

The Reality of Trade Union in Vietnam

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Abstract:- The Vietnam Trade Union is a large socio-political organization of the working class, a contingent of intellectuals and workers voluntarily set up for the purpose of gathering and unifying forces and building the strong Vietnamese working class in all aspects; represents and protects the legal and legitimate rights and interests of employees. Currently, the Vietnam Trade Union is expanded, the union staff's capacity, theoretical qualifications, skills are improving. The duties of representing the legitimate rights and interests of workers in the labor planning are actively implemented by the trade union at all levels. However, the quality of the operation of some trade union officials is still limited, the participation of grassroots trade unions in dialogue activities and collective bargaining to establish working conditions in enterprises is still formalistic. Therefore, the article describes the reality of Trade Unions in Vietnam and offers a number of solutions to help Vietnam Trade Union become stronger.

Keywords:- Trade union, Vietnam, Wage and Salaried Workers.

I. INTRODUCTION

Vietnam Trade Union operates with the main tasks of representing and protecting the legitimate rights and interests of employees; participate in state management, socio-economic management; participate in inspection, examination and supervision of activities of agencies, organizations and enterprises; propaganda, advocacy and education for employees in order to raise awareness of observing the labor discipline and laws of the State and improve qualifications and skills at work. The Vietnam Trade Union is considered a support for employees, representing legitimate rights and interests for employees. The role of trade unions in negotiating salaries, bonuses, and regulations on labor norms for employees for business owners is increasingly evident in legal documents and state management policies. However, in reality, the success of the trade union mainly depends on the capacity of the union officials to organize and deploy. If the trade union officials are weak in professional skills, and some trade union officials are afraid of collisions, etc. Thus, the trade union's role in the employees are only superficial. On the contrary, once the voice of the trade union becomes stronger, the rights and interests of the employees are ensured in the labor planning. As such, this article will outline a comprehensive portrait of the Vietnamese Trade Union, which will aid in the development of Vietnam's labor market and industrial relations.

II. THE REALITY OF TRADE UNIONS IN VIETNAM

A. The structure of the Vietnam Trade Union

According to the current charter of the trade union, the Vietnamese Trade Union is organized according to four basic levels with two forms of organization by industry and by administrative unit (Figure 1).

➤ Vietnam General Confederation of Labor

This is the central agency of the Vietnam Trade Union. Vietnam General Confederation of Labor, on behalf of workers, employees and workers, participates in economic management, state management, participates in formulating laws and policies related to the rights and obligations of public employees, officers and labor; carry out the work of checking and monitoring activities of government home country.

➤ The Confederation of Labor of provinces and centrally-run cities (The Confederation of Labor of provinces and cities) and the Central Industry Trade Union.

✓ The Confederation of Labor in provinces / cities levels

The Confederation of Labor in provinces / cities levels implements the directives and resolutions of the trade union and to participate with party committees and state agencies at the same level in terms of development policy economic, social, cultural education, issues related to life, employment, working conditions work of workers, officials and workers; coordinate with functional agencies of the State group inspecting the implementation of laws, policies on labor, wages, and protection of labor benefits, social insurance, health insurance and other policies related to benefits and obligations of local employees.

✓ The Central industry trade unions

The Central industry trade unions are organized according to specialized and multidisciplinary sectors, which are superior representatives of local industry trade unions, unions within corporations, groups, or some large grassroots trade unions of all sectors the economy has the same profession. Industry unions directly direct comprehensive trade unions in corporations, groups and unions industry and coordinate with the provincial Labor Confederation in directing the industry unions industry-related content.

➤ *The superior trade unions*

✓ *The local industry trade unions*

The local industry trade union is under the direct and comprehensive direction of The Confederation of Labor in provinces / cities levels and under the coordination direction of industry-related issues from The Central industry trade unions. The local industry trade unions are superior grassroots trade unions, which are trade unions of workers, employees and workers in the same industry or profession in all economic sectors in the province or city.

The local industry trade unions are responsible for: (i) Organizing the implementation of work guidelines of The Confederation of Labor in provinces / cities levels, of the central sector trade unions and Resolutions union level; (ii) Participate with government of the same level on socio-economic development of Local industries, issues related to industry responsibilities and interests, construction contingent of workers, employees and workers in the industry; (iii) Guidance and information on institutions degree, policy, science and technology, industry and profession. Organize emulation and educational movements traditions, obligations and interests of workers, employees and workers in the industry. Combination with The Confederation of Labor in provinces / cities levels to guide, direct and inspect inspecting the implementation of regimes and policies on industries and trades, and protecting the legitimate interests of the public employees, officers and workers in the industry; (iv) Carry out the organization and personnel work as assigned levels of The Confederation of

Labor in provinces / cities levels, building grassroots trade unions, solid unions strong, training and fostering union officials.

➤ *Trade Union on Export Processing Zones*

Trade Union on Export Processing Zones is the direct superior of the grassroots union and directly under The Confederation of Labor in provinces / cities levels. Up to now, most of the localities have speed rapid industrialization has established trade unions in industrial zones: Hanoi, Ho Chi Minh City, Binh Duong, Ninh Binh, Hai Duong, etc.

This institution was established after the establishment of industrial zones/export processing zones and develop. The outstanding advantage of this institution is that it has the close proximity between the trade union on duty receiving facilities with grassroots trade unions and workers. Activities of of Labor in provinces / cities levels, building grassroots trade unions, solid unions strong, training and fostering union officials in recent years have been quite active, especially in prevention and settlement strike at work.

➤ *Grassroots trade union*

Grassroots trade unions are established in enterprises of all economic sectors, non-business units and state agencies, socio-political organizations, social organizations with 5 or more members and recognized by the superior trade union. Labor unions, a gathering of legal freelance workers of the same industry or profession, are established according to a locality or a labor unit with ten or more members and recognized by the superior trade union.

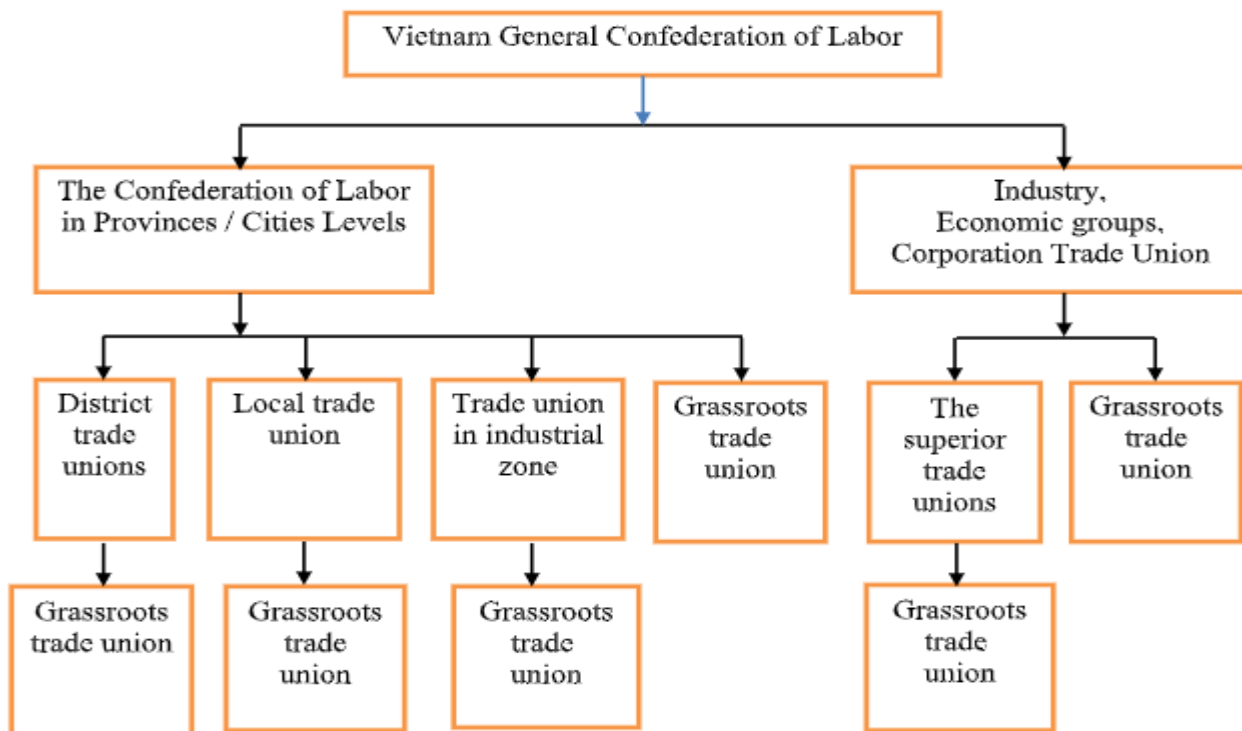


Fig 1:- The structure of the Vietnam Trade Union
 Source: Ministry of Labour - Invalids and Social Affairs, Vietnam (2019)

B. Representative capacity of the grassroots trade union

In 2018, out of a total of 23,835 wage and salaried workers, only 54.04% said that the organization has a trade union, which is 0.72 percentage points lower than in 2017 (Table 1).

	2017		2018	
	Total(1000 people)	%	Total(1000 people)	%
Total	23,001	100	23,835	100
Workplaces having Trade Union organizations	12,594	54.76	12,880	54.04
Workplaces not having Trade Union organizations	10,407	45.24	10,955	45.96

Table 1:- The structure of wage and salaried workers in organizations having Trade union for the period 2016-2018

Source: General Statistics Office of Vietnam (2020)

Specifically, according to the Resolution of the Congress term 2013-2018 of the Vietnam General Confederation of Labor, by 2018, 90% of the units and enterprises that employ 30 or more employees can establish a CSO. Out of a total of 51,670 Co-ops at the enterprise, 1,010 (with 97,231 members) from 50 provinces and cities were established under the order of below up according to Article 17 of the Vietnam Trade Union Charter (Relationship Development Support Labor, 2019), these organizations are assessed to operate quite effectively due to promoting the autonomy of employees in mobilizing, deciding on the establishment and selection of reputable people, the capacity to vote for the committee. Executive Community.

By 2018, 90% of the units and enterprises that employ 30 or more employees can set up the vocational colleges. Out of a total of 51,670 Co-ops at the enterprise, 1,010 (with 97,231 members) from 50 provinces and cities were established under the order of bottom up according to Article 17 of the Vietnam Trade Union Charter (Center for Relationship Development Support) Labor, 2019), these organizations are assessed to operate quite effectively due to promoting the autonomy of employees in mobilizing, deciding on the establishment and selection of reputable people, the capacity to vote for the committee. Executive Community.

At the same time, according to the Vietnam General Confederation of Labor (2019), in the period 2008 - 2018, a total of 87,241 full-time trade union officers and 3,903,531 part-time vocational union officials were fostered. theory and profession of the trade union; Most of the trade union staff, after being trained, have the ability and the opportunity to apply knowledge, and skills to practical activities at the grassroots level.

However, the quality of activities of some trade union officers is still limited. According to the report of the 12th Vietnam Trade Union Congress of the Vietnam General Confederation of Labor, some trade union officials work full-time but are not really professional, their professional qualifications have not met the requirements, lack of union officials with practical experience from grassroots levels; a part shows bureaucracy, lack of insight, civilization, administrativeization; the contingent of part-time trade

union cadres is large but not strong, especially in non-state enterprises; a contingent of experts has not been formed in a number of key areas to perform trade union tasks, to provide consultancy support to the Community College; there is no mechanism to protect the employees of the Community College, which is strong enough for them to feel secure and dare to face in the fight to protect the interests of employees; The direct superior grassroots trade union cadres play an important role, but the directing and leadership mechanism for the Community College is basically administrative, does not have flexible and creative access, advocacy and support. for vocational colleges in enterprises. Explaining this, Ms. Pham Thi Thu Lan- Vietnam General Confederation of Labor said that "Trade union still operates under the model of human resource management (participating with enterprises) rather than the model of labor system (representative for dialogue and negotiation). The inadequacy of the model transformation is due to fear of discrimination and difficulty in building the strength of the collective of employees (because such a concept is confrontational)". Similarly, Mr. Nguyen Duy Phuc - The Ministry of Labor, Invalids and Social Affairs also affirmed that "The grassroots trade union has not performed well the role of representing and protecting employees in labor relations, and is also manipulated by the business owner. The direct superior grassroots trade unions play a very important role but are weak in labor relations, do not actively support workers and grassroots trade unions, their activities are still heavily administrative"

The participation of the Grassroots trade unions in dialogue activities, collective bargaining to establish working conditions in enterprises, especially in private enterprises and foreign-invested enterprises, is still mainly visual. stay awake. According to Mr. Hoang Xuan Truong - National Economics University, "One of the main reasons is that there has not been a team of experts in some key fields to perform the trade union tasks, support consulting for the grassroots trade union; there is not yet a mechanism to protect the grassroots trade union cadres is strong enough for them to feel secure and dare to confront in the struggle to protect the interests of workers". More specifically, according to the Vietnam General Confederation of Labor, by the end of 2018, there are still about 29.67% of the agreements that copy the law, 31.86% of the agreements have mixed content of the law and other agreements, so in

some businesses, although there is a collective labor agreement, there are still labor disputes and strikes about the established contents. When there is a collective dispute, especially a strike, the Grassroots trade unions will not participate in leading, organized according to its functions and duties; The upper level trade unions also only participate in the resolution of the strike through the local interdisciplinary working group, not participating in guiding, the Grassroots trade union's leaders organize the strike.

RECOMMENDATIONS

As analyzed above, although the Vietnam Trade Union is increasingly strengthened and developed, expanded in size and improved quality, affirmed its position and prestige in the political system. The number of members increased rapidly; appears many effective forms of gathering workers and employees. The organizational model of the trade union continues to be perfected in a streamlined, modern and efficient direction; the quality of the contingent of staff has been gradually improved. However, the quality of operations of some trade union officers is limited, some trade union officials work full-time but are not really professional, their professional qualifications have not met the requirements, and there is a lack of union officials. have practical operating experience from the grassroots. At the same time, the participation of grassroots trade unions in dialogue activities, collective bargaining to establish working conditions in enterprises, especially in enterprises Private and foreign-invested enterprises are still largely formal. Therefore, for the trade union to truly represent the rights and legitimate interests of the employees, it is necessary to focus on the following solutions:

Renovating and perfecting the organizational model of trade unions at all levels, improving capacity, supporting, consulting for the Community Community's operations, renewing the content and mode of operation of the Community in order to promote its advantages in the gathering and protection of legitimate rights and interests of trade union members; maintain their role and position in the system of Party's political and social organizations.

Professional training and retraining for cadres of vocational colleges, capable, qualified and the core force participating in dialogue, general education, gathering and developing union members, implementing activities to meet main needs. worth of union members and employees.

Developing and organizing the implementation of institutions to improve the material and spiritual life of employees.

Developing a two-way information exchange mechanism between the Executive Committee of the Community College and its members and employees and developing a regular dialogue mechanism between the Executive Committee of the Community College and the

employer in various forms with the aim of ensuring rights and benefits. legitimate and legal employees.

REFERENCES

- [1]. The Ministry of Labor-Invalids and Social Affairs (2018), Labor Relations Report 2017, retrieved from https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_677744.pdf
- [2]. Vietnam General Statistics Office (2020), The annual labor and employment survey data of the General Statistics Office of Vietnam.
- [3]. CIRDO (2016), Vietnam Labor Relations Report - 30 years of campaigning and development. Labor Publishing House.
- [4]. CIRDO (2019), Looking back on 10 years of industrial relations building in Vietnam, retrieved from <https://quanhelaodong.gov.vn/nhin-lai-10-year-of-work-for-labor-in-Vietnam>
- [5]. Vietnam General Confederation of Labor (2019), Report "Summary of 10 years of implementation of Directive 22 / CT / TW of the Secretariat on strengthening leadership, directing and building harmonious labor relations, stability and progress in the business, No. 114-BC / ĐLĐĐ dated May 28, 2019.