

DECISION

On Roles, Responsibilities, Duties, Authorities and Organization Structure
Of Department of Labour and Wage

THE MINISTER OF LABOUR - INVALIDS & SOCIAL AFFAIRS

Pursuant to the Law of the Government Organization dated 25 December 2001;

Pursuant to the Decree No. 36/2012/ND-CP of the Government, dated 18 April 2012, which stipulates roles, duties, authorities and organization structures of Ministries and Ministerial-level organizations;

Pursuant to Decree No. 106/2012/ND-CP of the Government, dated 20 December 2012, which stipulates roles, duties, authorities and organization structures of the Ministry of Labour - Invalids and Social Affairs;

Upon the proposal of the Director General of the Department of Personnel & Organization

DECIDES

Article 1. The Department of Labour and Salary is a unit of the Ministry of Labour - Invalids and Social Affairs, has the responsibilities and duties to assist the Minister in execution of the state management role in the area of labour, wage, labour relation, labour dispute and strike in the whole country, and as specified by laws.

The Department's official name for international transaction in English is Department of Labour and Wage, in the short form is DLW.

Article 2. The Department of Labour and Wage has the following duties

1. Carrying out research activities and submitting to the Ministry:

a) Draft laws, draft ordinances and other legal documents in the area of labour, wage, labour relation, labour dispute and strike;

b) Strategies, programs, long-term & annual plans, projects and planning on labour, wage, labour relation, labour dispute and strike;

c) On labour:

- Labour contract;
- Labour discipline and physical responsibilities/ liabilities;
 - Labour policies in cases of merger, consolidation, separation, transfer of ownership or asset use rights, dissolvent, bankruptcy of businesses, cooperatives; re-structure, changes or upgrade of state-owned enterprises.

d) On wage:

- Minimum wage;
- Principles of constructing wage ladder, wage table and labour criteria;
- Wage regime of businesses, organizations, offices, cooperatives, household enterprises, and individuals who recruit employees under labour contracts as specified by laws;
- Wage schemes of employees, leaders and managers of state-owned businesses;
- Wage regime applicable to foreigners working in Vietnam.

e) On labour relation, settlement of labour dispute and strike:

- Social dialogues, democracy mechanism at work, collective negotiation and collective bargaining, settlement of labour dispute and strike;
- Organizing activities of labour arbitration council and labour arbitrator;
- Solutions for harmonized, sustainable and progressive labour relations which could facilitate prevention of labour disputes and strikes.

f) Regimes and policies of privileges applicable to female workers, old workers, disable workers, junior workers, household maids and other types of workers as specified by laws.

2. Participating in communication activities on policies & legislation in the area of labour, wage, labour relation, labour dispute and strike; providing guidelines and monitoring the implementation and enforcement of policies and legislation in the assigned areas.

3. Periodically conducting surveys and publishing average wage levels of employment market.

4. Being the permanent assistant body to the National Committee of Labour Relations and National Council of Wage.

5. Performing international cooperation activities in the area of labour, wage, labour relation, labour dispute, and strike as assigned by the Ministry.

6. Carrying out scientific research works, participating in training activities provide to officials, public servants, civil servants and people working in the area of labour, wage, labour relation, settlement of labour dispute and strikes, as assigned by the Ministry.

7. Collecting data and making periodical & incidental reports on labour, wage, labour relation, labour dispute & strike.

8. Managing staff, physical & financial resources as specified by laws and the Ministry.

9. Performing any tasks assigned by the Minister.

Article 3. Organization structure of the Department of Labour and Wage:

1. The Department has one Director General and a number of Deputy Directors.

2. Functional sections include:

- Section of Labour;
- Section of Wage;
- Section of Labour Relations.

Article 4. The Department Director General is responsible for set up and implementation of the working & working relation regulations of the Department; specifying roles and duties of the functional sections; managing and specifying tasks and works within the staff to ensure proper completion of the assigned duties and tasks.

Article 5. This Decision comes into force from the date of signing and supersedes the Decision No. 202/QĐ-LĐTBXH of the Minister of Labour - Invalids and Social Affairs, dated 30 January 2008, which stipulates roles, duties and authorities of the Department of Labour and Salary.

Article 6. The Chief of the Ministry Office, The Director General of the Department of Organization & Personnel, the Director General of the Department of Planning-Finance, the Director General of the Department of Labour and Wage and heads of related units bear full responsibility for implementation of this Decision.

THE MINISTER

Signed and stamped
Pham Thi Hai Chuyen