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SUPPORT FOR TRADE
ACCELERATION

U.S. VIETNAM
TRADE COUNCIL
EDUCATION FORUM

LABOR STUDY MISSION

MISSION STATEMENT

Jan 10-20, 2009

United States: San Francisco, Washington DC

Pursuant to a grant from The U.S. Agency for International Development

MISSION PARTICIPANTS:

Mr. Pham Minh Huan	Vice Minister, Ministry of Labor, Invalids and Social Affairs (MOLISA) – Head of delegation
Mr. Dang Duc San	Director, Legal Department, MOLISA
Mr. Mai Duc Thien	Director of Labor Legislation Division, Legal Department, MOLISA
Ms. Tong Thi Minh	Director, Department of Wages, MOLISA
Mr. Luong Duc Tuan	Senior Official, Department of Civil-Economic Legislation, Ministry of Justice
Mr. Mai Duc Chinh	Vice President, Vietnam Labor Confederation
Mr. Nguyen Van Luat	Director, Legal Department, Office of the Government
Mr. Dang Nhu Loi	Deputy Chairman, Social Affairs Committee, National Assembly
Mr. Tran Chi Dung	Deputy Director, Bureau for Employers' Activities, VCCI
Mr. Nguyen Ba Truong Giang	Interpreter

USAID/STAR VIETNAM AND U.S. – VIETNAM TRADE COUNCIL STAFF ACCOMPANYING THE MISSION:

Nguyen Mai Linh Legal Program Officer, USAID/STAR

U.S. - VIETNAM TRADE COUNCIL AND STAR VIETNAM SUPPORT TEAM IN WASHINGTON:

Ms. Virginia Foote	President, U.S. - Vietnam Trade Council
Mr. Robert Schiffer	Executive Vice President, U.S.-Vietnam Trade Council
Tran Thi Hong Ha	Country Representative, U.S. – Vietnam Trade Council

Objective: To study and exchange the policy framework and practices on labor issues. The mission wants to learn from the U.S. labor legal framework and institutions of the United States to help them amend the labor code to meet with new condition of an economy in a transition period while reflect international standards and best practices in labor issues. In addition, as Vietnam is applying for GSP status from the United State and labor issues are among the most critical issues for granting GSP, it is very important that the Drafting Committee of the Revised Labor Code have better understanding of the United States Government position with respect to labor issues.

Background: The Ministry of Labor, Invalids, and Social Affairs (MOLISA) has been a counterpart of USAID/STAR, approved by the Steering Committee, since 2008. MOLISA is the lead agency in development of the revised Labor Code. The current Labor Code was issued in 1994 (the Labor Code 1994), when Vietnam was just starting its sweeping reform program known as ‘*Doi moi*’ and moving toward a market economy. At that time, state owned enterprises (SOEs) dominated the economy, so most workers were working for public sector. Consequently, the Labor Code 1994 mainly regulated industrial relation in SOEs. Since then, equitization of SOEs, massive foreign investment and increased international integration have dramatically transformed the economy. Many parts of the Labor Code 1994 are inadequate to deal with current conditions, especially in private, foreign invested firms. Consequently, the National Assembly has made revision of the Labor Code 1994 a high priority. A good legal framework for labor issues will protect the workforce, especially women and enhance the competitiveness of Vietnam. Vietnam is now integrating into the world’s economy, so it is important that Vietnam’s laws should reflect international standards and best practices in labor issues.

Dates: Jan 10-20, 2009

Suggested program:

Washington DC:

- House and Senate Labor Committee
- House Ways and Means Committee
- Senate Finance Committee
- Department of State
- Department of Labor (DOL)
- U.S. Trade Representative (USTR)
- National Labor Relation Board (NLRB)
- Federal Mediation and Conciliation Services (FMCS)

- AFL-CIO
- Environmental Defense Fund
- USAID
- Embassy of Vietnam

San Francisco:

- San Francisco Labor Council
- SF Office of Labor Standards Enforcement
- San Francisco District Office, US Dept. of Labor, ESA Wage & Hour Division