

## **DECREE**

### **Prescribing minimum wage levels applicable to employees working under labor contracts<sup>1</sup>**

*Pursuant to the June 19, 2015 Law on Organization of the Government; and the November 22, 2019 Law Amending and Supplementing a Number of Articles of the Law on Organization of the Government and the Law on Organization of Local Administration;*

*Pursuant to the November 20, 2019 Labor Code;*

*At the proposal of the Minister of Labor, Invalids and Social Affairs;*

*The Government promulgates the Decree prescribing minimum wage levels applicable to employees working under labor contracts.*

#### **Article 1. Scope of regulation**

This Decree prescribes monthly minimum wage levels and hourly minimum wage levels applicable to employees working under labor contracts.

#### **Article 2. Subjects of application**

1. Employees working under labor contracts in accordance with the Labor Code.

2. Employers defined in the Labor Code, including:

a/ Enterprises defined in the Law on Enterprises.

b/ Agencies, organizations, cooperatives, households and individuals that hire or employ employees as agreed upon between the parties.

3. Other agencies, organizations and individuals involved in the application of minimum wage levels specified in this Decree.

---

<sup>1</sup> Công Báo Nos 447-448 (25/6/2022)

### **Article 3. Minimum wage levels**

1. Region-based monthly minimum wage levels and hourly minimum wage levels applicable to employees working for employers are provided as follows:

Region	Monthly minimum wage level (Unit of calculation: VND/month)	Hourly minimum wage level (Unit of calculation: VND/hour)
Region I	4,680,000	22,500
Region II	4,160,000	20,000
Region III	3,640,000	17,500
Region IV	3,250,000	15,600

2. The list of localities in region I, region II, region III and region IV is provided in the Appendix to this Decree.

3. The application of region-based minimum wage levels depends on employers' localities of operation, specifically as follows:

a/ An employer shall apply the minimum wage level prescribed for the locality where it/he/she operates.

b/ In case an employer has units or branches based in localities for which different minimum wage levels are prescribed, each unit or branch shall apply the minimum wage level prescribed for the locality where it operates.

c/ For an employer operating in industrial parks or export processing zones based in localities for which different minimum wage levels are prescribed, the highest minimum wage level shall be applied.

d/ For an employer operating in the locality which is renamed or divided, the minimum wage level prescribed for such locality before it is renamed or divided shall temporarily be applied pending the Government's issuance of new regulations.

dd/ For an employer operating in the locality established from one locality or from more than one locality for which different minimum wage levels are prescribed, the highest minimum wage level shall be applied.

e/ For an employer operating in the provincial city established from one locality or from more than one locality of region IV, the minimum wage level

prescribed for other provincial cities listed in Section 3 of the Appendix to this Decree shall be applied.

**Article 4.** Application of minimum wage levels

1. The monthly minimum wage level is the lowest wage level which serves as a basis for employers and employees to reach agreement on and make payment of wages to employees subject to monthly wage payment, provided that the level of job- or title-based wage to be paid to an employee who ensures a law-specified normal working time in a month and fulfills his/her labor norms or job as agreed must not be lower than the law-prescribed monthly minimum wage level.

2. The hourly minimum wage level is the lowest wage level which serves as a basis for employers and employees to reach agreement on and make payment of wages to employees subject to hourly wage payment, provided that the level of job- or title-based hourly wage to be paid to an employee who fulfills his/her labor norms or job as agreed must not be lower than the law-prescribed hourly minimum wage level.

3. For employees subject to weekly or daily wage payment or product- or piecework-based wage payment, their wage level which is converted into monthly or hourly wage level must not be lower than the law-prescribed monthly or hourly minimum wage level. The wage level converted into monthly or hourly wage level based on the normal working time shall be selected by employers in accordance with the labor law, specifically as follows:

a/ The wage level converted into monthly wage level shall be equal to the weekly wage level multiplied by 52 weeks and divided by 12 months; or the daily wage level multiplied by the number of normal working days in a month; or the product- or piecework-based wage level for jobs performed within the normal working time in a month.

b/ The wage level converted into hourly wage level shall be equal to the weekly or daily wage level divided by the number of normal working hours in a week or a day; or the product- or piecework-based wage level divided by the number of working hours within the normal working time for the production of products or performance of piecework.

**Article 6.** Effect and implementation responsibility

1. This Decree takes effect on July 1, 2022.

2. The Government's Decree No. 90/2019/ND-CP of November 15, 2019, prescribing region-based minimum wage levels applicable to employees working under labor contracts, ceases to be effective on the effective date of this Decree.

3. Employers shall review agreements in their labor contracts, collective labor agreements and regulations for appropriate adjustment or supplementation; may neither abolish nor cut wage-based overtime or night-shift allowances, benefits in kind and other entitlements in accordance with the labor law. It is permitted to continue implementing the contents already agreed or committed in labor contracts, collective labor agreements or other lawful agreements that are more beneficial to employees than those provided in this Decree, unless otherwise agreed by the parties.

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees and employers shall implement this Decree.-

*On behalf of the Government*  
For the Prime Minister  
Deputy Prime Minister  
PHAM BINH MINH

*LuatVietnam.vn*

#### **Appendix**

### **LIST OF LOCALITIES APPLYING MINIMUM WAGE LEVELS FROM JULY 1, 2022**

*(To the Government's Decree No. 38/2022/ND-CP of June 12, 2022)*

#### **1. Region I, embracing:**

- Urban districts, Gia Lam, Dong Anh, Soc Son, Thanh Tri, Thuong Tin, Hoai Duc, Thach That, Quoc Oai, Thanh Oai, Me Linh and Chuong My rural districts, and Son Tay town, of Hanoi city;
- Ha Long city of Quang Ninh province;
- Urban districts, and Thuy Nguyen, An Duong, An Lao, Vinh Bao, Tien Lang, Cat Hai and Kien Thuy rural districts, of Hai Phong city;
- Urban districts, Thu Duc city, and Cu Chi, Hoc Mon, Binh Chanh and Nha Be rural districts, of Ho Chi Minh City;
- Bien Hoa and Long Khanh cities, and Nhon Trach, Long Thanh, Vinh Cuu, Trang Bom and Xuan Loc rural districts, of Dong Nai province;

- Thu Dau Mot, Thuan An and Di An cities, Ben Cat and Tan Uyen towns, and Bau Bang, Bac Tan Uyen, Dau Tieng and Phu Giao rural districts, of Binh Duong province;

- Vung Tau city and Phu My town of Ba Ria-Vung Tau province.

2. Region II, embracing:

- The remaining rural districts of Hanoi city;

- The remaining rural districts of Hai Phong city;

- Hai Duong city of Hai Duong province;

- Hung Yen city, My Hao town, and Van Lam, Van Giang and Yen My rural districts, of Hung Yen province;

- Vinh Yen and Phuc Yen cities, and Binh Xuyen and Yen Lac rural districts, of Vinh Phuc province;

- Bac Ninh and Tu Son cities, and Que Vo, Tien Du, Yen Phong, Thuan Thanh, Gia Binh and Luong Tai rural districts, of Bac Ninh province;

- Cam Pha, Uong Bi and Mong Cai cities, and Quang Yen and Dong Trieu towns, of Quang Ninh province;

- Thai Nguyen, Song Cong and Pho Yen cities of Thai Nguyen province;

- Hoa Binh city and Luong Son rural district of Hoa Binh province;

- Viet Tri city of Phu Tho province;

- Lao Cai city of Lao Cai province;

- Nam Dinh city and My Loc rural district of Nam Dinh province;

- Ninh Binh city of Ninh Binh province;

- Vinh city, Cua Lo town, and Nghi Loc and Hung Nguyen rural districts, of Nghe An province;

- Dong Hoi city of Quang Binh province;

- Hue city of Thua Thien Hue province;

- Hoi An and Tam Ky cities of Quang Nam province;

- Urban districts and rural districts of Da Nang city;

- Nha Trang and Cam Ranh cities of Khanh Hoa province;

- Da Lat and Bao Loc cities of Lam Dong province;

- Phan Thiet city of Binh Thuan province;

- Can Gio rural district of Ho Chi Minh City;

- Tay Ninh city, Trang Bang, Hoa Thanh towns, and Go Dau rural district, of Tay Ninh province;
- Dinh Quan and Thong Nhat rural districts of Dong Nai province;
- Dong Xoai city, and Chon Thanh and Dong Phu rural districts, 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 rural districts, of Long An province;
- My Tho city and Chau Thanh rural district of Tien Giang province;
- Ben Tre city and Chau Thanh rural district of Ben Tre province;
- Urban districts of Can Tho city;
- Rach Gia, Ha Tien and Phu Quoc cities of Kien Giang province;
- Long Xuyen and Chau Doc cities of An Giang province;
- Tra Vinh city of Tra Vinh province;
- Ca Mau city of Ca Mau province.

### 3. Region III, embracing:

- The remaining provincial cities (except the provincial cities specified in region I and region II);
- Kinh Mon town, and Cam Giang, Nam Sach, Kim Thanh, Gia Loc, Binh Giang and Tu Ky rural districts, of Hai Duong province;
- Vinh Tuong, Tam Dao, Tam Duong, Lap Thach and Song Lo rural districts of Vinh Phuc province;
- Phu Tho town, and Phu Ninh, Lam Thao, Thanh Ba and Tam Nong rural districts, of Phu Tho province;
- Viet Yen, Yen Dung, Hiep Hoa, Tan Yen and Lang Giang rural districts of Bac Giang province;
- Van Don, Hai Ha, Dam Ha and Tien Yen rural districts of Quang Ninh province;
- Sa Pa town and Bao Thang rural district of Lao Cai province;
- The remaining rural districts of Hung Yen province;
- Phu Binh, Phu Luong, Dong Hy and Dai Tu rural districts of Thai Nguyen province;
- The remaining rural districts of Nam Dinh province;

- Duy Tien town and Kim Bang rural district of Ha Nam province;
- Gia Vien, Yen Khanh and Hoa Lu rural districts of Ninh Binh province;
- Bim Son and Nghi Son towns, and Dong Son and Quang Xuong rural districts, of Thanh Hoa province;
- Quynh Luu, Yen Thanh, Dien Chau, Do Luong, Nam Dan and Nghia Dan rural districts, Thai Hoa and Hoang Mai towns, of Nghe An province;
- Ky Anh town of Ha Tinh province;
- Huong Thuy and Huong Tra towns, and Phu Loc, Phong Dien, Quang Dien and Phu Vang rural districts, of Thua Thien Hue province;
- Dien Ban town, and Dai Loc, Duy Xuyen, Nui Thanh, Que Son, Thang Binh and Phu Ninh rural districts, of Quang Nam province;
- Binh Son and Son Tinh rural districts of Quang Ngai province;
- Song Cau and Dong Hoa towns of Phu Yen province;
- Ninh Hai and Thuan Bac rural districts of Ninh Thuan province;
- Ninh Hoa town, and Cam Lam, Dien Khanh and Van Ninh rural districts, of Khanh Hoa province;
- Dak Ha rural district of Kon Tum province;
- Duc Trong and Di Linh rural districts of Lam Dong province;
- La Gi town, and Ham Thuan Bac and Ham Thuan Nam rural districts, of Binh Thuan province;
- Phuoc Long and Binh Long towns, and Hon Quan, Loc Ninh and Phu Rieng rural districts, of Binh Phuoc province;
- The remaining rural districts of Tay Ninh province;
- The remaining rural districts of Dong Nai province;
- Long Dien, Dat Do, Xuyen Moc, Chau Duc and Con Dao rural districts of Ba Ria-Vung Tau province;
- Kien Tuong town, and Duc Hue, Chau Thanh, Tan Tru and Thanh Hoa rural districts, of Long An province;
- Go Cong and Cai Lay towns, and Cho Gao and Tan Phuoc rural districts, of Tien Giang province;
- Ba Tri, Binh Dai and Mo Cay Nam rural districts of Ben Tre province;
- Mang Thit and Long Ho rural districts of Vinh Long province;
- Rural districts of Can Tho city;



- Kien Luong, Kien Hai and Chau Thanh rural districts of Kien Giang province;

- Tan Chau town, and Chau Phu, Chau Thanh and Thoai Son rural districts, of An Giang province;

- Chau Thanh and Chau Thanh A rural districts of Hau Giang province;

- Duyen Hai town of Tra Vinh province;

- Gia Rai town and Hoa Binh rural district of Bac Lieu province;

- Vinh Chau and Nga Nam towns of Soc Trang province;

- Nam Can, Cai Nuoc, U Minh and Tran Van Thoi rural districts of Ca Mau province.

- Le Thuy, Quang Ninh, Bo Trach and Quang Trach rural districts, and Ba Don town, of Quang Binh province.

4. Region IV, embracing the remaining localities.-

LuatVietnam.vn