



THAI NGUYEN UNIVERSITY
Socialist Republic of Vietnam



SOUTHERN LUZON STATE UNIVERSITY
Republic of the Philippines

KHUÁT THỊ THU HIỀN

(English Name: ROSE)

CRITERIA OF LABOR RELATIONS
AT ENTERPRISES IN HANOI, VIETNAM

DOCTORAL DISSERTATION

TNU-SLSU, 2013



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The Author

Khuat Thi Thu Hien

COMMITMENT

The author hereby declares that this is her own research. The information utilized in the Dissertation is trustful. The labor relation criteria has not been available yet in Vietnam generally, in Hanoi, particularly. In 2012, The National Assembly already passed the Labor Code. However, the Code is just a general guideline which needs to wait for a respective Decree of the Central government, then respective Circulars of Ministry of Labor, Invalids and Social Affairs to be more specified in detail and applicable. However, in Vietnam this process takes a long time, at least 3 years normally. A pioneer research can provide the involving policy makers with suggestions, as the food for thought, on what the labor relation criteria should be and what the way of the criteria application should be, is really in need. The author strongly believes that the Dissertation is the first study in Vietnam to construct the set of labor relation criteria, and therefore also the first study to introduce the way to apply those criteria in the reality of an example enterprise. Hence, the findings and conclusions of the Dissertation have not been published in any other work yet!

The Author

Khuat Thi Thu Hien

TABLE OF CONTENTS

ACKNOWLEDGEMENT	i
COMMITMENT	ii
LIST OF TABLES	v
LIST OF FIGURES	vi
ABSTRACT.....	01
.CHAPTER I: INTRODUCTION.....	02
1.1. BACKGROUND OF THE STUDY	02
1.2. STATEMENT OF THE PROBLEM	03
1.3. SIGNIFICANCE OF THE STUDY.....	04
1.4. SCOPE AND LIMITATION OF THE STUDY.....	04
1.5. DEFINITION OF TERMS	06
CHAPTER II: REVIEW OF RELATED LITERATUES AND STUDIES	09
2.1. REVIEW OF RELATED STUDIES	09
2.2. THEORETICAL FRAMEWORK	21
2.3. CONCEPTUAL FRAMEWORK	40
CHAPTER III: METHODOLOGY	41
3.1. STRATIFIED CLASSIFICATION METHOD FOR CLASSIFYING LABOR REALTION CRITERIA	41
3.2. SECONDARY INFORMATION COLLECTION METHOD	43
3.3. PRIMARY INFORMATION COLLECTION METHOD	44
3.4. SATISFACTION RANKING METHOD.....	47
3.5. DISCRIPTIVE ANALYSIS METHOD	47
3.6. STATISTICAL TABLE METHOD	48
3.7. CHART ANF GRAPH METHOD	49
CHAPTER IV: CRITERIA OF LABOR RELATIONS AND THEIR APPLICATION AT ENTERPRISES IN HANOI, VIETNAM	50
4.1. CRITERIA OF LABOR RELATIONS	50
4.2. PROCEDURE TO APPLY LABOR RELATION CRITERIA AT AN ENTERPRISE IN ORDER TO EVALUATE THE HARMONY OF THE WORKING ENVIRONMENT	68
CHAPTER V: A CASE STUDY: AN EXAMPLE OF APPLICATION OF LABOR RELATION CRITERIA AT A SPECIFIC ENTERPRISE - DONG XUAN KNITTING COMPANY	72
5.1. OVERVIEW OF THE EXAMPLE ENTERPRISE.....	72
5.2. SURVEY RESULTS	78

5.3. SUMMARY OF THE LABOR RELATION EVALUATION USING THE PROPOSED CRITERIA.....	102
CHAPTER VI: CONCLUSIONS AND RECOMMENDATIONS.....	106
6.1. CONCLUSIONS.....	106
6.2. RECOMMENDATIONS.....	108
REFERENCES	112
APPENDIX.....	116
APPENDIX A. REQUEST LETTER TO CONDUCT THE SURVEY (TO RESPONDENTS).....	116
APPENDIX B. QUESTIONNAIRE	117
APPENDIX C. CURRICULUM VITAE	126

LIST OF TABLES

Table 2.1: Strategy on labour relations and corresponding policies	20
Table 3.1: The results of the stratified classification of the labor relation criteria	43
Table 4.1: The criteria of signing employment contracts	50
Table 4.2: The criteria of Termination of employment contract	52
Table 4.3: The criteria of Working time, rest time	53
Table 4.4: The criteria of working environment	57
Table 4.5: The criteria of the position of the employee at work.....	61
Table 4.6: The criteria of wages of workers	64
Table 4.7: The criteria of Method of payment.....	66
Table 5.1: Employees Distribution in Dong Xuan Knitting Company.....	74
Table 5.2: Number of sampled employees by work departments.....	76
Table 5.3: Number of sampled employees by education attainment	77
Table 5.4: Number of sampled employees by gender.....	77
Table 5.5: Summary of sample allocation by work departments, education attainment and gender.....	78
Table 5.6: Board of Directors of DOMIMEX	81
Table 5.7: Implementation of criteria on labor contract at DOXIMEX	82
Table 5.8: Implementation of contract termination criteria at DOXIMEX	85
Table 5.9: Implementation of criteria on working hours and rest at DOXIMEX.....	88
Table 5.10: Implementation of criteria on working environment at DOXIMEX.....	92
Table 5.11: Implementation of criteria on labor positions at DOXIMEX.....	95
Table 5.12: Implementation of criteria on wages at DOXIMEX.....	98
Table 5.13: Implementation of criteria on method of payment at DOXIMEX	101
Table 5.14: Score of Criteria Groups at DOXIMEX	102

LIST OF FIGURES

Figure 2.1: Dunlop’s classical labour model	18
Figure 2.2: Kochan’s Strategy selection model in labour relations	19
Figure 2.3: The interaction in Petit’s labour relations system	21
Figure 2.4: Labor relations, the interference of the relations.....	23
Figure 2.5: Subjects of the labor relations	28
Figure 2.6: Scope and contents of labour relations at enterprises.....	40
Figure 4.1: Procedure to apply labor relation criteria to evaluate the	68
Figure 5.1: Age structure of the surveyed employees.....	79
Figure 5.2: Working experience structure of the surveyed employees	79
Figure 5.3: Number of criteria by satisfaction level at DOXIMEX	104
Figure 5.4: Ratio of employees’ satisfaction of 64 labor relations criteria in Dong Xuan Knitting Company	105
Figure 6.1: Evaluation, synthesization of the result of labor relations evaluation in Vietnam.....	109

ABSTRACT

The government and enterprises always expect to build harmonious and stable labor relations to increase productivity and to create employee's commitment to business. However, so far, in Vietnam in general and Hanoi in particular, there has been no criteria system available as a basis for evaluating the labor relations at enterprises since it takes a long time (many years) for a Decree of the Government, and then Circulars of Ministry of Labor, Invalids and Social Affairs to be launched that concretize The National Assembly's Labor Code 2012.

The development of criteria system for evaluating the labor relations at enterprises is very necessary. It will serve as an important basis on which both the employers and employees can evaluate the level of the employees' satisfaction, hence they can make better employment planning which enhance both the benefits of the employees and the efficiency of the business.

Based on studies of international labor standards and related legal document of Vietnam, this Dissertation composes and proposes a set of criteria to evaluate the labor relations at enterprises in Vietnam. Then, the Dissertation applies the set of proposed criteria to evaluate the labor relations at a specified enterprise in Hanoi, as an example case study of the way to apply the criteria in the reality of an enterprise. Dong Xuan Knitting Company (DOXIMEX). is chosen for this purpose.

Finally, recommendations are suggested to the State, the employer, the trade union and the employees to introduce and implement the Criteria of Labor Relations in the reality of a specific enterprise. The important implication of the criteria application is to evaluate the existing labor relations at the enterprise, and to find out solutions to improve the labor relations to ensure the rights and responsibilities of the relating parties so as to enhance the working environment at the company.

.CHAPTER I

INTRODUCTION

1.1. BACKGROUND OF THE STUDY

Labor relations at enterprises are the factor that largely influences business operation, economic development, social safety, working environment, and motivation for employees to enhance their labor productivity.

Since Vietnam has been shifting to market economy, labor relations have had many significant changes. Employees have right to seek a job freely and employers have right to choose, recruit workers to suit business requirements. Both the parties have their own rights and interests in compliance with the provisions of the Labor Code through labor contracts, collective labor agreements and other arrangements.

The Labor Code and other laws have played an important role in the above mentioned changes. However, the labor relations in some regions are sometimes not as expected as it should be. The phenomenon of contravening labor discipline which does not guarantee the legitimate rights and interests of workers still occurs and sometimes is very disturbing. Labor disputes, strikes adversely affect the labor market. There are many reasons for these problems, but mostly they are the sense of law respect not highly enough and lacks of full cooperation in goodwill from the both sides. Only when a conflict has broken out in a labor dispute or strike, drawing intervention of the authority, the labor relations are then put back in peace again. Experiences of some cases prove that, if both the parties took the initiative of good will to meet and have dialogues, negotiate each other in order to try to resolve the dispute soon, the strike would be much likely not to happen and potential damages would be smartly avoided. Labor disputes and strikes are a natural phenomenon of