

Hanoi, June 12, 2022

**DECREE**

**Prescribing minimum wage levels applicable to employees working under labor contracts**

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

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

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

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

**Article 1. Scope of regulation**

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

**Article 2. Subjects of application**

1. Employees working under labor contracts as defined in the Labor Code.

2. Employers as defined in the Labor Code, including:

- a) Enterprises as prescribed by the Law on Enterprises.
- b) Agencies, organizations, cooperatives, households and individuals that hire or employ employees under agreements.

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

**Article 3. Minimum wage levels**

1. Monthly and hourly region-based minimum wage levels applicable to employees working for employers are prescribed as follows:

Region	Monthly minimum wage level (Unit: VND/month)	Hourly minimum wage level (Unit: 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 regions I, II, III and IV are specified in the Appendix to this Decree.

3. The application of localities shall be determined based on the employer's place of operation as follows:

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

b) In case an employer has units or branches 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 employers operating in industrial parks or export processing zones 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 a locality newly established from one or 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 a provincial city newly established from one or more than one locality of region IV, the minimum wage level prescribed for other provincial cities mentioned in Section 3 of the Appendix to this Decree shall be applied.

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

1. The monthly minimum wage levels are the lowest ones which serve as a basis for employers and employees to reach agreement on and pay wages, in case of paying wages on a monthly basis, provided that the level of wage to be paid (accordingly job or title) to an employee who works sufficient normal working time in a month and fulfills labor norms or work as agreed must not be lower than the monthly minimum wage levels.

2. The hourly minimum wage levels are the lowest ones which serve as a basis for employers and employees to reach agreement on and pay wages, in case of paying wages on an hourly basis, provided that the level of wage to be paid (accordingly job or title) to an employee who fulfills labor norms or work as agreed in an hour, must not be lower than the hourly minimum wage levels.

3. For workers who are paid on a daily or weekly basis, or who are paid

based on piece work or products turned out, their salary, when converted into the monthly or hourly rate, must not be lower than the monthly or hourly minimum wage level. The salary that is converted into monthly or hourly rate or based on the normal working time as decided by the employers in accordance with the labor law shall be as follows:

a) The salary converted into the monthly rate shall be equal to the weekly wage multiplied by 52 weeks, divided by 12 months; or the daily wage multiplied by the number of normal working days in a month; or the salary paid based on piece work or products turned out in the normal working hours of the month.

b) The salary converted into hourly rate shall be equal to the weekly or daily wage, divided by the number of normal working hours in a week or a day; or the salary that is paid based on piece work or products turned out divided by the number of working hours in the normal working time for the production or piece work implementation.

#### **Article 5. Effect and implementation responsibility**

1. This Decree takes effect on July 01, 2022.

2. The Government's Decree No. 90/2019/ND-CP dated 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 be responsible for organizing to review agreements in their labor contracts, collective labor agreements and regulations to adjust and supplement accordingly. It is not allowed to neither abolish nor cut wage-based allowances payable to employees who work overtime, at night, or benefits in kind and other entitlements in accordance with the labor law. Agreed contents or commitments in labor contracts, labor agreements or other legal agreements, that bring more benefits for employees compared to provisions provided in this Decree, shall continue to be implemented, unless otherwise agreed by both parties.

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of People's Committees of provinces and centrally-run cities and employers shall implement this Decree./.

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

**Pham Binh Minh**

## Appendix

### LIST OF LOCALITIES APPLYING MINIMUM WAGE LEVELS FROM JULY 01, 2022

*(Attached to the Government's Decree No. 38/2022/ND-CP  
dated June 12, 2022)*

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#### 1. Region I, embracing:

- Urban districts and rural districts of 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;
- Ha Long city of Quang Ninh province;
- Urban districts and rural districts of Thuy Nguyen, An Duong, An Lao, Vinh Bao, Tien Lang, Cat Hai, and Kien Thuy of Hai Phong City;
- Urban districts, Thu Duc city and rural districts of Cu Chi, Hoc Mon, Binh Chanh and Nha Be of Ho Chi Minh City;
- Bien Hoa city, Long Khanh city, and Nhon Trach, Long Thanh, Vinh Cuu, Trang Bom and Xuan Loc rural districts of Dong Nai province;
- Thu Dau Mot city, 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 city, Tu Son city, 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, 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, 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 and Hoa Thanh towns, Go Dau rural districts, of Tay Ninh province;
- Dinh Quan and Thong Nhat rural districts of Dong Nai province;
- Dong Xoai city, 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;
- Vinh Long city and Binh Minh town of Vinh Long 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;
- Bac Lieu city of Bac Lieu province;
- Ca Mau city of Ca Mau province.

### 3. Region III, embracing:

- The remaining provincial cities (except the provincial cities specified in regions I and II);
- Kinh Mon town and Cam Giang, Nam Sach, Kim Thanh, Gia Loc, Binh Giang and Tu Ky rural districts of Hai Duong province;
- Rural districts of Vinh Tuong, Tam Dao, Tam Duong, Lap Thach and Song Lo of Vinh Phuc province;
- Phu Tho town and Phu Ninh, Lam Thao, Thanh Ba and Tam Nong rural districts of Phu Tho province;
- Rural districts of Viet Yen, Yen Dung, Hiep Hoa, Tan Yen and Lang Giang of Bac Giang province;
- Rural districts of Van Don, Hai Ha, Dam Ha and Tien Yen 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 town, 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, 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;
- Rural districts of Long Dien, Dat Do, Xuyen Moc, Chau Duc and Con Dao 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, 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;
- Rural districts of Nam Can, Cai Nuoc, U Minh and Tran Van Thoi of Ca Mau province.
- Rural districts of Le Thuy, Quang Ninh, Bo Trach and Quang Trach, and Ba Don town, of Quang Binh province.

4. Region IV, embracing the remaining localities./.