

LABOR COMPLIANCE REVIEW CHECKLIST FOR ENTERPRISES UNDER DECREE 283/2026

No.	Category	Matters for Employers' Attention	Fine Amount	Legal Basis
1	Labor Contract	- Failure to enter into a written labor contract when required - Entering into the wrong type of labor contract - Labor contract lacking key mandatory contents - Retaining original personal papers, diplomas, or certificates of employees - Requiring employees to make a deposit or provide property security for the labor contract	- Violations regarding the form, type, or contents of a labor contract: VND 2 million – 25 million, depending on the number of employees - Retaining original papers / requiring deposits: VND 20 million – 25 million	Article 15, Decree 283/2026/ND-CP
2	Probation	- Probation shall not be required more than once for a single job - Probation period shall not exceed the statutory limit - Probationary salary $\geq 85\%$ of the full job salary - Notification of probation results - Entering into a labor contract when the employee meets probation requirements as prescribed by law	- Certain minor violations: VND 500,000 – 1 million - Probationing more than once / exceeding the time limit / incorrect salary payment: VND 2 million – 5 million - May be compelled to pay full salary or enter into a labor contract	Article 16, Decree 283/2026/ND-CP
3	Wages and Compliance with Salary Regulations	- Construct and publicly disclose wage scales, payroll tables, labor norms, and bonus regulations - Consult with the representative organization of employees when required by law - Provide salary slips/statements in accordance with regulations - Ensure equal pay for work of equal value - The above violations: VND 5 million – 10	The above violations: VND 5 million – 10 million	Article 23, Decree 283/2026/ND-CP
4	Wage Payment, Overtime & Related Payments	- Late/overdue payment of wages - Non-payment or underpayment of wages according to the labor contract - Non-payment or underpayment of overtime pay, night work pay, or work suspension pay - Unlawful wage deductions - Failure to pay full wage when an employee is temporarily reassigned to another job - Failure to pay for unused annual leave days upon severance/job loss - Failure to advance or pay full salary during temporary suspension from work	1 – 10 employees: VND 5m – 10m 11 – 50 employees: VND 10m – 20m 51 – 100 employees: VND 20m – 30m 101 – 300 employees: VND 30m – 40m - From 301 employees: VND 40m – 50	Article 23, Decree 283/2026/ND-CP
5	Paying Wages Below Minimum Wage	Failure to pay wages in accordance with the minimum wage levels prescribed by the Government	1 – 10 employees: VND 20m – 30m 11 – 50 employees: VND 30m – 50m - From 51 employees: VND 50m – 75m	Article 23, Decree 283/2026/ND-CP
6	Amount Equivalent to SHI, HI, UI	For employees not subject to compulsory Social Insurance, Health Insurance, and Unemployment Insurance, the employer must pay an amount equivalent to the employer's contribution obligation together with the salary payment period	1 – 10 employees: VND 3m – 5m 11 – 50 employees: VND 5m – 8m 51 – 100 employees: VND 8m – 12m 101 – 300 employees: VND 12m – 15m - From 301 employees: VND 15m – 20m	Article 23, Decree 283/2026/ND-CP
7	Labor Contract Performance & Job Transfer	- Reassignment/transfer of employee without timely notice - Assigning work at a location different from the labor contract - Refusal to reinstate employee after temporary suspension/halting of labor contract - Reassignment for wrong reasons/durations, or without required consent	- Certain acts: VND 1 million – 7 million - Sexual harassment not subject to criminal prosecution: VND 15 million – 30 million - Forced labor / ill-treatment of employees: VND 50 million – 75 million	Article 17, Decree 283/2026/ND-CP
8	Labor Contract Termination	- Written notice of termination when required by law - Full and timely payment of employee entitlements - Payment of severance allowance / job-loss allowance if applicable - Completion of procedures for Social Insurance and Unemployment Insurance - Return of employee profiles, documents, and related paperworks	- Failure to give written notice: VND 1 million – 3 million - Violations regarding entitlement payments, allowances, or profiles: VND 1 million – 20 million, depending on the number of employees	Article 18, Decree 283/2026/ND-CP
9	Foreign Workers and Work Permits	- Valid Work Permit (WP) or Certificate of Work Permit Exemption - Actual work assignment matches the permit - Notification when employees work in multiple provinces/cities - Revocation or submission of WP or exemption certificate when required - Employees working without a valid WP/exemption certificate: VND 15 million – 25 million	Employers employing workers without a permit: 1 – 10 employees: VND 30m – 45m 11 – 20 employees: VND 45m – 60m ≥ 21 employees: VND 60m – 75m Subject to deportation in certain cases	Article 13, Decree 283/2026/ND-CP
10	Quản lý & đăng ký lao động	- Declaration of labor utilization - Maintenance of labor management book - Reporting changes in labor/personnel - Registration/adjustment of labor registration information	Failure in declaration / management book: approx. VND 1 million – 10 million - Failure to register/adjust: 1 – 50 employees: VND 5m – 10m 51 – 100 employees: VND 10m – 15m - From 101 employees: VND 15m – 20m	Articles 11 & 12, Decree 283/2026/ND-CP

● VINA TPT recommends that Enterprises proactively review their HR and Payroll compliance system, focusing on:

- Labor Contracts & Probation
- Payroll Tables, Payslips, and Wage Payments
- Minimum Wage and Overtime Pay Calculation
- Social Insurance, Health Insurance, Unemployment Insurance
- Working Hours and Overtime
- Labor Contract Termination Profiles
- Work Permits
- Labor Management Records and Reporting

Important Note: The risks are not limited to administrative monetary fines. Depending on the nature of the violation, enterprises may also be required to back-pay outstanding wages and benefits, pay late-payment interest, complete missing documentation, or fulfill outstanding legal obligations.