

LEGAL BRIEFING



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Electronic Labour Contracts in Vietnam

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On 24 December 2025, Vietnam marked a major milestone in the digitalization of labor relations with the issuance of Decree No. 337/2025/ND-CP (“**Decree 337**”), which establishes a comprehensive legal framework for Electronic Labor Contracts (“**E-LCs**”). Although the Labor Code has recognized the legal validity of labor contracts concluded by electronic means since 2021, the absence of detailed implementing regulations has, in practice, constrained widespread adoption.

Decree 337 directly addresses this gap by introducing clear legal standards and technical requirements governing the validity, execution, registration, management, and supervision of E-LCs. The Decree places particular emphasis on robust authentication mechanisms, data protection, and information security, thereby providing greater legal certainty and operational clarity for employers seeking to transition to electronic labor contracting in Vietnam.

1. Legal recognition and validity of electronic labor contracts

Under Decree 337, E-LCs are expressly recognized as having the same legal validity as traditional paper-based labor contracts, provided that all statutory conditions are strictly complied with. While this confirmation provides greater legal certainty, enforceability remains closely tied to compliance with both labor regulations and electronic transaction laws¹.

An E-LC must be created and executed through an e-contract system that is technically integrated with the National Electronic Labor Contract Platform administered by the Ministry of Home Affairs. This National Platform functions as the centralized infrastructure for the registration, issuance of contract identification numbers, storage, supervision, and unified management of Electronic Labor Contracts nationwide².

Both the employer and the employee must be properly identified and authenticated using valid legal documentation. In the case of employers, such authentication must accurately reflect the

¹ Article 3.1 of Decree 337

² Article 6.4 and Article 3.2 of Decree 337

legal status of the enterprise and the signing authority of its legal representative. The use of digital signatures and trusted timestamp services is mandatory for both parties and constitutes a core legal requirement for the validity and enforceability of E-LC³.

Unless otherwise agreed, an E-LC takes effect at the time the last party completes the digital signing process⁴.

2. Employer compliance obligations and data protection requirements

Decree 337 places primary responsibility on employers for the lawful implementation and management of E-LCs throughout their entire lifecycle. Employers are entitled to register and manage E-LCs on the National Electronic Labor Contract Platform but must ensure continuous compliance with applicable regulations⁵.

Key obligations include secure storage of contract data, accurate labor declarations and reporting, cooperation with licensed e-contract service providers and competent authorities, provision of employee training and technical support, and prompt reporting of any security or data-related incidents⁶.

Data protection is a central pillar of Decree 337. E-LC data must be stored, processed, and exploited in a manner that ensures confidentiality, integrity, and availability, in line with Vietnam's personal data protection and cybersecurity regulations. Contracting parties are required to safeguard access credentials, while licensed e-contract service providers must maintain secure and stable technical connections with the National Electronic Labor Contract Platform. Connected systems are required to meet applicable technical standards, including achieving at least Level 3 information security classification under Vietnamese law⁷.

3. Practical implications for employers

From a practical perspective, Decree 337 significantly enhances the legal and operational certainty of Electronic Labor Contracts. The mandatory use of digital signatures, trusted timestamps, and licensed e-contract providers strengthens the evidentiary value of E-LCs, facilitating proof of contract existence, execution time, and contractual intent in labor disputes. At the same time, the allocation of a unique contract identification number enables unified management of the labor contract and all related documents, reducing risks of inconsistencies and version control issues. These benefits are further reinforced by the National Electronic Labor Contract Platform, which provides a standardized and interoperable framework for contract management and information security, while supporting integration with other government administrative procedures such as labor reporting and work permit applications, thereby improving compliance efficiency for enterprises.

Decree 337 establishes a clear legal framework for Electronic Labor Contracts in Vietnam, while imposing enhanced compliance and data protection obligations on employers. However, as the Decree has not yet been fully implemented in practice, its application is expected to be complex, particularly given the requirement to use systems integrated with the National Electronic Labor

³ Article 6.2 of Decree 337

⁴ Article 7 of Decree 337

⁵ Article 19.1 of Decree 337

⁶ Article 19.2 of Decree 337

⁷ Article 4.1, Article 10.3, Article 16.2, and Article 21.4 of Decree 337

Contract Platform and licensed e-contract service providers. Enterprises should therefore closely monitor further developments and assess their compliance readiness before adopting E-LCs.

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