MINISTRY OF LABOR,
INVALIDS AND SOCIAL
AFFAIRS

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom - Happiness

No. 19/2007/QD-BLDTBXH

Hanoi, July 18, 2007

DECISION
ON THE PROMULGATION OF “THE REGULATION ON THE ORGANIZATION OF THE SYSTEM FOR PLACEMENT OF WORKERS ON OVERSEAS EMPLOYMENT AND THE SPECIALIZED SYSTEM OF ESSENTIAL SUPPLEMENTAL TRAINING FOR WORKERS PRIOR TO OVERSEAS EMPLOYMENT”

MINISTER OF LABOR - INVALIDS AND SOCIAL AFFAIRS

Pursuant to the Law of Vietnamese overseas contract workers dated November 29, 2006;
Pursuant to the Government’s Decree No. 29/2003/ND-CP dated March 31, 2003 on the functions, missions, authority and organizational structure of the Ministry of Labor - Invalids and Social affairs;

At the request of the Head of the Overseas Labor Agency,

HEREBY DECIDES:

Article 1. This decision is enclosed with "the Regulation on the organization of the system for placement of workers on overseas employment and the specialized system of essential supplemental training for workers prior to overseas employment” in the companies providing worker export services (hereinafter referred to as service companies).

Article 2. This decision shall take effect fifteen (15) days after the date of its posting on the Official Gazette.

Article 3. Chief of Office of the Ministry, Head of the Overseas Labor Agency, Head of the body that manages service companies, directors of the service companies and heads of relevant organizations shall be responsible for implementing this Decision./.

MINISTER

Nguyen Thi Hang

REGULATION
ON THE ORGANIZATION OF THE OPERATIONAL SYSTEM OF LABOR EXPORT AND THE SPECIALIZED SYSTEM OF ESSENTIAL SUPPLEMENTAL TRAINING FOR
WORKERS PRIOR TO OVERSEAS EMPLOYMENT  *(Enclosed to the Decision No. 19/2017/QD-BLDTBXH dated July 18, 2007 by the Minister of Labor - Invalids and Social affairs)*

Chapter I:

**GENERAL PROVISIONS**

**Article 1. Scope of regulation**

This regulation governs the organization of the system for placement of workers on overseas employment and the specialized system of essential supplemental training for workers prior to overseas employment in service companies pursuant to Section 2, Article 9 of the Law of Vietnamese overseas contract workers.

**Article 2. Regulated entities**

This regulation applies to all service companies.

Chapter II:

**THE ORGANIZATION OF THE SYSTEM FOR PLACEMENT OF WORKERS ON OVERSEAS EMPLOYMENT**

**Article 3. Organization of the system for placement of workers on overseas employment**

The system for placement of workers on overseas employment of a service company, as defined in Section 2, Article 9 of the Law of Vietnamese overseas contract workers, consists of:

1. Labor export center or labor export offices;
2. School or training center;
3. Overseas worker management and supervision division;
4. Branches assigned to place workers on overseas employment (if available).

**Article 4. Missions of the system for placement of workers on overseas employment**

The system for placement of workers on overseas employment of a service company shall carry out directly the functions and missions of sending workers for overseas employment in adherence to its license of service provision; and the activities of labor export pursuant to Article 4 of the Law of Vietnamese overseas contract workers.

**Article 5. Missions of the units under the system for placement of workers on overseas employment**

1. The labor export center or labor export offices shall undertake the following missions:
   a) Prepare or, under authorization, sign contracts for placement of workers on overseas employment.
   b) Select workers;
   c) Organize and execute the contracts for placement of workers on overseas employment;
   d) Prepare or, under authorization, execute the closeout of overseas workers' contracts.
2. A school or a training center shall undertake directly the following missions:
a) Provide essential supplemental training for workers prior to overseas employment;
b) Provide workers, at employers’ request, with supplemental training in vocational skills and foreign languages (if required).

3. An overseas worker management and supervision division shall undertake directly the following missions:
a) Coordinate with foreign entities in settling matters that involve the workers during their overseas contract employment;
b) Report to and coordinate with Vietnamese diplomatic missions and consulates in managing and protecting the workers’ legitimate rights and benefits during their overseas employment.

4. Branches assigned to send workers for overseas employment shall undertake the tasks that their company designates pursuant to Section 1, Article 16 of the Law of Vietnamese overseas contract workers.

**Article 6. Personnel of the system for placement of workers on overseas employment**

1. The system for placement of workers on overseas employment in a service company shall be composed of at least 9 (nine) specialists who meet the following requirements:
a) Possess qualifications at college or higher level;
b) Have a transparent personal record;
c) Be not under criminal prosecution or be not serving a court's criminal sentence, be not placed under a ward-based educational measure or be not admitted into a treatment center or rehabilitation center.

2. Apart from the requirements defined in Section 1 of this Article, the specialists shall be subject to other requirements by specialization:

2.1. Specialization in market:
a) Have expertise in economics or law;
b) Possess a capacity of foreign language apposite to each market to which the company plans to send workers;
c) Have knowledge of the legal regulations of Vietnam and the receiving countries, which are relevant to Vietnamese overseas workers.

2.2. Specialization in labor management:
a) Have expertise in law or human resource management;
b) Possess a capacity of foreign language apposite to each market to which the company plans to send workers;
c) Have knowledge of the legal regulations of Vietnam and the receiving countries, which are relevant to Vietnamese overseas workers.

2.3. Specialization in supplemental training:
a) Be experienced and knowledgeable about placing workers on overseas employment;
b) Have knowledge of the legal regulations of Vietnam and the receiving countries, which are relevant to Vietnamese overseas workers.

2.4. Specialization in finance:
   a) Possess expertise in finance or accounting;
   b) Have knowledge of the legal regulations relevant to the placement of workers on overseas employment.

3. Managers of the system for placement of workers on overseas employment in a service company, in addition to the requirements in Point c, Section 1 of this Article, shall be subject to the following requirements:
   a) Possess qualifications at university or higher level;
   b) Have a transparent personal record;
   c) Have at least three (03) years’ experience in the placement of workers on overseas employment or in the activities of international cooperation and relations;
   d) Incur no disciplinary measure at warning or higher level in regard to the placement of workers on overseas employment; or have managed the system for placement of workers on overseas employment in the service companies that have their licenses revoked for violating the legislation on placement of workers on overseas employment.

Chapter III:
THE ORGANIZATION OF THE SPECIALIZED SYSTEM OF ESSENTIAL SUPPLEMENTAL TRAINING FOR WORKERS PRIOR TO OVERSEAS EMPLOYMENT

Article 7. Organization of the specialized system of essential supplemental training for workers prior to overseas employment

The specialized system of essential supplemental training for workers prior to overseas employment shall be organized in the form of a school or training center and shall basically comprise:
   a) Training division;
   b) Learner management division.

Article 8. Missions
The specialized system of essential supplemental training for workers shall conduct the following missions:
   a) Organize directly the supplemental training classes necessary for workers;
   b) Manage academic programs, teachers' and learners' class time;
   c) Implement contracts for collaboration in supplemental training;
   d) Prepare written materials;
   dd) Manage learners;
   e) Organize examinations and award certificates after each course.
Article 9. Personnel of the system
The specialized system of essential supplemental training shall be composed of at least three (03) managerial officials and shall be subject to the requirements defined in Point 2.3, Section 2, Article 6 of this Regulation.

Article 10. Specialized system of essential supplemental training in branches
The branches to which their company assigns the mission of providing essential supplemental training to workers prior to overseas employment shall have a specialized system of essential supplemental training for workers, which is similar to the company’s, and shall adhere to Article 6, 7 and 8 of this Regulation.

Chapter IV:

IMPLEMENTATION

Article 11. Overseas Labor Agency, Departments of Labor - Invalids and Social affairs of the provinces and central-affiliated cities shall be responsible for inspecting the implementation of this Regulation and undertaking actions against violations pursuant to legal regulations.

Article 12. Directors of the service companies shall be responsible for implementing this Regulation.

The issues and obstacles that ensue during the process of implementation shall be reported to the Ministry of Labor - Invalids and Social affairs for timely guidance.

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