present their membership cards and express their wish to be accepted as members of the receiving grassroots trade unions or occupational organizations via their executive committees.

The executive committees of the referring trade unions shall deregister them and record a decrease in the number of members; the executive committees of the receiving trade unions shall register them and enter an increase in the number of members.

## **Article 4. Trade union officials**

1. A trade union official is a person who holds the title of deputy chief of trade union group or higher and is elected at a trade union congress or meeting; is designated, recognized, recruited or appointed to any position of trade union official, or assigned regular duties to perform trade union functions and tasks by a competent authority.

2. Trade union officials are classified as full-time trade union officials and part-time trade union officials.

a. Full-time trade union officials are persons who are assigned, engaged, appointed or elected by the all-level trade union's congress or meeting to undertake regular work of the respective trade union.

b. Part-time trade union officials are persons who work part-time, are elected by trade union members based on trust and recognized or appointed to the title of deputy chief or higher by the corresponding competent trade union.

## **Article 5. Duties and entitlement of trade union officials**

### **1. Duties**

a. Keep close contact with trade union members and workers; pay attention to the opinions or petitions of trade union members and workers to take proper actions, or to report or submit them to competent authorities to seek their solutions.

b. Encourage trade union members and workers to fulfill a citizen's obligations; observe views, guidelines and resolutions of the Communist Party of Vietnam, regulatory policies and laws of the State, and internal rules and regulations of each employing entity; actively take training courses aimed at improving political, cultural qualifications and knowledge about the legal system and professional skills.

c. Set good examples in all aspects to other union members and workers; actively defend the socialist regime, the Communist Party of Vietnam and the organization of the Trade Union of Vietnam.

d. Represent workers and employees in dialogues and collective bargaining sessions in accordance with law.

dd. Develop union members and build strong grassroots trade unions.

e. Fight against manifestations of violation of the Party's guidelines and policies, the government's policies and laws and the resolutions of the trade unions at all levels.

g. Perform other duties as assigned by trade unions.

### **2. Entitlement**

a. Act as legal or authorized representatives to protect the legitimate rights and interests of trade union members and workers.

b. Exercise authority delegated to trade union officials in accordance with regulations of the Communist Party of Vietnam, laws of the State and regulatory provisions of Vietnam General Confederation of Labour.

c. Have access to conditions necessary for their trade union activities at workplace as prescribed by law. Receive protection and support from trade unions in case of being in a difficult situation when on duty.

d. Have access to trade union training courses.

dd. Enjoy compensation policies granted by the Communist Party of Vietnam, the State and trade unions.

e. If any part-time trade union official satisfies required eligibility criteria and wishes to be employed as a full-time trade union official, he/she shall be given preference.

## **Chapter II**

# **CORPORATE ETIQUETTES AND SYSTEM OF TRADE UNION OF VIETNAM**

## **Article 6. Corporate etiquettes**

1. Trade Union of Vietnam is organized and operates according to the principle of democratic centralism; the governing bodies of different-level trade unions are set up by election, follow the rule of collective leadership; individual responsibility; the minority's submission to the majority; the inferior's submission to the superior; the individual's submission to the organization.

2. The highest governing body of the Trade Union of Vietnam is the National Congress of Trade Union Delegates. The highest governing body at each level of trade union is the general meeting of trade union members at that level. The governing body at each level of trade union at intervals between two general meetings is the executive committee.

3. The resolutions of trade unions at different levels shall be adopted according to the majority rule and enforced strictly.

## **Article 7. Organizational system of trade unions at different levels**

Trade Union of Vietnam is a unified organization consisting of the following levels:

1. Level of central trade union: the Vietnam General Confederation of Labour (VGCL).

2. Level of provincial or central industry trade union: Federations of Labour of provinces and centrally-affiliated cities; central industry trade unions.

3. Level of trade union immediately superior to grassroots trade unions:

- a. Federations of labour of urban districts, rural districts, towns and provincial cities (hereinafter collectively referred to as district-level Federation(s) of labour);
- b. Local industry trade unions;
- c. Trade unions of industrial parks, export processing zones, economic zones, hi-tech parks (hereinafter collectively referred to as trade union(s) of industrial parks);
- d. Trade unions of incorporations or general companies;
- dd. Other trade unions immediately superior to grassroots trade unions.

4. Level of grassroots trade union: Grassroots trade unions and occupational organizations (hereinafter collectively referred to as grassroots trade unions).

#### **Article 8. Congresses of trade unions at all levels**

1. Congresses of trade unions at all levels shall have the following duties:

- a. Present the review report on implementation of the resolution of the trade union during the previous tenure; determine the direction and duties of the next-tenure trade union.
- b. Discuss and comment upon policy instruments of the congress of the superior trade union.
- c. Elect the union executive committee and elect a delegate to the congress of the superior trade union.
- d. Adopt the Regulations of Trade Union of Vietnam (for National Congress of Trade Union of Vietnam).

2. Congresses of trade unions at all levels shall be held once every five years. When receiving the written request from the inferior trade union, the superior trade union shall be allowed to adjust the tenure of the inferior trade union's congress to the superior trade union's congress within the maximum time limit of 30 months. The National Congress of Trade Union of Vietnam shall be decided by the Executive Committee of the Vietnam General Confederation of Labour.

3. This kind of congress exists in two forms: Congress of trade union's delegates and congress of all trade union members.

4. A congress of trade union's delegates shall be composed of:

- a. Incumbent executive member(s).
- b. Representatives elected by inferior trade unions.
- c. Delegates nominated but no more than five percent (3%) of the total number of official delegates convened.

5. Delegates attending the congress shall be subject to the procedures for examination of and voting for recognition of their eligibility. The person who is disciplined in the form of reprimand or another more severe form; the person who faces legal action, investigation, prosecution, trial, or is serving a criminal sentence as prescribed by law, shall be deemed ineligible to become a delegate to the congress.

6. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

#### **Article 9. Congress of delegates, general meeting of trade unions at all levels**

1. Where deemed necessary and agreed by the executive committee of the immediate superior trade union, the congress of delegates, general meeting shall be convened. In case of failure to do so, an open meeting of the trade union's executive committee may be held after agreeing with the immediate superior trade union.

2. Duties of the congress of delegates or the general meeting of trade unions at all levels

- a. Review the implementation of the resolution made in the congress or general meeting; give updates to directions or objectives; approve the plan and schedule of trade union activities.
- b. Elect more members to the executive committee and elect delegates to the congress or general meeting of delegates of the superior trade union (where required).

3. Delegates attending the congress or general meeting shall be subject to the regulations of clause 3, 4 and 5 of Article 8 herein.

#### **Article 10. Principles and forms of election at trade union congresses or meetings**

1. A congress or meeting of a trade union at any level shall be deemed licit when at least two thirds (2/3) of total membership that are convened present.

2. Forms of election, including:

a. Voting by secret ballots can be used in the following cases: Electing the executive committees of trade unions at all levels and persons holding the titles to those executive committees; electing the supervision committees of trade unions at all levels and persons holding the titles to those supervision committees; electing chiefs or deputy chiefs of trade union groups, and persons holding other trade union official titles; electing delegates to congresses of superior trade unions; collecting letters of recommendation of candidates on the list of electees,...

b. Voting by show of hands can be used in the following cases: Electing governing bodies or assistant bodies (including the presidium, secretariat, committee for review of eligibility of delegates, election committee); approving the number and list of electees.

3. In order to be elected, the candidate in the election must gain more than half (1/2) of total number of votes received in descending order.

4. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

#### **Article 11. Executive committees of trade unions at all levels**

1. The executive committee of the trade union at a level shall be elected by the congress of that trade union.

a. The executive committee of the inferior trade union shall be directly recognized by the superior trade union.

b. Where necessary, the superior trade union may appoint the member of the executive committee and persons holding the titles to the executive committee of the inferior trade union; appoint the provisional executive committee and persons holding titles to the provisional executive committee of the inferior trade union. The term of the provisional executive committee of a trade union shall not exceed 12 months. Upon receipt of the request from the inferior trade union, the superior trade union may extend the term of the provisional executive committee of a trade union to adapt to the plan of the congresses of trade unions at all levels provided that such extension does not cause that term to exceed 30 months.

2. For trade union members who have left, if any of them wishes to be re-admitted to TUVN, he/she shall be required to re-apply for admission and his/her re-admission shall be considered by the superior trade union.

3. The number of members of the executive committee of a trade union at a level shall be decided by the general meeting or congress of that trade union and shall not exceed the number of members required by the Presidium of the Vietnam General Confederation of Labour. Where it is necessary to increase the number of members of the executive committee that has been approved by voting in the congress, or the number of members of the executive committee exceeds the number of members determined by VGCL, that trade union shall submit a written form of application for such increase to the immediate superior trade union to seek its consent in advance, and ensure that the increased number of members does not exceed 10% of the required number of members; where it is necessary to increase the number of members of the executive committee of VGCL, that executive committee of VGCL shall decide such increase, and ensure that the increased number of members does not exceed 5% of the required number of members.

4. When there is any vacancy for the post of member of the executive committee of a trade union at any level, the executive committee of the trade union at that level shall elect another person to hold that vacant post, or the immediate superior trade union shall make direct appointment to that vacant post; the number of additional electees during the tenure of the trade union immediately superior to the grassroots trade union shall not exceed half (1/2) of the number of members required by the trade union congress, and during the tenure of the grassroots trade union not exceeding two-thirds (2/3) of the number of members required by the trade union congress. Where it is necessary to elect the number of members exceeding the foregoing, the immediate superior trade union's consent shall be sought.

5. If any member of the executive committee of the trade union at a level retires; is on leave before his/her retirement; resigns; transfers to other position; is a full-time trade union official that no longer works full-time for that trade union, he/she will, by default, withdraw from the executive committee of the trade union at that level and the superior trade union (if any) from the start dates of the aforesaid events specified in the decisions or notifications issued by competent authorities.

6. Any member of the executive committee of a trade union applying for resign from that executive committee who is other than the member referred to in clause 5 of this Article shall be required to submit the letter of resignation to the executive committee of the trade union at the same level that will then consider, approve that letter and request the superior trade union to consider issuing the approval decision; if the stated member is a member of the executive committee of VGCL, his/her resignation case shall be considered and decided by the executive committee of VGCL itself.

7. Duties and authority of executive committees of trade unions at all levels

- a. Represent and defend legitimate rights and interests of trade union members and workers under their corresponding delegated authority.
  - b. Implement the resolution of the congress of the trade union at the same level.
  - c. Implement guidelines, resolutions and regulations of the Communist Party of Vietnam and the superior trade union.
  - d. Direct, inspect and provide guidance on activities of inferior trade unions.
  - dd. Make decisions on establishment, merger, split-up, split-off, amalgamation, dissolution, move-up or move-down of the inferior trade union, or recognition of the executive committee of the inferior trade union.
  - e. Elect the Presidium (for the executive committee of VGCL), the standing board (for the executive committee composed of at least 09 members); elect persons holding the titles to the executive committee, the supervision committee and the title of chief of the supervision committee of the trade union at the same level.
  - g. Provide trade union officials with training courses and enable them to perform their duties; guide, help and protect trade union officials when their legal and legitimate rights and interests are infringed; The executive committee of the superior trade union shall represent, support and assist the executive committee of the grassroots trade union in conducting collective bargaining sessions and exercising the rights to organize and lead strikes in accordance with law.
  - h. Conduct question and answer sessions involving trade union officials and members at the executive committee's meetings.
  - i. Periodically report on organization and operation of the trade union at the same level to the Party committee at the same level (if any), to the superior trade union, and inform them to the inferior trade union.
  - k. Conduct financial, property and economic activity management in accordance with the State regulations.
7. Executive committees of trade unions at all levels shall hold a meeting every 6 months; in the absence of the standing board, the executive committee shall hold a meeting every 3 months; any unplanned meeting may be held where required.

#### **Article 12. Presidium of VGCL, standing boards of trade unions at all levels**

1. The Presidium of VGCL and the standing boards of trade unions at all levels serve as the standing bodies of the executive committees and are elected by the executive committee of the trade union at the same level; each of them shall be composed of not more than one-third (1/3) of total number of members of the executive committee, including the chairperson, vice chairperson(s) and members.
2. VGCL's Presidium shall make preparations concerning the agenda of the meeting of the Executive Committee, and conduct the implementation of the Executive Committee's resolutions. VGCL's Presidium shall be authorized to issue resolutions, directives, decisions, programs, conclusions... to undertake the implementation of the resolutions of the National Congress of TUVN and the resolutions of VGCL's Executive Committee; directly command the operation of the advisory or assistant apparatus rendering services to VGCL and VGCL's affiliates; represent trade union members and workers to raise issues relating to labour and trade union organization to the Communist Party of Vietnam and the State.
3. Standing boards of trade unions at all levels shall make preparations concerning the agenda of the executive committee meetings. Standing boards of trade unions at all levels may issue conclusions, notices, decisions and other documents to direct the implementation of resolutions of the executive committees; direct activities occurring at intervals between the two executive committee meetings, report on the standing board's performance at the executive committee's regular meeting; directly take control of the activities of subordinates and affiliates; represent trade union members and workers to gather recommendations to join with the Party Committees, People's Councils, People's Committees, ministries, central authorities, boards of directors, and boards of members of enterprises at the same level; appoint representatives to participate in relevant agencies and organizations.
4. Standing boards of the Presidium, standing boards, executive committees (in the absence of standing boards) of the trade unions at all levels, including chairpersons and vice chairpersons, shall direct, encourage and inspect the implementation of guidelines and resolutions, conclusions, working plans of the Presidium, standing boards and executive committees; handle the regular work of trade unions at the same level; decide to convene and prepare the agenda of the meetings of the Presidium, the standing boards and the executive committees of the trade unions at the same level. The Chairperson is the head of the executive committee responsible for managing the activities of the Presidium (VGCL), the standing board, the executive committee, and is the legal representative of the executive committee of the trade union at the same level.

5. The grassroots trade union's chairperson can be elected at the grassroots trade union's congress or meeting. Elector and electee requirements, principles and procedures for election shall comply with the guidance of the Presidium of VGCL.

6. Complementary election of titles to executive committees of trade unions at the same level

a. If there is any vacancy in the post of standing member of the standing board of the Presidium, the Executive Committee of VGCL shall elect any of member of the Presidium to hold that post; If there is any vacancy in the post of member of the Presidium, any of members of the Executive Committee shall be elected to hold that post at the proposal of the VGCL's Presidium.

b. If there is any vacancy in the post of standing member of the standing board, any of members of the standing board shall be elected to hold that post; if there is any vacancy in the post of member of the standing board, any of members of the executive committee shall be elected to hold that post at the proposal of the VGCL's Presidium. Where necessary, the superior trade union may directly appoint persons to hold these vacant posts.

c. At trade unions without standing boards, if there is any vacancy for the post of chairperson or vice chairperson, any of members of executive committees shall be elected to hold that post.

7. Presidium of VGCL and standing boards of trade unions at all levels shall convene a meeting every 2 months; any unplanned meeting may be held where required.

### **Chapter III**

## **GRASSROOTS TRADE UNIONS AND OCCUPATIONAL ORGANIZATIONS**

### **Article 13. Founding conditions and forms of organization of grassroots trade unions and occupational organizations**

1. A grassroots trade union is the grassroots-level body of the TUVN which is established at one or several lawful employing entities when there are at least 05 trade union members or 05 workers who voluntarily apply for admission to TUVN.

2. A grassroots occupational organization is an association of legal self-employed workers in the same trade, industry or profession, by the geographical areas or employers, which is established when there are at least 05 trade union members or 05 workers who voluntarily apply for admission to TUVN.

3. Forms of organization of grassroots trade unions and occupational organizations

a. Grassroots trade unions, grassroots occupational organizations without trade union groups, occupational organization groups, trade union subdivisions, occupational organization subdivisions, and grassroots trade union affiliates.

b. Grassroots trade unions, grassroots occupational organizations with trade union groups and occupational organization groups.

c. Grassroots trade unions, grassroots occupational organizations with trade union subdivisions, occupational organization subdivisions.

d. Grassroots trade unions with grassroots trade union affiliates.

4. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

### **Article 14. Processes and procedures for establishment and dissolution of grassroots trade unions and occupational organizations**

1. Establishing grassroots trade unions and occupational organizations by workers

a. At employing entities where there is none of grassroots trade unions or grassroots occupational organizations, workers can voluntarily set up committees on promotion of establishment of trade union or occupational organization (hereinafter referred to as campaign committee).

b. The campaign committee encourages workers to become members of TUVN, and receives applications for admission to TUVN from them.

c. When meeting the prescribed conditions for establishment of a grassroots trade union or grassroots occupational organization, the campaign committee shall organize the congress to establish the grassroots trade union or grassroots occupational organization, and register with the superior trade union according to its delegated authority over workers assembled or associated for participation specified in Article 17 hereof; the superior trade union considers and recognizes the existence of the grassroots trade union or grassroots occupational organization.

d. Activities of the newly created grassroots trade union or occupational organization are carried out after receipt of the recognition decision from the superior trade union.

2. Responsibilities of the superior trade union for establishment of a grassroots trade union or occupational organization



- a. Support workers in setting up the campaign committee.
  - b. Provide the campaign committee with support in terms of the content and methods of a campaign for workers' advocacy of admission to TUVN; organize the congress aimed at preparing for establishing the grassroots trade union or grassroots occupational organization; elect the executive committee of the grassroots trade union or grassroots occupational organization.
  - c. Consider whether a/an trade union member, grassroots trade union, occupational organization, executive committee of a grassroots trade union or occupational organization is recognized or not pursuant to regulations.
  - d. At an employing entity where its workers are unable to set up a campaign committee for establishment of the grassroots trade union or occupational organization, the superior trade union shall be responsible for directly meeting with workers to encourage them to apply for admission to TUVN and completing required procedures for admission of trade union members, establishment of the grassroots trade union or occupational organization; appointing the executive committee, provisional supervision committee and titles in the executive committee or provisional supervision committee.
3. If a grassroots trade union or occupational organization fails to meet prescribed conditions to exist and maintain its operation, the superior trade union shall directly consider issuing the decision on dissolution or termination thereof.
4. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

#### **Article 15. Duties and authority of the grassroots trade union**

1. Raise awareness of implementation of guidelines, policies of the Communist Party of Vietnam; regulatory policies and laws of the State, and obligations of citizens; guidelines and resolutions of trade unions.
2. Represent, take care of and protect legal and legitimate rights and interests of trade union members and workers in accordance with the State legislation.
3. Supervise or get involved in supervising the implementation of policies, laws, rules, regulations, collective labor agreements and issues related to the lawful and legitimate rights and interests of trade union members and workers in accordance with law.
4. Cooperate with employing entities in formulating and implementing grassroots democracy regulations; take care of the material and spiritual life, raise professional qualifications and skills, improve conditions of employment, and take care of the health of workers; organize competitions, emulation movements, cultural and social events or activities.
5. Conduct the implementation of resolutions of trade unions at all levels, comply with the Regulations of Trade Union of Vietnam; provide training courses for trade union members and officials; manage and use the trade union's finances and assets in accordance with regulations; perform the task of developing and managing trade union members; build a strong grassroots trade union; participate in building harmonious, stable and progressive labor relations at the workplace; build agencies, units and enterprises that develop sustainably; participate in building a clean and strong Party organization and people's government.
6. The Presidium of VGCL shall elaborate on duties and authority of specific types of grassroots trade union.

#### **Article 16. Duties and authority of the grassroots occupational organization**

1. Represent trade union members in relations with local authorities and competent agencies, take care of and protect the legitimate rights and interests of trade union members; gather opinions and aspirations of trade union members in order to find solutions to support, help them or file their complaints, petitions or requests to competent persons to seek their actions.
2. Push trade union members and workers toward implementation of the Party's guidelines and policies, the State's policies and laws and the tasks of the trade union organization; provide instructions about the implementation of policies and laws related to the life and conditions of employment of workers.
3. Organize and launch patriotic emulation movements; advise trade union members and workers to participate in cultural and social activities, help each other in their career and life, and fight against social evils.
4. Develop and manage trade union members; build a strong grassroots trade union; participate in building a clean and strong Party organization and people's government.
5. Manage and use funds and assets of trade unions in accordance with the State regulations.

### **Chapter IV**

## **TRADE UNIONS IMMEDIATELY SUPERIOR TO GRASSROOTS TRADE UNIONS**

### **Article 17. Authority to found and workers assembled or associated for participation in trade unions immediately superior to grassroots trade unions**

1. Trade unions immediately superior to grassroots trade unions (briefly called immediate superior trade union(s)) are organized according to administrative units, trades, industries, professions, incorporations, economic groups, and established or dissolved under the decisions of the federations of labour of cities or provinces or the central industry trade unions under the guidance of VGCL's Presidium.
2. Workers assembled or associated for participation in the immediate superior trade union:
  - a. Federations of labour of districts shall assemble or associate workers by district-level administrative divisions, except those assembled or associated by superior trade unions as specified in point b, c, d and dd of clause 2 of this Article.
  - b. Local industry trade unions shall assemble or associate workers for employing entities by industries within cities or provinces.
  - c. Trade unions of industrial parks shall assemble or associate workers within industrial parks, export processing zones, economic zones or hi-tech parks.
  - d. Trade unions of incorporations or economic groups shall assemble or associate workers within subsidiaries of incorporations or economic groups.
  - dd. Other immediate superior trade unions shall assemble or associate workers by employing entities consisting of their affiliates, such as national universities, regional universities, general departments, ministries, ministry-level organs, central authorities or associations, etc.
3. The Presidium of Vietnam General Confederation of Labour shall elaborate on this Article.

### **Article 18. Duties and authority of immediate superior trade unions**

1. Immediate superior trade unions shall have the following major duties and authority:
  - a. Represent, take care of and protect legal and legitimate rights and interests of trade union members and workers in accordance with law.
  - b. Provide executive committees of grassroots trade unions or occupational organizations with instructions and support regarding professional skills, methods of and activities involved in implementation of tasks, guidelines and resolutions of trade unions; encourage trade union members and workers to implement the Party's guidelines and directions, the State's policies and laws, and the obligations of citizens and workers.
  - c. Guide and support grassroots trade unions or representatives of trade union members and workers in organizing dialogues and collective bargaining in accordance with law.
  - d. Direct the development and management of trade union members, and establishment of grassroots trade unions or occupational organizations; encourage and support the establishment of grassroots trade unions and occupational organizations; provide training courses on professional abilities and skills for officials of grassroots trade unions or occupational organizations; conduct evaluation and ranking of trade unions on an annual basis.
  - dd. Organize patriotic emulation movements in which union members and workers can participate; join with governments and specialized agencies at the same level in developing solutions for socio-economic development in localities, units and enterprises; get involved in building a clean and strong Party and people's government.
  - e. Play active roles or collaborate with state management agencies in examination, inspection and supervision of the implementation of policies granted to workers; participate in the settlement of labor-related complaints, denunciations and disputes.
  - g. Formulate and organize the implementation of regulations on coordination between superior trade unions in directing activities of grassroots trade unions and occupational organizations.
  - h. Manage and use funds and assets of trade unions in accordance with the State regulations.
  - i. Carry out the information and reporting regime in accordance with regulations.
  - k. Implement other duties and authority.
2. The Presidium of VGCL shall elaborate on specific types of trade unions immediately superior to grassroots trade unions.

## **Chapter V**

## **FEDERATIONS OF LABOUR OF CITIES OR PROVINCES; CENTRAL INDUSTRY TRADE UNIONS OR EQUIVALENTS**

## **Article 19. Federations of labour of cities or provinces**

1. Federations of labour of cities or provinces are organized according to administrative divisions, including provinces and centrally-affiliated cities, and established or dissolved under the decisions of the Presidium of VGCL in accordance with regulations of laws.
2. Persons assembled or associated for participation in federations of labour of cities or provinces are trade union members and workers within these cities or provinces. VGCL's Presidium shall provide guidance on assembling trade union members and workers of employing entities that have subsidiaries, branches of businesses, school campuses... in other provinces or cities.
3. Federations of labour of cities or provinces shall decide to establish and take direct control of federations of labour of districts, local industry trade unions, trade unions of industrial parks, trade unions of incorporations (of cities or provinces), and grassroots trade unions within employing entities directly under ministries or other central authorities that have none of the central industry trade unions, or other immediate superior trade unions.

### **4. Duties and authority**

a. Disseminate the Party's guidelines and policies, the State's policies and laws and the tasks of trade unions. Organize the implementation of directives, resolutions and instructions of the VGCL and the resolutions of congresses of trade unions of cities or provinces; implement the guidelines and resolutions of the Party, policies and laws of the State; local policies and plans for socio-economic development, security and national defense.

b. Represent, take care of and protect legal and legitimate rights and interests of trade union members and workers within cities or provinces.

- Join with Party committees and state agencies of provinces or cities in carrying out socio-economic development guidelines and plans and issues related to the life, employment and conditions of employment of workers within these areas; organize patriotic emulation movements and social events and activities.

- Research and participate in the formulation of laws and policies regarding labor, wage, occupational safety and hygiene, social insurance, health insurance and others related to workers; participate in administrative reform, prevention of corruption, wastefulness and misconduct; get involved in building a clean and strong Party and people's government.

c. Play active roles or collaborate with competent authorities in examination, inspection and supervision of the implementation of laws and policies related to legal and legitimate rights and interests of trade union members and workers within employing entities; provide instructions about and direct the settlement of labor disputes, participate in investigations into occupational accidents and occupational diseases occurring at enterprises falling within their remit.

d. Command trade unions of districts, local industry trade unions, trade unions of industrial parks, trade unions of incorporations directly under their control and other immediate superior trade unions to perform duties in accordance with regulations.

dd. Cooperate in guiding and directing grassroots trade unions directly under central industry trade unions and other superior trade unions located in the same area to conduct activities according to trades, industries or professions; implement directives and resolutions of the Party, policies and laws of the State, local guidelines and plans for socio-economic development, security and national defense.

e. Motivate trade union members and workers to study to improve their professional qualifications, law-related knowledge, and practice their professional behavior and skills; manage and organize trade unions' cultural and sports events, cultural facilities intended for workers, vocational education and training institutions, job placement and counseling and support centers for workers according to the regulations of the State and trade unions.

g. Carry out personnel plans, manage and train officials and grant policies to authorized officials; cooperate with district-level committees and equivalents in placing, assigning, engaging and promoting officials under their delegated authority.

h. Guide and direct congresses and meetings of inferior trade unions; develop and manage trade union members; evaluate and rate trade unions annually under the guidance of the Presidium of VGCL.

i. Establish external relations according to the regulations of the Presidium of VGCL.

k. Manage and use funds, assets and economic activities of trade unions in accordance with the State regulations.

## **Article 20. Central industry trade unions**

1. Central industry trade unions are organized according to trades, industries or professions; operates

nationwide; are founded or dissolved by the decisions of the Presidium of VGCL according to the characteristics of these trades, industries or professions.

2. Persons assembled or associated for participation in central industry trade unions are trade union members and workers of employing entities in corresponding industries. Where a ministry organizes multiple central industry trade unions or trade unions of incorporations directly under VGCL, the relevant guidance on this given by the Presidium of VGCL shall be followed.

3. Central industry trade unions may decide to establish, dissolve, directly manage or take control of operations of trade unions of incorporations, business groups, other immediate superior trade unions and grassroots trade unions in that central industry.

#### 4. Duties and authority

a. Propagate the Party's guidelines and policies, the State's policies and laws and the tasks of trade unions. Apply the guidelines and resolutions of the superior trade unions and the resolutions of the congress of the trade union at the same level to the trade unions, trade union members and workers under their management.

b. Represent, take care of and protect the legal and legitimate rights and interests of trade union members and workers in the corresponding industry; act as representatives of workers to negotiate and sign collective labor agreements in the corresponding industry.

c. Participate in state management and socio-economic management:

- Consider joining with ministries and industry authorities in implementing the development strategy, associated with training and development of workers in the relevant industries.

- Consider participating in the formulation of laws and policies regarding labor, wage, occupational safety and hygiene, social insurance, health insurance and others related to workers in the same trade, industry or profession; participate in administrative reform, prevention of corruption, wastefulness and misconduct.

- Cooperate with state management agencies and trade unions at all levels in inspecting and supervising the implementation of regulatory policies and laws related to the rights and interests of trade union members and workers in the relevant industries; join with industry councils in dealing with issues related to trade union members and workers; recommend state agencies to amend, supplement and settle industry and profession policies and benefits to meet the requirements of industry development.

- Cooperate with relevant state management agencies and trade unions at all levels in providing guidance on and organizing patriotic emulation movements and social activities suitable to industry characteristics.

d. Study and submit recommendations to VGCL's Presidium about the organization model, functions and tasks of industry trade unions at specific levels; provide instructions and directions for the inferior trade union's congress; implement human resource plans, manage, train officials and grant policies to officials according to their assigned duties.

dd. Instruct and direct inferior trade unions to:

- Implement directives and resolutions of the Party, superior trade unions and the resolutions of the central industry trade unions' congresses.

- Represent, take care of and protect the legal and legitimate rights and interests of trade union members and workers; negotiate and sign collective labor agreements.

- Propagate and disseminate policies and laws related to trade union members and workers; encourage trade union members and workers to improve their professional knowledge and qualifications; organize patriotic emulation movements and social activities or events suitable to industry characteristics; get involved in building a clean and strong Party and people's government.

e. Actively cooperate with federations of labour of provinces and cities to develop regulations on cooperation in directing and guiding local trade unions to implement regulations on labor policies in the relevant industries; propagate and provide education about tradition of the industries in question; plan the tasks of development of industries; establish trade unions within non-state enterprises in the same industry; cooperate in directing trade unions directly under industry trade unions located in provinces and cities to organize activities to perform local socio-economic tasks; take care of the interests and protect the legal and legitimate rights and interests of trade union members and workers, contributing to building a harmonious, stable and progressive labor relationships at workplace.

g. Direct development of trade union members, manage trade union members, encourage the establishment of grassroots trade unions at enterprises in the same industry. Evaluate and rate trade unions annually under the guidance of the Presidium of VGCL.

h. Establish external relations according to the regulations of the Presidium of VGCL.

i. Manage and use funds, assets and economic activities of trade unions in accordance with the State regulations.

#### **Article 21. Trade unions in the People's Army of Vietnam**

1. Trade unions in the People's Army of Vietnam are classified as central industry trade unions in the TUVN system.
2. Trade unions in the People's Army of Vietnam shall assemble or associate national defense officers, workers or other employees who are working and receiving salaries at enterprises and grassroots units in the People's Army of Vietnam.
3. The Presidium of VGCL shall regulate the organization and operation of trade unions in the People's Army of Vietnam after agreeing with competent authorities of the Ministry of National Defense according to the principles of compliance with the provisions of the Law on Trade Unions and Regulations of Trade Union of Vietnam.

#### **Article 22. Trade unions in the People's Public Security of Vietnam**

1. Trade unions in the People's Public Security of Vietnam are classified as central industry trade unions in the TUVN system.
2. Trade unions in the People's Public Security of Vietnam shall assemble or associate public officials, workers and employees who are working and receiving salaries at enterprises, science-technology entities, public service units, and are serving in the People's Public Security forces.
3. The Presidium of VGCL shall regulate the organization and operation of trade unions in the People's Public Security of Vietnam after agreeing with competent authorities of the Ministry of Public Security according to the principles of compliance with the provisions of the Law on Trade Unions and Regulations of Trade Union of Vietnam.

### **Chapter VI**

## **VIETNAM GENERAL CONFEDERATION OF LABOUR**

#### **Article 23. Duties and powers of VGCL**

1. Decide programs and activities of trade unions in order to implement the resolutions of the Vietnam Trade Union Congress and the resolutions of the Communist Party of Vietnam; direct and provide guidance on the activities of trade unions at all levels. Propagate the Party's guidelines and policies, the State's policies and laws and the tasks of trade unions. Direct the study of trade union theories, review of the practice related to the working class and trade union activities.
2. Participate in state management, socio-economic management; participate in formulating policies and laws, and participate in the examination, inspection and supervision of the implementation of policies and laws relating to society, economy, labor, employment, salary, social insurance, health insurance, occupational safety and hygiene, and other policies and laws related to employees and trade union organizations; rights and obligations of employees as prescribed by law; organize and manage scientific researches on labor, trade union, occupational safety and health; participate in national committees, councils and steering committees on issues related to employees.
3. Cooperate with Party agencies, State agencies and enterprises on providing training courses in improving cultural, political and professional qualifications for trade union members and workers to meet country industrialization and modernization requirements. Cooperate with state management agencies, Vietnam Fatherland Front and mass organizations at the central level to organize patriotic emulation movements, conduct supervision, social criticism and social activities in which trade union members and workers participate.
4. Decide on orientations and measures related to organization and personnel affairs; build the organizational structure of the apparatus, standards of titles of trade union officials; plan, train, manage, employ and implement policies for full-time trade union officials under its delegated authority.
5. Guide and direct the tasks of representing, caring for and protecting union members and workers, patriotic emulation movements and cultural, sports and tourism activities of trade unions at all levels.
6. Expand international cooperation relations with trade unions of other countries and international organizations according to the foreign policies of the Party and State.
7. Implement the rights and responsibilities to manage and use assets; provide instructions and directions regarding the management of funds, assets and economic activities of trade unions; approve annual financial statements and estimates of trade unions in accordance with State laws.

### **Chapter VII**

## **FEMINIST WORK**

#### **Article 24. Feminist work**

Feminist work is the duty of the executive committee of trade union at each level to promote the roles and uphold the legal and legitimate rights and obligations of female workers in accordance with law.

#### **Article 25. Women's union committee**

1. The women's union committee has the duty to advise the executive committee of trade union at the same level on the formulation and implementation of policies and laws relating to female workers; gender and gender equality for the development of women; work of female officials, population, reproductive health; work of family, children; to organize movements among female trade union members; to act as the representative to resolve issues directly related to female workers and children; to integrate activities of women's union with trade union's feminist work.
2. When satisfying conditions set forth by the Presidium of VGCL, VGCL, federations of labour of provinces or cities, central industry trade unions and equivalents may establish and direct women's union committees (feminist affairs committee), and assign their staff to undertake feminist work.
3. Executive committees of immediate superior trade unions, grassroots trade unions may set up and direct activities of women's union committees.

#### **Chapter VIII**

### **FINANCE AND ASSETS OF TRADE UNIONS**

#### **Article 26. Trade union's finance**

1. Trade unions shall manage and utilize finance in accordance with laws. Followings are sources of trade union's finance:
  - a. Membership dues paid by trade union members monthly, equivalent to one percent (1%) of the salary.
  - b. Trade union contributions paid by employing entities as per law.
  - c. State budget grants.
  - d. Other sources: Revenues earned from economic activities of trade unions, cultural and sports events; works or projects assigned by the State; financial aid and assistance of domestic and foreign entities and persons.
2. Trade union finance shall be used for the following purposes:
  - a. Propagating, disseminating and giving education about the Party's guidelines, policies, State laws, and improving professional qualifications and skills for workers.
  - b. Organizing activities to represent and protect legal and legitimate rights and interests of trade union members and workers.
  - c. Developing trade union members; establish grassroots trade unions, occupational organizations; build strong trade unions.
  - d. Organizing emulation movements launched by trade unions.
  - dd. Training trade union officials, outstanding workers as a potential source of officials for the Party, State and Trade Unions.
  - e. Organizing cultural, sport and tourism activities or events for workers.
  - g. Investing in building trade union institutions to meet the needs of trade union members and workers.
  - h. Organizing gender and gender equality-oriented activities.
  - i. Making visits and providing allowances to trade union members and workers in case of sickness, maternity, hardship or misfortune; organizing other activities to care for workers.
  - k. Encouraging and rewarding workers and children of workers for their excelling in study and work.
  - l. Paying salaries to full-time trade union officials and responsibility allowances to part-time trade union officials.
  - m. Paying for operations of trade union machineries at different levels.
  - n. Paying for other tasks.
3. Management of trade union's finance
  - a. Trade union finance is managed according to the principle of democratic centralism, openness and transparency. The decentralization of financial management shall be made in close connection with rights and responsibilities of trade unions at all levels.
  - b. Executive committees, Presidium, standing committees of trade unions at all levels shall have the duty to manage trade union finance in accordance with regulations of State law.

## **Article 27. Trade union's assets**

1. Assets formed from contributions of trade union members or capital of trade unions; state assets of which ownership is transferred by the State to trade unions, and other sources in accordance with laws shall be the property of trade union.
2. VGCL shall exercise rights and responsibilities to manage and use these assets as prescribed by laws.
3. Trade unions at all levels shall be assigned to manage and use trade union's assets; shall be accountable to VGCL and legally liable for use and management of these assets.

## **Chapter IX**

# **TRADE UNION SUPERVISION AND SUPERVISION COMMITTEES OF TRADE UNIONS AT ALL LEVELS**

## **Article 28. Supervision tasks**

The trade union supervision is a duty of the executive committee of trade union at each level to ensure the implementation of these Regulations, resolutions and rules of trade unions. Each trade union at a level shall organize and carry out the supervision task at that level and be subject to the supervision of the superior trade union.

## **Article 29. Trade union supervision committee**

1. The supervision committee is a trade union supervision body elected by the executive committee at the same level and recognized directly by the superior trade union.
2. The trade union supervision committees at all levels shall work according to the principle of democratic centralism, be led by the executive committee of the trade union at the same level, and guided and directed by the superior trade union supervision committee. The trade union supervision committee shall be accountable to the trade union executive committee at the same level for the results of the inspection and supervision conducted by the trade union supervision committee.
3. The number of members of the supervision committee shall be decided by the executive committee of the trade union at the same level, including several members that are members of the executive committee and several members that are not members of the executive committee; the number of members of the executive committee of the trade union at the same level participating in the supervision committee shall not exceed one third (1/3) of the total number of members of the supervision committee.
4. Principles, rules and forms of election of the supervision committee, the chairman and vice-chairman of the supervision committee of a trade union shall be the same as those of the executive committee and positions in the executive committee of that trade union as follows:
  - a. The chairman of the supervision committee of a trade union at any level shall be elected by the executive committee of that trade union, and the deputy chairman of that supervision committee shall be elected by that supervision committee.
  - b. If a grassroots trade union or occupational organization has fewer than 30 trade union members, one of the members of the trade union's executive committee shall be assigned to undertake the supervision and inspection.
5. When newly established, split, merged or improved in terms of the organization of a trade union, the immediate superior trade union may appoint the supervision committee and titles to the provisional supervision committee.
6. The term of the trade union supervision committee shall coincide with that of the executive committee of the trade union at the same level.
7. If any member of the supervision committee of the trade union at a level retires; is on leave before his/her retirement; resigns; withdraws from the post of a full-time trade union official or transfers to other employing entity where he/she is eligible for participation in the trade union supervision committee, he/she will, by default, withdraw from the post of member of the trade union supervision committee from the start dates of the aforesaid events specified in the decisions or notifications issued by competent authorities.
8. When there is any vacancy for the post of member in the executive committee of a trade union at any level, the executive committee of the trade union at that level may elect another person to hold that post, or the immediate superior trade union may make direct appointment to that post.

## **Article 30. Duties of supervision committees of trade unions at all levels**

1. Inspect and supervise the compliance of trade unions at the same or inferior level with the Regulations of Trade Union of Vietnam.

2. Inspect, supervise and recommend prompt actions when detecting any violation of the Regulations of Trade Union of Vietnam, resolutions, directives and rules of trade union committed by any trade union at the same or inferior level, official or member of any trade union at the same or inferior level.
3. Inspect and supervise the collection, distribution, management and utilization of finance, assets and economic activities of trade unions at the same or inferior level in accordance with law and regulations of VGCL.
4. Supervise the compliance of trade union organizations, members of the executive committee, officials of the trade union at the same or inferior level with the trade union's charter, resolutions, directives, decisions, rules and statutes of the trade union organization, and stipulations of the Party and the State.
5. Advise trade union organizations, officials and members of trade unions at the same or inferior level, and sanction them in case of any violation as prescribed.
6. Settle complaints and denunciations falling under the settlement competence of trade unions; join with state authorities and employing entities to settle complaints and denunciations of trade union members and workers in accordance with law.
7. Give training courses and professional guidance on the inspection and supervision of trade unions for members of the supervision committee of the trade union at the same or inferior level.

#### **Article 31. Authority of supervision committees of trade unions at all levels**

1. Trade union supervision committees shall reserve the right to supervise the compliance of trade unions, members of the executive committees, officials of the trade unions at the same or inferior level with the trade union's charter, resolutions, and regulations of trade unions, and stipulations of the Party and the State.
2. Trade union inspection committees shall be entitled to consider deciding to punish trade union officials and members for any violations under their jurisdiction to impose sanctions within trade unions.
3. Members of trade union inspection committees shall have access to training courses aimed at improving their professional skills in trade union inspection and supervision; be invited to attend meetings of the executive committee and congresses and meetings of the trade unions at the same level
4. Report to the executive committees of the trade unions at the same level on trade union inspection and supervision activities, and propose the contents and work programs of trade union supervision committees in regular meetings of the trade union executive committees.
5. Request trade unions and the persons in charge of trade unions, trade union officials and members who are subject to inspection or supervision to report and provide documents for the inspection and supervision work, and answer inspection or supervision questions.
6. Report on inspection and supervision conclusions and recommend sanctions to be imposed to the standing bodies of the executive committees of the trade unions at the same level. If any recommendation given by a trade union supervision committee is not accepted by the standing body of the executive committee of the trade union at the same level, the trade union supervision committee may report on this situation to the executive committee of the trade union at the same level, and to the superior trade union's supervision committee.
7. The supervision committee of the trade union at the grassroots and immediately superior level can use the seal of the executive committee of the trade union at the same level. The supervision committee of VGCL and the supervision committees of federations of labour of cities or provinces, and central industry trade unions can use their own seal in accordance with regulations of VGCL's Presidium.

### **Chapter X**

## **REWARDING - SANCTIONING**

#### **Article 32. Rewarding**

Trade unions, trade union officials, members, collectives and individuals delivering good performance may be rewarded in accordance with VGCL's regulations.

#### **Article 33. Sanctioning**

1. Trade unions, trade union officials or members that violate the Regulations, resolutions and rules of VGCL shall be sanctioned in a fair, accurate and timely manner, depending on the severity of violation.
2. Sanction forms
  - a. For trade unions, collectives of executive committees, standing committees, supervision committees



of trade unions at all levels: Sanctions shall be imposed in the form of reprimand, caution, or disbandment.

b. For trade union officials: Sanctions shall be imposed in the form of reprimand, caution, dismissal from office, or expulsion from membership.

b. For trade union members: Sanctions shall be imposed in the form of reprimand, caution, or expulsion from membership.

3. Authority and procedures for imposition of sanctions against violations occurring within trade unions at all levels shall be subject to VGCL's Presidium.

## **Chapter XI**

### **COMPLIANCE WITH REGULATIONS OF TRADE UNIONS OF VIETNAM**

#### **Article 34. Responsibilities for implementation of the Regulations**

1. The Presidium of Vietnam General Confederation of Labour shall provide guidance on implementation of the Regulations of Trade Union of Vietnam.

2. Trade unions, collectives of executive committees, Presidium, standing committees, supervision committees of trade unions at all levels; trade union officials and members shall be responsible for strictly complying with the Regulations of Trade Union of Vietnam.

#### **Article 35. Authority over amendments or supplements to the Regulations**

1. The Regulations of Trade Union of Vietnam are adopted by the National Congress of Trade Unions of Vietnam. Only National Congress of Trade Unions of Vietnam can amend or supplement the Regulations of Trade Union of Vietnam.

2. For any issue that has not yet been covered in the Regulations, the Executive Committee of VGCL shall be assigned to consider it, provide guidance or instructions for experimentation, and report experimenting results to the National Congress of Trade Unions of Vietnam for any proper amendment or supplement to the Regulations of Trade Union of Vietnam.