

**THE GOVERNMENT**

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**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence – Freedom – Happiness**

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No.: 141/2017/ND-CP

*Hanoi, December 07, 2017*

**DECREE**

**PROVIDING FOR REGION-BASED MINIMUM WAGES APPLIED TO EMPLOYEES  
WORKING UNDER LABOUR CONTRACTS**

*Pursuant to the Law on Government Organization dated June 19, 2015;*

*Pursuant to the Labour Code dated June 18, 2012;*

*Pursuant to the Law on Enterprises dated November 26, 2014;*

*At the request of Minister of Labour, War Invalids and Social Affairs;*

*The Government promulgates a Decree providing for region-based minimum wages applied to employees working under labour contracts.*

**Article 1. Scope**

This Decree provides regulations on region-based minimum wages applied to employees who work under labour contracts as prescribed by the Labour Code.

**Article 2. Regulated entities**

1. Employees who work under terms and provisions of labour contracts prescribed by the Labour Code.
2. Enterprises duly established, organized and operating under the Law on Enterprises.
3. Cooperatives, cooperative unions, artels, farms, households, individuals and other organizations in Vietnam that hire employees working under labour contracts.
4. Foreign organizations, foreign authorities, international organizations and foreigners that operate/ work in Vietnam and hire employees under labour contracts (unless otherwise stipulated by international treaties to which the Socialist Republic of Vietnam is signatory).

Enterprises, cooperatives, cooperative unions, artels, farms, households, authorities, organizations and individuals referred to in Clauses 2, 3 and 4 of this Article hereinafter referred to “enterprises”).

### **Article 3. Region-based minimum wages**

1. Region-based minimum wages:

- a) For enterprises located in region I: VND 3,980,000/month.
- b) For enterprises located in region II: VND 3,530,000/month.
- c) For enterprises located in region III: VND 3,090,000/month.
- d) For enterprises located in region IV: VND 2,760,000/month.

2. The subregions referred to in this document are district-level administrative divisions. List of region I, region II, region III and region IV is provided in the Appendix enclosed herewith.

### **Article 4. Principles for application of region-based minimum wages**

1. Enterprise located in a specific subregion shall apply the respective minimum wage applied thereto. In the event that affiliates and/or branches of the same enterprise located in different subregions to which different region-based minimum wages apply, they must apply the respective minimum wages applied thereto.

2. If an enterprise is located in the industrial park or the export processing zone located in the territory containing two or more subregions to which different region-based minimum wages apply, it shall apply the highest wage.

3. If an enterprise is located in the subregion which is renamed or divided, it shall still apply the region-based minimum wage applied to that subregion before it is renamed or divided until a new regulation announced by the Government comes into force.

4. If an enterprise is located in the subregion which is converted from a district to which a different region-based minimum wage applies or established by merger of two or more subregions to which different region-based minimum wages apply, it shall apply the highest minimum wage. In case an enterprise is located in a provincial city which is established from one or more subregions in the region IV, it shall apply the region-based minimum wage applied to the provincial cities in the region III as mentioned in the Appendix enclosed herewith.

### **Article 5. Application of region-based minimum wages**

1. Region-based minimum wages, referred to in Article 3 hereof, are the lowest rates used as the basis for any arrangement between enterprises and employees on salary and salary payment. The wage paid to an employee who works under normal working conditions, meets the required amount of monthly working hours and has fulfilled the predetermined labour productivity norm or agreed-upon duties shall:

a) not be lower than the region-based minimum wage paid to an unskilled worker who performs simplest duties; and

b) be at least 7% higher than the region-based minimum wage paid to skilled workers prescribed in Clause 2 of this Article.

2. The following employees are considered skilled workers.

a) Employees holding vocational certificates, vocational diplomas, professional secondary school diplomas, vocational secondary school diplomas, associate degrees, undergraduate preparatory certificates, undergraduate education degrees, bachelor's degrees, postgraduate or master's degrees, or doctoral degrees, as defined in the Government's Decree No. 90/CP dated November 24, 1993 on framework of national education system, educational and training certificate and diploma system;

b) Employees holding certificates of graduation from professional secondary school, certificates of graduation from vocational training course, associate degrees, undergraduate education degrees, master's degrees, or doctoral degrees; vocational education certificates or diplomas; undergraduate education diplomas, continuing education diplomas or certificates, as prescribed by the Law on Education in 1998 and the Law on Education in 2005;

c) Employees holding certificates of completion of continuing vocational education programs, primary-level vocational certificates, certificates of graduation from vocational secondary schools, diplomas of vocational colleges, or certificates of completion of vocational training programs as specified in vocational training agreements defined in the Law on Vocational Training;

d) Employees national vocational skill certificates provided for in the Law on Employment;

dd) Employees holding primary, intermediate or advanced-level vocational education certificates or diplomas; certificates of completion of regular training and other vocational training programs as defined in the Law on Vocational Education;

e) Employees holding certificates of graduation from higher education programs as defined in the Law on Higher Education;

g) Employees holding diplomas or certificates awarded by foreign institutions;

h) Employees who have successfully completed vocational training programs organized by enterprises or self-taught and are qualified to undertake jobs for skilled workers from enterprises.

3. When applying the region-based minimum wages referred to herein, enterprises are not allowed to eliminate or cut back on wages and/or benefits paid to employees who work overtime, night shifts, in hazardous and arduous working conditions, perquisites for holders of hazardous and arduous working positions and other benefits as regulated by the labour law. Other

allowances, supplemental pay, subsidies or bonuses decided by enterprises shall be subject to terms and conditions of labour contracts, collective bargaining agreements or their statutes.

#### **Article 6. Entry into force and implementation**

1. This Decree shall come into force as from January 25, 2018. Regulations herein shall be applied as of January 01, 2018. The Government's Decree No. 153/2016/ND-CP dated November 14, 2016 providing for region-based minimum wages paid to employees working under labour contracts shall be null and void as from the date of entry into force of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of the Government's affiliates, Chairpersons of People's Committees of provinces or central-affiliated cities and relevant authorities and enterprises shall be responsible for implementing this Decree./.

### **ON BEHALF OF THE GOVERNMENT PRIME MINISTER**

**Nguyen Xuan Phuc**

#### **APPENDIX**

#### **LIST OF SUBREGIONS APPLYING REGION-BASED MINIMUM WAGES AS OF JANUARY 01, 2018**

*(Enclosed with the Government's Decree No. 141/2017/ND-CP in 2017)*

1. Region I includes the following subregions:

- The following urban/suburban districts: Gia Lam, Dong Anh, Soc Son, Thanh Tri, Thuong Tin, Hoai Duc, Thach That, Quoc Oai, Thanh Oai, Me Linh, and Chuong My, and Son Tay Town of Hanoi City;

- The following urban/suburban districts: Thuy Nguyen, An Duong, An Lao, Vinh Bao and Tien Lang of Hai Phong City;

- The following urban/suburban districts: Cu Chi, Hoc Mon, Binh Chanh and Nha Be of Ho Chi Minh City;

- Bien Hoa City, Long Khanh Town and Nhon Trach, Long Thanh, Vinh Cuu and Trang Bom suburban districts of Dong Nai Province;

- Thu Dau Mot City, Thuan An, Di An, Ben Cat and Tan Uyen Towns, and Bau Bang and Bac Tan Uyen suburban districts of Binh Duong Province;

- Vung Tau City and Tan Thanh suburban district of Ba Ria – Vung Tau Province.

2. Region II includes the following subregions:

- Remaining suburban districts of Hanoi City;

- Remaining suburban districts of Hai Phong City;

- Hai Duong City of Hai Duong Province;

- Hung Yen City and My Hao, Van Lam, Van Giang and Yen My suburban districts of Hung Yen Province;

- Vinh Yen City, Phuc Yen Town and Binh Xuyen and Yen Lac suburban districts of Vinh Phuc Province;

- Bac Ninh City, Tu Son town and Que Vo, Tien Du, Yen Phong and Thuan Thanh suburban districts of Bac Ninh Province;

- Ha Long City, Cam Pha City, Uong Bi City and Mong Cai City of Quang Ninh Province;

- Thai Nguyen City, Song Cong City and Pho Yen Town of Thai Nguyen Province;

- Viet Tri City of Phu Tho Province;

- Lao Cai City of Lao Cai Province;

- Nam Dinh City and My Loc suburban district of Nam Dinh Province;

- Ninh Binh City of Ninh Binh Province;

- Hue City of Thua Thien Hue Province;

- Hoi An City and Tam Ky City of Quang Nam Province;

- Urban/suburban districts of Da Nang City;

- Nha Trang City and Cam Ranh City of Khanh Hoa Province;

- Da Lat City and Bao Loc City of Lam Dong Province;

- Phan Thiet City of Binh Thuan Province;

- Can Gio suburban district of Ho Chi Minh City;
- Tay Ninh City and Trang Bang and Go Dau suburban districts of Tay Ninh Province;
- Dinh Quan, Xuan Loc and Thong Nhat suburban districts of Dong Nai Province;
- Remaining suburban districts of Binh Duong Province;
- Dong Xoai Town and Chon Thanh suburban district of Binh Phuoc Province;
- Ba Ria City of Ba Ria – Vung Tau Province;
- Tan An City and Duc Hoa, Ben Luc, Thu Thua, Can Duoc and Can Giuoc suburban districts of Long An Province;
- My Tho City of Tien Giang Province;
- Suburban districts of Can Tho City;
- Rach Gia City, Ha Tien Town and Phu Quoc suburban districts of Kien Giang Province;
- Long Xuyen City and Chau Doc City of An Giang Province;
- Tra Vinh City of Tra Vinh Province;
- Ca Mau City of Ca Mau Province.

3. Region III includes the following subregions:

- Remaining provincial cities (except provincial cities of region I and region II);
- Chi Linh Town and Cam Giang, Nam Sach, Kim Thanh, Kinh Mon, Gia Loc, Binh Giang and Tu Ky suburban districts of Hai Duong Province;
- Vinh Tuong, Tam Dao, Tam Duong, Lap Thach and Song Lo suburban districts of Vinh Phuc Province;
- Phu Tho Town and Phu Ninh, Lam Thao, Thanh Ba and Tam Nong suburban districts of Phu Tho Province;
- Gia Binh and Luong Tai suburban districts of Bac Ninh Province;
- Viet Yen, Yen Dung, Hiep Hoa, Tan Yen and Lang Giang suburban districts of Bac Giang Province;
- Quang Yen Town, Dong Trieu Town and Hoanh Bo suburban district of Quang Ninh Province;

- Bao Thang and Sa Pa suburban districts of Lao Cai Province;
- Remaining suburban districts of Hung Yen Province;
- Phu Binh, Phu Luong, Dong Hy and Dai Tu suburban districts of Thai Nguyen Province;
- Luong Son suburban district of Hoa Binh Province;
- Remaining suburban districts of Nam Dinh Province;
- Duy Tien and Kim Bang suburban districts of Ha Nam Province;
- Gia Vien, Yen Khanh and Hoa Lu suburban districts of Ninh Binh Province;
- Bim Son town and Tinh Gia suburban district of Thanh Hoa Province;
- Ky Anh Town of Ha Tinh Province;
- Huong Thuy Town, Huong Tra Town and Phu Loc, Phong Dien, Quang Dien and Phu Vang suburban districts of Thua Thien Hue Province;
- Diem Ban Town and Dai Loc, Duy Xuyen, Nui Thanh, Que Son, Thang Binh and Phu Ninh suburban districts of Quang Nam Province;
- Binh Son and Son Tinh suburban districts of Quang Ngai Province;
- Song Cau Town and Dong Hoa suburban district of Phu Yen Province;
- Ninh Hai and Thuan Bac suburban districts of Ninh Thuan Province;
- Ninh Hoa Town and Cam Lam, Dien Khanh and Van Ninh suburban districts of Khanh Hoa Province;
- Dak Ha suburban district of Kon Tum Province;
- Duc Trong and Di Linh suburban districts of Lam Dong Province;
- La Gi Town and Ham Thuan Bac and Ham Thuan Nam suburban districts of Binh Thuan Province;
- Phuoc Long Town, Binh Long Town and Hong Phu, Hon Quan, Loc Ninh and Phu Rieng suburban districts of Binh Phuoc Province;
- Remaining suburban districts of Tay Ninh Province;
- Remaining suburban districts of Dong Nai Province;

- Long Dien, Dat Do, Xuyen Moc, Chau Duc and Con Dao suburban districts of Ba Ria - Vung Tau Province.
- Kien Tuong Town and Duc Hue, Chau Thanh, Tan Tru and Thanh Hoa suburban districts of Long An Province;
- Go Cong Town, Cai Lay Town, Chau Thanh and Cho Gao suburban districts of Tien Giang Province;
- Chau Thanh suburban district of Ben Tre Province;
- Binh Minh Town and Long Ho suburban district of Vinh Long Province;
- Suburban districts of Can Tho City;
- Kien Luong, Kien Hai and Chau Thanh suburban districts of Kien Giang Province;
- Tan Chau Town and Chau Phu, Chau Thanh and Thoai Son suburban districts of An Giang Province;
- Nga Bay Town and Chau Thanh, Chau Thanh A suburban districts of Hau Giang Province;
- Duyen Hai Town of Tra Vinh Province;
- Gia Rai Town of Bac Lieu Province;
- Vinh Chau Town and Nga Nam Town of Soc Trang Province;
- Nam Can, Cai Nuoc, U Minh and Tran Van Thoi suburban districts of Ca Mau Province.

4. Region IV includes remaining subregions./.