

THE GOVERNMENT

**SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness**

No. 98/2009/ND-CP

Hanoi, October 30, 2009

DECREE

PRESCRIBING REGION-BASED MINIMUM WAGE LEVELS FOR VIETNAMESE LABORERS
WORKING FOR FOREIGN-INVESTED ENTERPRISES, FOREIGN AGENCIES AND
ORGANIZATIONS, INTERNATIONAL ORGANIZATIONS AND FOREIGNERS IN VIETNAM

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*Pursuant to the December 25, 2001 Law on Organization of the Government;
Pursuant to the June 23, 1994 Labor Code: the April 2, 2002 Law Amending and
Supplementing a Number of Articles of the Labor Code; and the June 29, 2006 Law Amending
and Supplementing a Number of Articles of the Labor Code;
Pursuant to the XII National Assembly's Resolution No. 56/2006/NQ-QH11 of June 29, 2006,
on the five-year socio-economic development plan in the 2006-2010 period;
At the proposal of the Minister of Labor, War Invalids and Social Affairs,*

DECREES:

Article 1. To prescribe region-based minimum wage levels for payment to laborers doing simplest jobs under normal working conditions for foreign-invested enterprises, foreign agencies and organizations, international organizations and foreigners in Vietnam (below collectively referred to as enterprises). The region-based minimum wage levels shall be applied from January 1, 2010, according to regions as follows:

1. The level of VND 1,340,000/month applies (o enterprises operating in localities of region I.
2. The level of VND 1,190,000/month applies to enterprises operating in localities of region II.
3. The level of VND 1,040,000/month applies to enterprises operating in localities of region III.
4. The level of VND 1,000.000/month applies to enterprises operating in localities of region IV.

Localities of regions I. II. III and IV are specified in the Appendix to this Decree.

Article 2.

1. The region-based minimum wage levels specified in Article 1 of this Decree shall be used as a basis for determining wage levels in wage scales and tables and all kinds of wage allowances, and wage levels specified in labor contracts and for implementing other policies adopted and issued by enterprises according to their competence prescribed by the labor law.
2. The lowest wage level paid to laborers who have received vocational training (including laborers trained by enterprises themselves) must be at least 7% higher than the region-based minimum wage levels specified in Article 1 of this Decree.
3. Enterprises are encouraged to apply a minimum wage level higher than the region-based minimum wage levels specified in Article 1 of this Decree.
4. On the basis of the region-based minimum wage levels specified in Article 1 of this Decree, enterprises shall adjust salaries in labor contracts accordingly.

Article 3.

1. The region-based minimum wage levels specified in Article 1 of this Decree may be adjusted depending on the economic growth rate, cost-of-living index and labor supply-demand in each period.

2. The Ministry of Labor, War Invalids and Social Affairs shall, after consulting the Vietnam General Labor Confederation, representatives of employers and concerned ministries and branches, propose the Government to adjust the region-based minimum wage levels specified in Article 1 of this Decree.

Article 4.

1. This Decree takes effect on January 1, 2010.

2. To annul the Government's Decree No. 111/2008/ND-CP of October 10, 2008, prescribing region-based minimum wage levels for Vietnamese laborers working for foreign-invested enterprises, foreign agencies and organizations, international organizations and foreigners in Vietnam.

Article 5. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and chairpersons of provincial-level People's Committees shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung

APPENDIX

LOCALITIES FOR APPLICATION OF REGION-BASED MINIMUM WAGE LEVELS
(To the Government's Decree No. 98/2009/ ND-CP of October 30, 2009)

1. Region I, covering the following localities:

- Urban districts of Hanoi;
- Urban districts of Ho Chi Minh City.

2. Region II, covering the following localities:

- Gia Lam, Dong Anh, Soc Son, Thanh Tri, Tu Liem, Thuong Tin, Hoai Duc, Dan Phuong, Thach That and Quoc Oai districts and Son Tay town of Hanoi;
- Rural districts of Ho Chi Minh City;
- Urban districts and Thuy Nguyen, An Duong and An Lao rural districts of Hai Phong city;
- Urban and rural districts of Da Nang city;
- Urban districts of Can Tho city;
- Ha Long city of Quang Ninh province;
- Bien Hoa city, Long Khanh town and Nhon Trach, Long Thanh, Vinh Cuu and Trang Bom districts of Dong Nai province;
- Thu Dau Mot town and Thuan An, Di An, Ben Cat and Tan Uyen districts of Binh Duong province;

- Vung Tau city, Ba Ria town and Tan Thanh district of Ba Ria-Vung Tau province.

3. Region III, covering the following localities:

- Provincial cities (except the cities of region II):

- Remaining rural districts of Hanoi.

- Tu Son town and Que Vo, Tien Du and Yen Phong districts of Bac Ninh province.

- Viet Yen and Yen Dung districts of Bac Giang province;

- Hoanh Bo district of Quang Ninh province;

- Hung Yen town and My Hao. Van Lam. Van Giang and Yen My districts of Hung Yen province;

- Cam Giang, Nam Sach, Chi Linh, Kim Thanh. Kinh Mon. Gia Loc, Binh Giang and Tu Ky districts of Hai Duong province;

- Phuc Yen town and Binh Xuyen district of Vinh Phuc province;

- Remaining rural districts of Hai Phong city:

- Uong Bi and Cam Pha towns of Quang Ninh province;

- Dien Ban and Dai Loc districts of Quang Nam province;

- Bao Loc town of Lam Dong province;

- Cam Ranh town of Khanh Hoa province;

- Trang Bang district of Tay Ninh province:

- Dong Xoai town and Chon Thanh and Dong Phu districts of Binh Phuoc province;

- Remaining rural districts of Binh Duong province;

- Remaining rural districts of Dong Nai province;

- Tan An town and Duc Hoa, Ben Luc, Can Duoc and Can Giuoc districts of Long An province;

- Rural districts of Can Tho city;

- Chau Duc, Long Dien, Dat Do and Xuyen Moc districts of Ba Ria-Vung Tau province.

4. Region IV, covering the remaining localities.-