

RESPONSIBILITIES REGARDING IMPLEMENTATION

1. Provincial and City Federations of Labour shall

- Direct the upper-level trade union to review the immediate labour force and enterprises in the given location, develop an action plan, recruit additional membership, and business situation of establish a multi-enterprise trade union.
- Coordinate with the competent authorities to inspect and supervise the implementation of labour law and trade union law at small and micro enterprises where trade unions have not yet been established.
- Provide the training for trade union officers immediately following the establishment of the grassroots trade union, focusing on legal knowledge and trade union skills.
- Provide funding for pilot activities registered with the VGCL.
- Invest resources for the upper-level trade union to be able to obtain intermediate sufficient legal consultancy capacity in order to defend workers at the pilot localities.

2. Upper-level trade union immediately above the grassroots trade union

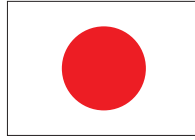
- Organize survey to examine the status quo of industrial relations in localities where grassroots trade unions have not been established; be proactive in supporting workers in exercising their union rights according to regulations.
- Proactively contact, advocate, share information, guide and support workers in implementing their right to establish a multi-enterprise grassroots trade union at small and micro enterprises.
- Organize training programs for newly established trade union officers to ensure they acquire sufficient capacity and skills in social dialogue and collective bargaining in order to better defend and protect union members.

3. Key trade union officers at the enterprises

- Study and firmly grasp the provisions of the law on the rights of workers to join a union
- Study the Statute of Viet Nam Trade Union and the documents and VGCL guidelines on organizing and operation principles for trade unions as well as the process for establishing grassroots trade unions for workers.
- Lead pioneer and core roles in propagating and mobilizing workers to assemble in order to establish a grassroots trade union.
- In enterprises where a grassroots trade union has been established, the trade union officers should be proactive in updating information, implementing policy, and being cognizant of workers' concerns.
- Compile and submit proposals for social dialogue and collective bargaining activities to the upper-level trade union immediately above the grassroots trade union and local state management agencies for their support during implementation.
- Assign tasks to the executive committee members and trade union officers (from the deputy head of the trade union) to coordinate implementation of the grassroots trade union's work plan.
- Maintain regular and timely contact with upper level unions for support, while keeping union members posted regarding on-going progress in social dialogue and collective bargaining.



Tổn Liên đon
Lao đng Việ Nam



ILO/Japan
Multi - bilateral
Programme



International
Labour
Organization

GUIDELINE TO PILOT IMPLEMENTATION



ESTABLISHMENT OF MULTI-ENTERPRISE
TRADE UNIONS AT SMALL AND
MICRO ENTERPRISES

AIMS

- To link and recruit workers in various small and micro enterprises to a multi-enterprise grassroots trade union by sector and/or occupation in the same location (district, industrial zone).
- To defend and protect the rights and benefits of workers in small and micro enterprises in which the establishment of grassroots trade unions has proven to be difficult.

OBJECTIVES

- To create favourable conditions for workers to engage in trade unions, with increased opportunities for information sharing and mutual support in work and life.
- To ensure the workers in small and micro enterprises enjoy fair treatment under policies on employment, working conditions, salary, social insurance, health insurance, unemployment benefits, etc.
- To support grassroots trade unions in organizing collective bargaining and dialogue to address industrial relations issues that arise, contributing to harmonious, stable and progressive industrial relations.
- To form new-model grassroots trade unions with close links among workers in small and micro enterprises, helping them to overcome their vulnerability in order to enhance collective power among workers.

BACKGROUND FOR IMPLEMENTATION

Guidance regarding the Statute of Viet Nam Trade Union (Section 12.1.b) *A multi-enterprise trade union can be established when either:*

- Authorities, organizations, enterprises or cooperatives with a legal status of less than 20 union members or having less than 20 workers who have voluntarily joined the Vietnam Trade Union; or
- Authorities, organizations, enterprises or cooperatives of over 20 union members or having more than 20 workers who have voluntarily joined the trade union, who have no legal status or insufficient legal status; or
- Authorities, organizations, enterprises or cooperatives meeting the conditions for union membership and legal status, who have a common owner or operate in the same sector and provide occupations in the same area.

PRINCIPLES FOR IMPLEMENTATION

- Target beneficiaries shall be workers in both the formal and informal sectors where industrial relations and wage relations already occur.
- Establishment of such unions occurs as a consequence of campaigning and propagandizing while learning workers' concerns and helping them to understand and voluntarily join the union in accordance with the law.
- Advocating workers to assemble in order to organize such unions is to be aligned with the ultimate goal of promoting collective bargaining, social dialogue and development of strong and stable grassroots trade unions.

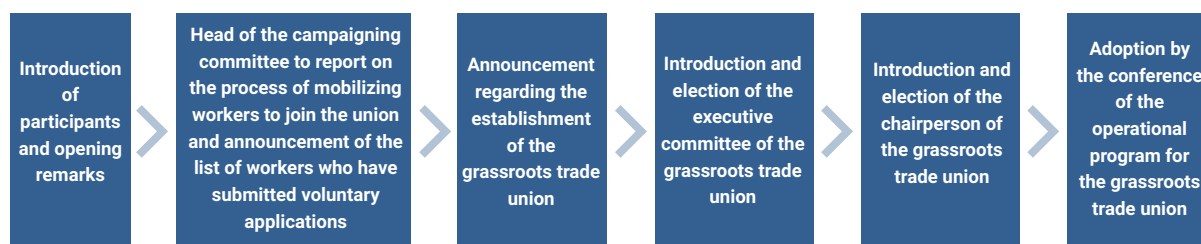
METHODS FOR IMPLEMENTATION

1. Membership mobilization and development

- Meet and select core workers to guide, help and support organizers in disseminating materials for mobilizing workers in small and micro enterprises to assemble and establish a trade union.
- In cases where three or more workers voluntarily lodge applications for Viet Nam Trade Union membership, the workers shall elect a head for a campaigning committee to establish a grassroots trade union. Each enterprise therein shall have at least one worker on the campaigning committee.
- In cases where there is one worker who has already become a union member, he/she shall have the right to mobilize workers and to head the campaigning committee. If the number of union members is greater (but less than 5), the head of the campaigning committee shall be elected from among the union members.
- Each enterprise shall have at least three workers who voluntarily lodge applications for Viet Nam Trade Union membership.
- A multi-enterprise grassroots trade union can only be established when there are workers from at least 3 enterprises who have applied for trade union membership.
- When a sufficient number of workers has submitted applications for Viet Nam Trade Union membership, the campaigning committee for the grassroots trade union shall request guidance in organizing and launching the establishment of such a union from the upper-level union immediately above them.

2. Agenda for the launch of a grassroots trade union

The upper-level trade union immediately above the campaigning committee shall instruct the campaigning committee on logistics and organization for the launch to be held in a formal manner having invited those workers who have submitted membership applications. The main items for the agenda include:



- > Elections at the conference launching the grassroots trade union shall be conducted by ballot.
- > Ballots shall be signed by the head of the campaigning committee on the upper left corner.
- > The candidate receiving an absolute majority of the ballots cast shall be the winner.
- > The campaigning committee for the grassroots trade union shall terminate its duties after the Executive Committee and Chairperson have been elected.
- > The new Executive Committee shall elect a Vice Chairperson, the Inspection Committee and its Head.

3. Requested file for recognition of members and of the grassroots trade union:

The requested file shall be prepared by the newly elected Executive Committee, including:

- Written request for recognition of union members, the grassroots trade union, and the Executive Committee.
- List of union members, together with the membership applications of workers.
- Minutes of the conference launching the grassroots trade union.
- Minutes of the vote counting for the election of the Executive Committee and Chairperson of the grassroots trade union (attached with the Chairperson's curriculum vitae).
- Minutes of the conference for electing the Vice Chairperson (if any), Inspection Committee, and Head of the Inspection Committee

4. Responsibilities of the upper-level trade union

- The upper-level trade union has the duty of issuing a immediate document recognizing the membership, grassroots trade union, Executive Committee and positions on the Executive Committee, Inspection Committee and its Head in the case that the conditions for recognition have been met.
- In the recognition document it must be indicated clearly that the Executive Committee has been elected during the conference launching the grassroots trade union and that the Executive Committee will hold a congress of the grassroots trade union within 12 months.
- In the case that conditions for recognition are not met, a written notice should be sent to the applicant regarding the reasons for non-recognition of the membership, grassroots trade union, and Executive Committee.