

Regulations on Electronic Labour Contract

Legal Update | June 2026

On 24 December 2025, the Government issued Decree No. 337/2025/ND-CP on electronic labour contracts (**Decree 337**), which took effect from 1 January 2026.

On 15 May 2026, the Ministry of Home Affairs issued Circular No. 08/2026/TT-BNV (**Circular 08**), effective from 1 July 2026, providing guidance on the implementation of Decree 337.

Decree 337 requires the Electronic Labour Contract Platform (**the Platform**), operated by the Ministry of Home Affairs (**MHA**), to become operational by 1 July 2026. From that date, electronic labour contracts (**e-Contracts**) must be concluded and managed through the framework established under Decree 337 and Circular 08.

However, these regulations do not mandate the use of e-Contracts, nor does it replace or invalidate paper-based labour contracts, which remain fully valid and may continue to be used without restriction.

This Legal Update highlights the key provisions of Decree 337 and Circular 08 as follows:

1. **Electronic Labour Contract**

An e-Contract is defined as a labour contract that is concluded and established in the form of a data message in accordance with labour law and electronic transaction law, and which has the same legal validity as a paper-based labour contract.

Each valid e-Contract submitted to the Platform will be assigned a unique identification code (**ID**), which will serve as the official reference number for state management purposes.

2. **Principles for Conclusion and Performance**

To ensure legal validity, the conclusion and performance of e-Contracts must comply with the following principles:

- (i) The conclusion and performance of e-Contracts must comply with labour law, electronic transaction law, regulations on cyber security, data governance, personal data protection, data storage, and the provisions of Decree 337.
- (ii) E-Contracts must be delivered to both the employee and the employer in the form of data messages via electronic means, in accordance with the parties' agreement.
- (iii) The State encourages the use of e-Contracts in place of paper-based contracts for administrative procedures relating to labour contracts and for employers' human resources management.

3. **Participants in Electronic Labour Contracts**

Participants involved in the conclusion and performance of e-Contracts include:

- (i) Employees and employers with the authority to conclude labour contracts, who must possess digital signatures and use time-stamping services in accordance with electronic transaction law; and
- (ii) Licensed e-Contract service providers that satisfy statutory requirements and are selected by the employer and the employee to support the conclusion, performance and authentication of e-Contracts. Such providers must, among other obligations:
 - (1) provide the parties with electronic transaction accounts; and

- (2) authenticate e-Contracts in accordance with electronic transaction law before transmitting them to the Platform for ID assignment within 24 hours of the last party's electronic signature.

4. Electronic Labour Contract Platform

The Platform serves as the centralised system for managing e-Contract data nationwide.

Key features include:

- (i) issuance of an ID within 24 hours after a compliant e-Contract is submitted by the e-Contract service provider. For e-Contracts concluded before 1 July 2026, the provider must assist in supplementing the required digital signatures, timestamps and authentication before submission to the Platform;
- (ii) use of the same ID for related electronic documents, including contract appendices and notices of suspension or termination;
- (iii) access by employers and employees through their electronic identification accounts (VNeID), or, in certain cases, through a dedicated account issued by the MHA;
- (iv) support for labour reporting, information sharing and access to permitted functions and services available on the Platform. The management, use and exploitation of data on the Platform must comply with applicable laws on data, personal data protection, cybersecurity and other relevant regulations; and
- (v) retention of e-Contract data, e-Contract appendices and other related electronic documents on the Platform for a period of 10 years from the termination date of the labour contract.

5. Legal Effectiveness

An e-Contract takes effect from the time when the last party signs electronically, with a time stamp attached to the digital signatures of the contracting parties and the authentication of the data message by the e-Contract service provider, unless otherwise agreed by the parties.

The subsequent issuance of an ID by the Platform does not affect the contract's validity, content or effective date.

Where a labour contract has been concluded electronically, any amendment, supplementation, suspension or termination of such contract must be carried out in the same manner as the conclusion of an electronic labour contract, unless otherwise agreed by the parties.

6. Conversion from Paper-Based Labour Contracts

Decree 337 permits the conversion of paper-based labour contracts into electronic labour contracts provided that it complies with the Law on Electronic Transactions and the following conditions under Decree 337:

- (i) Parties to a paper-based labour contract must be authenticated in accordance with the laws on electronic identification and authentication.
- (ii) A converted e-Contract must be digitally signed by the authorised representative of the employer to certify its accuracy and completeness as compared with the original contract. The converted e-Contract must be assigned an ID through the Platform.

Where a labour contract remains in paper form, any subsequent amendment, suspension or termination by electronic means can only be implemented after the contract has first been converted into an e-Contract.

Key Takeaways

The new regime establishes a comprehensive legal framework for the use of e-Contracts and introduces a centralised government-managed platform for their administration. While the use of e-Contracts remains voluntary, employers intending to adopt digital employment documentation should ensure compliance with the requirements on digital signatures, authentication, electronic identification, cybersecurity, personal data protection and data retention before implementation.

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