

Dialogue in the Workplace in Labor Relations in Vietnam

Hanh Thi Hong Vo

National Economics University, Hanoi, Vietnam

ABSTRACT

Dialogue at the workplace is an effective method to build harmonious, stable, and progressive labor relations in each enterprise. Workplace dialogue will help employers and employees better understand each other as well as sympathize and share information to complete the production and business tasks that the enterprise has set out. The content of dialogue at the workplace was first legalized in the 2012 Labor Code of Vietnam, creating a complete legal framework to regulate labor planning contents in enterprises. This activity has been interested in Vietnamese businesses. However, many companies are still confused about defining the dialogue's scope and assigning the parties' responsibilities in preparing the content of the dialogue. Besides, the dialogue participants lack flexibility. The government has not yet developed and issued regulations on grassroots democracy, laws for dialogue at the workplace, and regulations on the organization of employees' conferences to organize implementation. Simultaneously, the role of the representative organization of the employees' collective has not been promoted. The organization of the regulations of dialogue at the enterprise has not been implemented by the law's provisions and is still formal.

Keywords: Dialogue, Workplace, Labor relations

1. INTRODUCTION

Through dialogue at the workplace, employees and employers have become closer, friendlier, and trusting each other. To understand the employees' thoughts and aspirations, the employers seek to promptly solve the shortcomings that may be encountered in the operation and

management of enterprises, responding to the employees' legitimate demands. Employers convey to employees full information to help them understand more about the company's production, the ability to consume products, salary, and bonus calculation. Once employees are satisfied with the information they need to know, they will feel secure and eager to work in production, actively invest efforts to continually improve production, improve labor productivity to create more income for themselves, and increase business revenue.

There are temporary labor and collective work stoppages that happened in several Vietnamese enterprises. The most profound cause is still the lack of information between the parties to the labor relations. Unsatisfied with the issues that need to be known, employees are susceptible to misinformation, leading to actions that do not follow the law on strikes, harming businesses, and their interests. Without fully understanding the labor collective requirements and legitimate aspirations, business managers will undoubtedly have many shortcomings when making their management decisions. Therefore, only through regular corporate dialogue, employers can make the right decisions, get a high consensus of the workforce, and create a strong motivation for employees to work enthusiastically to benefit them and the business.

Therefore, this article will outline a comprehensive picture of workplace dialogue in Vietnam's labor relations and then offer solutions to strengthen Vietnam's activity.

2. The overview of workplace dialogue in labor relations in Vietnam

The content of dialogue at the workplace was first legalized in the 2012 Labor Code of Vietnam, creating a complete legal framework to adjust the contents of labor planning in the enterprise (Including: dialogue, negotiation, signing collective labor agreement; resolution of labor disputes and strikes); The Government has issued Decree No. 60/2013/ND-CP dated June 19, 2013 and Decree No. 149/2018/ND-CP dated November 7, 2018 to provide specific guidance on dialogue activities to currently on grassroots democracy, the Vietnam General Confederation of Labor has issued the Resolution No. 02/NQ-DCT dated 20/11/2015 of the Presidium of the Vietnam General Confederation of Labor on promoting dialogue at workplace; Resolution No. 9b/NQQ-BCH dated 23/8/2016 of the Executive Committee of the Vietnam General Confederation of Labor on "Trade unions participate in building and implementing the democracy regulation at grassroots in new situation" to confirm set the tasks and goals to strive, issue professional guidance Guide No. 1755/HD-TLĐ dated 20/11/2013 of the Vietnam General Confederation of Labor on trade unions to participate in building and implementing democracy regulations at work; Guideline No. 1499/HD-TLĐ dated September 21, 2015 of the Vietnam General Confederation of Labor on trade unions to participate in organizing labor conferences for trade unions at all levels and organizing training courses for related subjects to develop implementation.

Workplace dialogue activities have been paid attention to by Vietnamese enterprises. Up to now, over 90% of state-owned enterprises and over 50% of FDI enterprises have built up the democracy at the grassroots level; 53.26% of enterprises have a vocational community organization organizing an annual conference of employees; businesses also carry out dialogues every 3 months, dialogues at the

request of one party; Many enterprises establish and maintain weekly and monthly dialogue channels to promptly resolve disagreements in labor planning related to the interests of each party (Labor Relations Development Support Center, 2019). Forming several typical dialogue models such as the model of Business Improvement Advisory Board in garment and footwear enterprises participating in the Better Work Vietnam Program, with participants representing both employers and the labor collective (in an enterprise with a CSO organization, 50% is a member of the Executive Committee of the Trade Union and the employees themselves elect 50%; in an enterprise that does not have a Community Community Organization, 100% is represented by workers on duty elective) to share information, exchange discussions, advise businesses to comply with the provisions of the labor law to ensure the interests of employees and the interests of the company before the assessment of goods importers (Labor Relations Development Support Center, 2019).

The Ministry of Labor, War Invalids and Social Affairs (2018) said that businesses all conduct dialogues at the workplace, in which the number of enterprises holds dialogues every one month, every three months, every six months, and one year / 1 time are 30%, 52%, 4%, and 14% respectively. Through the implementation of Decree No. 60/2013 / ND-CP, generally, businesses are aware of the necessity, significance, and importance of implementing the local democracy regulations. Through discussion, consultant, and supervising, the employees' position and responsibility in labor planning have been enhanced. The implementation of dialogue at the workplace has positively impacted production and business activities and built a harmonious and stable labor plan at the enterprise, promoting workers' responsibility in construction and Business Development. However, many businesses are still confused in defining the dialogue's

content, assigning the parties' responsibilities in preparing the content of the dialogue, and the participants of the dialogue lack flexibility. Some businesses have built all three types of regulations above, but the content mainly copies the law provisions, it does not close to the business's actual situation.

The role of the organization of the employees' collective has not promoted. The organization of the regulations of dialogue at the workplace at the enterprise has not been implemented according to the law's provisions, but is still formal. Specifically, if the trade union officials at the grassroots level are not controlled or manipulated, they often encounter the business owner's lack of cooperation. This fact changes the workplace dialogue model: Equal dialogue through trade unions has been replaced by a one-way flow of management information through managers (Labor Relations Development Support Center, 2016).

3. Solutions to strengthen workplace dialogue in industrial relations in Vietnam

To ensure the rights and interests, the parties need to maintain regular dialogues to provide information, share difficulties as well as achievements of enterprises in production and business activities, promote the role of responsibility and creativity of employees, strengthen cooperation between employees and employers, and build a friendly and healthy working environment. Specifically:

State management agencies need to provide information, support, legal advice, and develop a mechanism to promote effective and practical dialogue between the parties, summarize and introduce effective dialogue and negotiation models for large-scale replication. Every year the local authorities at the provincial and district level need to coordinate with the Confederation of Labor at the same level to organize dialogues and contacts between the government leaders, business owners, and employees in the area to grasp the situation,

privately thinking and solving recommendations and issues related to the rights and obligations of the parties in labor relations, creating momentum is a basic push for the grassroots to implement the Grassroots Democracy Regulation better. Simultaneously, strengthening inspection, examination, and strict handling of enterprises that intentionally violate the implementation of the Grassroots Democracy Regulation.

Employers' representative organizations should raise awareness for employers about workplace dialogue's role, and employers to prepare the content and organize dialogues to ensure their rights and interests. The employer must comply with the law and be genuinely democratic. The direct superior grassroots trade union should strengthen the training of dialogue skills for grassroots trade unions, support grassroots trade unions in collecting information, propose content and request, and conduct dialogue substance and bring practical results.

Grassroots trade unions need to choose to elect members through members' standards participating in dialogue is very important. Members participating in the dialogue must know the law on labor and trade unions, policies for employees, rules, regulations of enterprises, production and business situation of enterprises; the life and employment of the employee and the employee's trust; and have the ability to present, persuade or criticize, and with enthusiasm, the dialogue can be effective. At the same time, the Community College must actively coordinate with the employer to issue new drafts or amend and supplement the Grassroots Democracy Regulation, the Dialogue Regulation at Enterprises. It is expected that the list of elected employees' representatives who are qualified to participate in periodic dialogues at the workplace It is necessary to consider the form of dialogue at the workplace that needs to be flexible and depending on the specific conditions of each enterprise, to establish and operate a combination of many

different dialogue channels. Depending on the requirements, enterprises can choose to combine popular communication channels such as: meeting every three months, meeting 10 - 15 minutes before the work shift, setting up comment box, message board, intranet, website, using phone messages, boards posted at the mid-shift breaks, contributing to reducing costs for businesses, and helping employees not be revealed if they do not want to. When problems arise, urgent contents related to the interests of employees need to be resolved immediately. The community needs to quickly gather the employees' requirements through the trade union, the division union to agree on the content of dialogue in writing to the employer to request an unscheduled dialogue.

In short, maintaining a good social dialogue at the workplace will have a positive impact on all aspects of business operations such as product quality, labor productivity. Workplace dialogue also helps employees to feel secure to work, then stick with businesses. In addition, it is an effective solution to remove conflicts in labor relations, avoid the consequences of labor disputes and strikes, complaints in enterprises, thereby improve the spirit of labor dedication of employees, promote production to develop, cooperate for common interests, contribute to building a

stable and development relationship at enterprises, and promote the Trade Union's role as a representative agency and protect the legal and legitimate rights and interests of employees.

4. REFERENCES

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