

SUMMARY OF CERTAIN SUPPORTIVE POLICIES FOR EMPLOYEES AND EMPLOYERS IN DIFFICULTY DUE TO THE COVID-19 PANDEMIC (RESOLUTION NO. 68/NQ-CP AND DECISION NO. 23/QD-TTG)

I. NOTES

- (1) Each subject is supported only once per policy;
- (2) Each employee is **supported only once** in cash (except for the subjects who are entitled to the additional policies stipulated in point 7, point 8 section II Resolution No. 68/NQ-CP such as pregnant woman, people raising children under 6 years old, etc) and **applied one policy only**; no supporting for the subject not participating voluntarily;
- (3) Supportive budget: Budget of Provinces/Cities (which have the regulation rate of State budget over 60%) or partially supported by State budget together with Local budget;
- (4) Employee and employer can implement procedures of supportive policies on National Public Service Portal (www.ncovi.dichvucong.gov.vn)

II. REFERENCES

- Resolution No. 68/2021/ND-CP dated July 01, 2021 (issued by Government);
- Decision No. 23/2021/QD-TTg dated July 07, 2021 (issued by Prime Minister);
- Official Letter No. 2558/LDTBXH-VP dated August 05, 2021 (issued by Ministry of Labor, War Invalids and Social Affairs);
- Official Letter No. 2582/LDTBXH-VP dated August 06, 2021 (issued by Ministry of Labor, War Invalids and Social Affairs);
- Official Letter No. 2844/LDTBXH-PC dated August 25, 2021 (issued by Ministry of Labor, War Invalids and Social Affairs);
- Official Letter No. 1988/BHXH-TST dated July 08, 2021 (issued by Vietnam Social Insurance);
- Official Letter No. 2645/BHXH-QTL dated July 12, 2021 (issued by Ho Chi Minh City Social Insurance).



I-GLOCAL
INTEGRATION THROUGH LOCAL ACTION

III. ACRONYMS

| No. | ACRONYMS | MEANING |
|-----|-----------------|---|
| 1 | SI | Social Insurance |
| 2 | SI-HI-UI | Social Insurance, Health Insurance, Unemployment Insurance |
| 3 | LA-OD | Labor Accident and Occupational Disease |
| 4 | FRSA | Fund of retirement and survivor allowance |

| No. | ACRONYMS | MEANING |
|-----|---------------|---|
| 5 | DOLISA | Department of Labor, War Invalids and Social Affairs |
| 6 | LC | Labor contracts |
| 7 | PC | People's Committee |
| 8 | UI | Unemployment Insurance |

| NO. | POLICY NAME | APPLICABLE SUBJECT – CONDITIONS | POLICY CONTENTS | PROCEDURE | DURATION |
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| 1 | Reduction of SI fund for LA-OD insurance | <ul style="list-style-type: none"> - AS: Employer - <i>Condition:</i> None | <ul style="list-style-type: none"> - Reduction of SI premiums rate for LA-OD insurance: reduce from 0.5% to 0%¹. - Applicable time: July 01, 2021 - June 30, 2022 (12 months) => Thus, the SI premiums rates for SI – HI – UI of employers will be changed as follow: (1) From July 01, 2021 to December 31, 2021: Vietnamese employees: 21% - Foreign employees: 6% (2) From January 01, 2022 to June 30, 2022: Vietnamese employees: 21% - Foreign employees: 20% - The employers will use the whole amount obtained from the reduction of SI fund for LA-OD insurance to support the employees for the COVID-19 pandemic prevention². | <ul style="list-style-type: none"> - No procedure required. - SI will reduces the SI premiums and sending Notice to each employer (<i>Form No. 02 enclosed with the Official Letter No. 1988/BHXXH-TST</i>) via postal service³. | - |

¹ It means the employers are exempted (non-payable) 0.5% of the social insurance premiums for occupational accident and disease insurance for 12 months from July, 2021 and do not have to back then. (Confirmation date: 23/7/2021)

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| 2 | <p>Suspension of SI premium for the FRSA</p> | <p>- AS: Employer and employee</p> <p>- Condition: The employers fully meet the following conditions:</p> <p>(1) <i>Fully paying SI by the end of April, 2021</i> or are suspending of contributions to the FRSA to the end of April, 2021.</p> <p>(2) <i>Having been affected due to the Covid-19 pandemic, which cause the reduction of 15% of the employees who participated in SI⁴ at the time of submission compared to April, 2021, excluded those who are on pension from May, 2021.</i></p> | <p>- Suspension of SI premium for the FRSA with the following rates:</p> <p>+ <i>For the employers: 14%;</i></p> <p>+ <i>For the employees: 8%.</i></p> <p>- Applicable time: 6 months from the month the employers submit the application. For the employers that have been reduced for the FRSA in 2020, the units still can apply for the suspension for this year, but the total period of suspension must not exceed 12 months.</p> <p>- Notes: <i>The employers and the employees are suspended of SI premium for the FRSA only, not exempted. So, the employers which are approved for the suspension of contribution by the end of period of suspension of SI premium for the FRSA must pay on return. If the employers do not pay in full and on time, it will be charged interests according to the regulations.</i></p> | <p>- Dossier: The employers submit <i>Form No. 01 (attached the List of employees who have suspended from working from 14 working days in a month) – Decision No. 23/2021/QĐ-TTg⁵.</i></p> <p>- Recipient: the SI agency in charge of SI premiums (electronic or paper application) and DOLISA.</p> | <p>04-05 working days from the date of fully receiving the dossier.</p> |
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² Currently, the Government still has not issued the guidance on whether the employers is forced to support the employees or not. Therefore, the employers have to wait for the guidance from the Government (Confirmation date: 23/7/2020).

³ Section 2 Official Letter No. 2645/BHXH-QTL.

⁴ Clause 1, Article 5, Decision No. 23/2021/QĐ-TTg.

⁵ Article 8, Decision No. 23/2021/QĐ-TTg and Clause 1.1, Section I, Official Letter No. 1988/BHXH-TST.

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| <p>3</p> | <p>Support employers for training, maintaining employment for employees</p> | <p>- AS: Employer</p> <p>- Condition: The employers fully meet the following conditions:</p> <p>(1) <u>Fully paying UI</u> for employees participating for <u>12 months and above</u> at the time of requesting the support;</p> <p>(2) Having to <u>change the structure, technology</u> as Article 42.1, Labor Code 2019;</p> <p>(3) Having revenue in the preceding quarter before the time of requesting the support <u>decreased by 10% and above</u> compared to the revenue of the same period in 2019 or 2020.</p> <p>(4) Having a plan for learning, training & developing the working skills & standards in order to maintain the job for employees according to Form No. 02, Decision No. 23/QĐ-TTg.</p> | <p>- The supportive rate: maximum VND 1,500,000/employee/month. The specific amounts of support shall be determined based on the actual training time of each job or course.</p> <p>- Applicable time: 06 months</p> | <p>Step 1: The employer shall request the SI agency to confirm about the full payment of SI.⁶</p> <p>Step 2: The employer shall submit the dossier at the DOLISA where its headquarter is located. The dossier includes:</p> <p>(1) <i>Form No. 03 – Decision No. 23/2021/QĐ-TTg;</i></p> <p>(2) <i>The official letter about the change of structure, technology.</i></p> <p>(3) <i>The plan for learning, training, developing the working skills & standards to maintain the jobs for employees;</i></p> <p>(4) <i>Confirmation of the SI agency about the employer’s full payment of UI for the employee.</i></p> | <p>Step 1: 02 working days</p> <p>Step 2: ~10 working days from the date of fully receiving the dossier</p> |
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⁶ Article 11, Decision No. 23/2021/QĐ-TTg và Clause 2.1, Section I, Official Letter No. 1988/BHXH-TST

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| <p>4</p> | <p>Support employees on suspension of LC or unpaid leave</p> | <p>- AS: Employees working at enterprises suspended its operations at request of competent state agencies for COVID-19 prevention, including⁷:</p> <p>+ <i>Enterprises do not meet the conditions of “3-stay-at-work ” model and must stop production and business activities during the implementation of such local regulations;</i></p> <p>+ <i>Enterprises located in the area of medical isolation, which leads to the difficulties in supplying materials, exporting goods are forced to suspend operations.</i></p> <p>- Condition: The employees fully meet the following conditions:</p> <p>(1) <i>Suspension of LC or unpaid leave within the term of the LC, which is from 30 consecutive days and</i></p> | <p>- The supportive rate :</p> <p>Rate 1: VND 1,855,000/person applicable to employees on suspension of LC-UL <u>from 15 consecutive days to less than 1 month</u> (30 days).</p> <p>Rate 2: VND 3,710,000/person applicable to employees on suspension of LC-UL for <u>1 month (30 days) and above.</u></p> <p>Notes: Besides, these employees shall be additionally supported in case of:</p> <p>+ <i>Pregnant: VND 1,000,000/person;</i></p> <p>+ <i>Raising children under 6 years old: VND 1,000,000 /child</i> (either mother or father is supported).</p> <p>- Applicable time: from May 01, 2021 to December 31, 2021.</p> | <p>Step 1: The employers shall request the SI agency to confirm the employees who have participated in SI⁸;</p> <p>Step 2: The employers shall submit the dossier to district level PC where its headquarter is located. The dossier includes:</p> <p>(1) Agreement on suspension of LC-UL (Copy) In case of pandemic of force majeure, the parties can made Agreement on suspension of LC-UL via email or text message;</p> <p>(2) List of employees confirmed by the SI agency (Form No. 05 Decision No. 23/2021/QD-TTg) In case the Agreement on suspension of LC-UL sent via email or text message, the</p> | <p>Step 1: 02 working days</p> <p>Step 2: 04 working days from the date of fully receiving the dossier</p> |
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⁷ Section 2, Official Letter No. 2844/LDTBXH-PC

⁸ Article 15, Decision No. 23/2021/QD-TTg and Clause 4.1, Section I, Official Letter No. 1988/BHXH-TST

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| | | <p>above from May 1, 2021 to the end of December 31, 2021;</p> <p>(2) The start date of suspension of LC or unpaid leave is between May 1, 2021 and December 31, 2021;</p> <p>(3) Having participating in compulsory SI by the preceding time of suspension of LC or unpaid leave .</p> | | <p>employer clearly state in the form of agreement in the “Note” column of Form No. 05;</p> <p>(3) Proof of pregnancy; birth certificate or certificate of live birth of the child; adoption certificate; decision on alternative raising and taking care of children (Notarized copy/ Copy enclosed with the original for comparison)</p> | |
| 5 | Support employees being suspended job | <p>- AS: Employee</p> <p>- Condition: The employees fully meet the following conditions:</p> <p>(1) Having worked under a LC and being suspended under Article 99.3 of the Labor Code 2019;</p> <p>(2) Being quarantined or in a lock-down area as required by the competent authority for 14 days or more during the period from May</p> | <p>- The supportive rate: VND 1,000,000 /person.</p> <p>Notes: These employees shall be additionally supported in case of:</p> <p>+ <i>Pregnant: VND 1,000,000/person;</i></p> <p>+ <i>The employees who are raising biological or adoptive children or alternative taking care of children under 06 years old on behalf of their parents: VND 1,000,000/child (either mother or father is supported).</i></p> | <p>Step 1: The employers shall request the SI agency to confirm the employees who have participated in SI⁹;</p> <p>Step 2: The employers shall submit the dossier to district level PC where its headquarter is located (The deadline for the submission is January 31, 2022). The dossier includes:</p> <p>(1) Quarantine order issued by the competent authority for</p> | <p>Step 1: 02 working days</p> <p>Step 2: 06 working days from the date of fully receiving the dossier</p> |

⁹ Article 19, Decision No. 23/2021/QĐ-TTg and Clause 4.1, Section I, Official Letter No. 1988/BHXH-TST

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| | | <p>01, 2021 to the end of December 31, 2021;</p> <p>(3) Having participated in compulsory SI by the preceding month of the suspension as prescribed in Article 99.3 of the Labor Code 2019.</p> | <p>- Applicable time: from May 01, 2021 to December 31, 2021.</p> | <p>prevention and control of COVID-19 pandemic from May 01, 2021 to December 31, 2021 (Copy);</p> <p>(2) List of employees confirmed by the SI agency;</p> <p>(3) Proof of pregnancy; birth certificate or certificate of live birth of the child; adoption certificate; decision on alternative raising and taking care of children prescribed in Article 18.2 Decision No. 23/QD-TTg (Notarized copy/ Copy enclosed with the original for comparison)</p> | |
| 6 | <p>Support employees with termination of LC but not applicable to the</p> | <p>- AS: Employees working at enterprises suspended its operations at the request of competent state agencies for COVID-19 prevention from May</p> | <p>- The supportive rate: VND 3,710,000/person.</p> <p>Notes: These employees shall be additionally supported in case of:</p> <p>+ <i>Pregnant: VND 1,000,000/person;</i></p> | <p>The employees shall submit the dossier to the provincial Employment Service Center (The deadline for the submission is January 31, 2022). The dossier includes:</p> | <p>~05 working days to 30 working days</p> |

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| | <p>unemployment allowance</p> | <p>01, 2021 to December 31, 2021, including¹⁰:</p> <p>+ <i>Enterprises do not meet the conditions of “3-stay-at-work” model and must stop production and business activities during the implementation of such local regulations;</i></p> <p>+ <i>Enterprises located in the area of medical isolation, which leads to the difficulties in supplying materials, exporting goods are forced to suspend operations.</i></p> <p>- Condition: The employees fully meet the following conditions:</p> <p>(1) Having participated in compulsory SI by the preceding month of suspension of LC;</p> <p>(2) Terminating the LC from May 01, 2021 to December 31, 2021 but not applicable to unemployment allowance, except for the following cases:</p> | <p>+ <i>The employees who are raising biological or adoptive children or alternative taking care of children under 6 years old: VND 1,000,000/child (either mother or father is supported).</i></p> <p>- Applicable time: from May 01, 2021 to December 31, 2021.</p> | <p>(1) The support proposal following Form No. 07 – Decision No. 23/QĐ-TTg;</p> <p>(2) A Notarized copy or a copy enclosed with the original for comparison of one of those:</p> <p>a) <i>The expired LC or confirmation document on the completion of job under the LC.</i></p> <p>b) <i>Decision on resignation.</i></p> <p>c) <i>Notice or agreement on termination of LC.</i></p> <p>(3) The SI book or confirmation of the SI agency about the participation of compulsory SI and UI (Copy);</p> <p>(4) Proof of pregnancy; birth certificate or certificate of live birth of the child; adoption certificate; decision on</p> | |
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¹⁰ Section 2, Official Letter No. 2844/LDTBXH-PC

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| | | (a) The employee unilaterally terminates the LC against the law; (b) The employee is on monthly pension or work-capacity loss allowance. | | alternative raising and taking care of children prescribed in Article 22.2 Decision No. 23/QD-TTg (Notarized copy or copy enclosed with the original for comparison) | |
| 7 | Support for employers in loan policy to pay suspension wages, manufacturing recovery wages | - AS: Employer - Condition: The employers meet all conditions according to Article 38 Decision No. 23/2021/QD-TTg. | (1) Loan to pay suspension wages: + Loan limit: maximum equal to the regional minimum wages for the number of employees according to the actual payment period of suspension wages but not exceeding 03 months; + Loan term: less than 12 months. (2) Loan to pay wages for manufacturing recovery: + Loan limit: maximum equal to the regional minimum wages for the employees working under LC. + The supporting time: maximum 03 months. + Loan term: less than 12 months. | Step 1: The employers shall request the SI agency to confirm the list of employees who have participated in SI ¹¹ ; Step 2: The employers shall submit the loan application at the Social Policies Bank where its headquarter is located (Article 40 Decision No. 23/2021/QD-TTg) The deadline for the loan application is no later than the end of March 25, 2022. | Step 1: 02 working days Step 2: ~07 working days from the date of fully receiving the application |

¹¹ Article 40, Decision No. 23/2021/QD-TTg and Clause 4.1, Section I, Official Letter No. 1988/BHXH-TST