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**INDUSTRIAL RELATIONS
PROMOTION PROJECT**



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Industrial Relations Promotion Project

Quarterly Report: Q2, Year II

January 1, 2011 – March 31, 2011

Contract No. DFD-I-00-05-00220-00 Task Order No. 8

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List of Acronyms

ADR	Alternative Dispute Resolution
APHEDA	Australian Public Health, Education and Development Aid
BWP	Better Work Program (ILO)
CBA	Collective Bargaining Agreement
CIEM	Central Institute for Economic Management
CIRD	Center for Industrial Relations Development
DOLISA	Department of Labor, Invalids, and Social Affairs
FDI	Foreign Direct Investment
FES	Fredrich Ebert Stiftung
FLA	Fair Labor Association
FMCS	Federal Mediation and Conciliation Service
GVN	Government of Vietnam
ICD	International Cooperation Department
ILO	International Labor Organization
ILSA	Institute of Labor and Social Affairs
IPZ	Industrial Processing Zone
IR	Industrial Relations
LAO	Legal Aid Office
LAS	Legal Aid Service
LWD	Labor & Wages Department
LI	Labor Inspectorate
LTTA	Long Term Technical Assistance
MIS	Management Information System
MOLISA	Ministry of Labor, Invalids, and Social Affairs
MPI	Ministry of Planning and Investment
NA	National Assembly
NIRC	National Industrial Relations Commission
NLC	National Labor College
PCI	Provincial Competitiveness Initiative
PIRC	Provincial Industrial Relations Commission
PPP	Public-Private Partnership
PPT	Project Preparation Team
STTA	Short Term Technical Assistance
TOT	Training of Trainers
TDT	Ton Duc Thang University
ULSA	University of Labor and Social Affairs
STAR	Support for Trade Acceleration Project
VCCI	Vietnam Chamber of Commerce and Industry
VGCL	Vietnam General Confederation of Labor
VNCI	Vietnam Competitiveness Initiative

Quarterly Report Narrative Summary

Accomplishments during this Quarter

- The first Project Steering Committee meeting was held with a review of project activities and accomplishments.
- A total of four international specialists provided different forms of capacity building and/or were resource persons to tripartite stakeholders in the areas of labor arbitration, industrial relations policy development, university curriculum building and labor inspection.

Jeff Wheeler and E J Murtaugh, USDOL Labor Inspection Specialists
Jan Sunoo, FMCS International Mediation Specialist
Kent Wong, UCLA Labor Relations Education Specialist

- Best practices and comparative models were provided to partners in the areas of industrial policy development, university course and syllabi development and occupational health and safety have been used in policy and procedure development
- The project provided technical assistance and guidance to the industrial relations models being piloted, including the initiation of a model multi-employer collective agreement, the model of provincial industrial relations committee, and the collaborative effort by the three partner universities to draft a new textbook on industrial relations.
- The framework for a private labor arbitration model the project worked with the VCCI to develop is to be submitted for inclusion in new Labor Code.
- The project hosted a delegation from the leading US university labor relations programs which came out to work with the partner universities on curriculum development and to present new trends in IR teaching, material development and research. The delegation shared the syllabi and set up of their programs. Not only were institutional linkages formed between Vietnamese and US programs, but the US programs offered scholarships for qualified applicants from the universities. The academics were:

Elaine Bernard, Harvard University Trade Union Program
Greg Mantsios, George Murphy Center, CUNY
Able Valenzuela, Labor Center, UCLA

- A USDOL specialist was able to present at a workshop during the week of activities opening up the National Occupational Safety and Health (OSH). The US was one of several countries who lent technical assistance during this program and the DOL specialist was able to demonstrate comparative models, linking better OSH practices with increased effectiveness of labor inspections.

A Summary of Activities:

In January, an FMCS specialist, Jan Sunoo, returned to Vietnam to conduct his third consultancy for the project as an industrial relations expert. He worked primarily with VCCI to develop their framework for a private labor arbitration model (modeled after the successful private commercial arbitration services) and with MoLISA Labor and Wage Department (MoLISA/LWD) on how to strengthen the national industrial relations committee and the proposed pilots of the Provincial Industrial

Relations Committees and comparative options for more effective IR policies. The first project Steering Committee meeting was held on the last week of January. Prior to this meeting, a project performance report (in Vietnamese) was finalized and sent to the Project Owner, Project Steering Committee and Project Management Unit. In addition, the project office also followed up with relevant partners on other on-going or upcoming project work activities.

By the end of January, there was a meeting between the project and representatives from Vietnam Trade Union University (VTU) and the University of Labor and Social Affairs (ULSA) to discuss a detailed action plan for creating a revised industrial relations textbook. Two parties agreed that the focal point for this activity should be ULSA and to conduct on-going discussions and exchange reference materials. During the month, various meetings between the heads of MOLISA/Legal Department and VGCL Policy-Legal Affairs Department, and the Project Director were held. These meetings focused the assessment report findings on current labor law education and ADR trainings (Legal Department), and a handbook for legal advisory services as well as a proposed pilot model of multi-employer collective bargaining (VGCL), based on the recommendations from the work in October by a collective bargaining specialist, Ms. Katie Quan, from UC Berkeley.

February was a shortened month due to Tet holidays. The project worked finalizing up-coming activity preparation, implementing on-going activities and planning for initiatives in the following months. The project staff held meetings with the MoLISA/LWD to plan how to support national industrial relations committee-related activities; with VCCI to follow up on assessment of current labor arbitration in Vietnam and development of a labor arbitration center model; and with the VGCL Institute of Workers and Trade Unions to work with them in the developing a pilot textile CBA. As part of this initiative, program and VGCL staff traveled to Binh Duong where the pilot multi-employer CBA would be implemented and held intensive planning sessions with the pilot CBA taskforce to create a schedule. The project staff worked with the three partner universities to prepare for the IR education workshop and activities in March, to continue developing the IR textbook and to plan for a possible international labor law textbook.

In March, the project coordinated a meeting among representatives of ULSA and VTU to draft the first outline of industrial relations textbook and to divide up the work by topic. This meeting was also to prepare for an IR education program the following week which would center on a visiting US labor educator team consisting of an IR education consultant, from the UCLA Labor Center, and three resource persons from labor studies programs at UCLA, CUNY and Harvard. This US labor educator team was the primary resource persons a two-day workshop on “Sharing Best Practices on IR Education” organized by VTU. The participants of the workshop included leaders and lecturers of three major IR institutions. The US team also provided extensive material relating to curriculum development and guidance on how these might be used by the participants and followed with individual sessions with each university to provide specific technical assistance. Apart planned activities, the project worked with the US labor educator team to develop three areas of follow-up: strengthening the national network of labor scholars in Vietnam and building linkages with US labor education associations; developing a study tour of U.S. labor studies centers for faculty from the three Vietnamese universities; and enhancing the understanding of best practices of U.S. labor education through follow up workshops and educational seminars in Vietnam facilitated by labor relations faculty from the U.S.

To continue the work of strengthening the capacity of the labor inspection system, a team of US DOL specialists returned to Vietnam for third time in the middle of March. One of labor inspection specialists, came out first to participate in activities during the National Week on Occupational Safety and Health to be a resource person at the National Workshop on Labor Inspection for Improved Compliance on OSH Laws and Regulations in which he presented on U.S approaches to work safety and his recommendations for the supporting the Labor Inspectorate in this area. He was joined later by another US DOL specialist and both worked closely with the MOLISA Inspectorate on three targeted areas:

management information system development, training of trainers (ToT), and creating a handbook and other educational materials. After a series of meetings with individual committees in each area (these committees are to be established through a formal institutional process), a workshop on improving information management system for labor inspection was organized in Hanoi. The specialists also were resource persons for ULSA and VTU on the development of the model textbook.

The project staff also worked with main the project stakeholders in other on-going activity areas: legal capacity survey – translation and review (Legal Department), labor law education – planning for upcoming activities (Legal Department), collective bargaining multi-employer model – development and initiation (VGCL), labor arbitration center model – review and comment (VCCI), and legal aid services – development of report and planning (VGCL and VCCI). The project also prepared for an intensive program of dispute resolution trainings to be held at the beginning of April – including translation and development of training curricula and finalizing policy options and other documents. At the end of the month, two project staff joined a DAI Training on Field Operations.

Operating Environment: Problems encountered/overcame/outstanding issues

- The original project budget did not provide for a full-time professional translator on staff. This has put a burden on project staff who, in addition their other work, must devote large amounts of time to translating project related materials from reports to training curricula to official documents to emails from partners. This does not even include the time spent for editing translations. This has meant that feedback or responses from the project to partners can take time, which in term may cause further delays on the part of a partner. Follow up (such as translation of consultant's reports), can be protracted if the project staff is already working on other tasks. The project has tried various ways of dealing with this issue, including out-sourcing any large documents, shifting workloads as well as hiring part-time translators when necessary.
- The multi-stakeholder nature of this project, with up to ten partners representing the tripartite nature of labor relations in Vietnam, has created burdens in project management. As many planned activity areas are interlinked, it is important that partners can work in coordination. However this means that the project is dependent on partner schedules matching which in turn can lead to delays. In addition, the project has to follow up on with partners to plan further project developments. This type of follow up is difficult to do if many activities are running either simultaneously or close together responding to the compressed timeline. This has meant that anticipated follow up has been delayed in some cases. The project continues to push partners to abide by schedules, particularly important in a compressed time frame.
- As a USAID technical assistance project that specifically states using US specialists, this outside or international expertise is central to many of the projects activities. However this presented logistical problems as the project had to match the international expert's timeline with those of project partners. For the most part the project has been able to harmonize both sets of schedules; however there were instances when international consultants could not come at the time when a partner was ready, thus new dates had to be arranged. The opposite was also true, as a consultant have been ready to come out, but the partner may not been ready (or key person or leader may be out), leading to more rescheduling. Or if a consultant was to work with more than partner, this meant even more complicated coordination. While delays involving international specialists should be expected, especially given the numbers of partners involved and the areas covered, a shortened project timeline has meant that the impact of such scheduling issues is magnified.
- It has become apparent that the political current environment in Vietnam makes it difficult to implement governance work, especially a USG Industrial Relations project. While Vietnam's participation in the Trans Pacific Partnership negotiations make labor issues prominent in the bi-lateral relationship between the US and Vietnam, by the same token it makes work in this area sensitive to certain government agencies. These sensitivities could mean a planned activity is not allowed to proceed, partners not wanting to implement a planned activity or an international resource person not allowed to come. While these have not happened, the project knows that project partners are often questioned on activity content and relationship to the project. It is routine now that for activity to move forward can take time as outside approvals are sought. The project also needs to submit materials to be presented a head of time to be reviewed. The project office tries to anticipate these delays and longer timeframes in working with partners.
- The program specialist went on medical leave during the quarter and then submitted her resignation. This left the project short-handed and without a viable replacement. The project office will began searching and interviewing some candidates. However given that there are less than six months left in the two year period, it will be difficult to find a permanent replacement. In

the meantime, the project office is shifting around duties and contracted part-time translators to help lessen the work in that area of the project staff.

ANNEX I: LEVEL OF EFFORT SUMMARY

Labor Category/Position	Name	Workdays This Quarter	Cumulative Workdays
LTTA			
1. <i>Communications and Reporting, Senior Level</i>	William Conklin (COP)	53	321
2. <i>Deputy Chief of Party</i>	Vu Huu Tuyen	61	354
3. <i>Program Development Specialist</i>	Dang Thi Hai Ha	32	309
Home Office Support			
4. <i>Communications and Reporting, Senior Level</i>	Helle Weeke	0	6
	Jason Singer	1	4
5. <i>Administrative Support, Junior Level</i>	Allison DiSenso	0	13
	Miriam Counterman	0	28
	Danielle Pearl	0	2
6. <i>Information Technology</i>	Stamen Mitev	0	6
7. <i>Information Management Specialist</i>	Tanja Lumba (TCN)	0	10
STTA			
6. <i>Public Administration/Public Finance, Senior Level</i>	Richard Fincher	0	29
	Kent Wong	0	10
	Katie Quan	15	15

**ANNEX II: Number of Participations of Direct Beneficiaries in Project Activities
Compiled Data**

No.	USAID ID	WORKSHOP	No. of participants			Date of implementation	Note
			Total	F	M		
COMPONENT I : ENHANCEMENT OF IMPLEMENTATION OF IR RELATED LAWS AND REGULATIONS							
Sub Component 1: Strengthening Capacity for Labor Inspectorate							
	1.1	Promotion of New Approaches and Strategies to Improve the Labor Inspection Capacity					
		Tripartite Workshop on Compliance and Inspection in Quang Ngai	70	16	54	19,20 March 2011	Everett Murtagh
	1.2	Strengthening management information system for labor inspectors					
		Workshop on Information Management Systems in Hanoi in March 2011	65	15	50	31 March 2011	Jeff Wheeler
	1.3	Labor inspection training development					
	1.4	Regional labor inspectorate model in supplying technical advice					
Sub Component 2: Promoting Effective Approaches to Laws Implementation							
	2.1	Strategic planning for implementation of IR-related laws and regulations					
	2.2	Strengthening capacity of Legal Advisory Centers (LACs) and Legal Advisory Offices (LAOs) of the VGCL					

	2.3	Strengthening capacity of Legal Advisory Services for Employers					
COMPONENT II: PROMOTION OF SOUND INDUSTRIAL RELATIONS							
Sub Component 3: Developing National IR Strategies on IR Promotion							
	3.1	Building towards Participatory national strategy for promoting sound industrial relations –					
	3.2	Enhancing MOLISA’s IR information system on industrial relations					
Sub Component 4: Strengthening capacity for tripartite stakeholders on CBA and dispute resolution							
	4.1	Strengthening capacity for tripartite stakeholders on collective bargaining					
	4.2	Strengthening capacity for tripartite stakeholders on ADR					
		Roundtable talk on private arbitration in Vietnam in Hanoi	40	13	27	20 Jan. 2011	Jan Sunno/Vu Huy Tan
Sub Component 5: Building Capacity for IR Education Institution							
	5.1	Improving training capacity of IR Education of University of Labor and Social Affairs, Trade Union University and Ton Duc Thang University					
		VTU: Workshop on "Sharing Best Practices on IR Education"	55	29	26	8 March 2011	Kent Wong
Total			230	73	157		

ANNEX III: CHART OF PROPOSED ACTIVITIES: APRIL–JUNE 2011

YEAR TWO	SIIR ACTIVITY WORKPLAN	Apr, 2011	May, 2011	Jun, 2011
SUB-COMPONENT 1: STRENGTHENING CAPACITY FOR LABOR INSPECTORATE				
<i>1.1</i>	Promotion of New Approaches and Strategies to Improve the Labor Inspection Capacity			
<i>1.1.1</i>	International Consultancies of USDOL labor inspection specialists			
<i>1.1.2</i>	Workshop on Needs Assessment (“Enhancing the Role of Labor Inspection in Promotion of Sound Industrial Relations in Vietnam”)			
<i>1.1.3</i>	National tripartite strategic planning workshop on compliance and inspection			
<i>1.2</i>	Strengthening management information system for labor inspectors			
<i>1.2.1</i>	National Consultancy on MIS for labor inspectorate			
<i>1.2.2</i>	Consultative Meetings on Data collection and MIS for labor inspectorate			
<i>1.2.3</i>	Workshop on management information system for labor inspectorate (with USDOL as potential resource persons)			
<i>1.2.4</i>	Training of Trainer workshop on computer-based MIS for labor inspectorate			
<i>1.3</i>	Labor inspection training and development			
<i>1.3.1</i>	Consultative Meetings of labor inspection training committee			
<i>1.3.2</i>	Training Workshop on labor inspection training development management			
<i>1.3.3</i>	Consultative Meetings of handbook/manual development committee			
<i>1.3.4</i>	National consultancy for development of training materials on labor inspection in the forms of handbook and manual			
<i>1.3.5</i>	Pilot training workshop on labor inspection for testing handbook and manual			
<i>1.4</i>	Regional labor inspectorate model in supplying technical advice			
<i>1.4.1</i>	Consultative meetings on pilot self-assessment scheme			
<i>1.4.2</i>	National consultancy for Development of Handbook on Self assessment			
<i>1.4.3</i>	Monitoring implementation of pilot models of self- assessment in Hanoi or Dong Nai			
<i>1.4.4</i>	Workshop on regional labor inspectorate model in supplying information and technical advice			

YEAR TWO	SIIR ACTIVITY WORKPLAN	Apr, 2011	May, 2011	Jun, 2011
1.4.5	Training workshop on promotion of self-assessment through piloting a regional labor inspectorate model in supplying information and technical advice			
SUB-COMPONENT 2: PROMOTING EFFECTIVE APPROACHES TO LAW IMPLEMENTATION				
2.1	Strategic planning for implementation of IR-related laws and regulations			
2.1.1	National consultancy for rapid assessment of capacity of stakeholders to implement labor laws and regulations (on going from year I)	→		
2.1.2	Consultative meetings on findings in rapid assessment of capacity of stakeholders to implement labor laws and regulations			
2.1.3	National Consultancy for development of Handbook on Propaganda, Dissemination and Education of Labor Laws and Regulations			
2.1.4	Consultative meetings on Evaluation of Impact of "Project 31" on Dissemination and Education of Labor Laws and Regulations			
2.1.5	National Consultancy for Developing training materials on ADR			
2.1.6	Pilot training workshop on ADR	→		
2.3	Strengthening capacity of Legal Advisory Services for Employers			
2.3.1	Consultative Meeting on Legal Advisory Services for Employers			
2.3.2	VCCI Training workshop on legal advisory services fundamentals and skills			
2.3.3	International and national consultancies to develop draft model.			
2.4	Strengthening capacity of Legal Advisory Centers (LACs) and Legal Advisory Offices (LAOs) of the VGCL			
2.4.1	International Consultancy on legal advisory services fundamentals and skills			
2.4.2	Training workshop on LAC/LAOs development management			
2.4.3	Development of union legal advisory service manuals			
2.4.4	VGCL Training workshop on legal advisory services fundamentals and skills			
2.4.5	Three regional workshops on strategic planning for implementation of new resolution on union legal advisory services (cancelled)			
SUBCOMPONENT 3: DEVELOPING NATIONAL STRATEGIES ON IR PROMOTION				
3.1	Building towards Participatory national strategy for promoting sound industrial relations			
3.1.1	An IR Survey is conducted in a number of IZ/IPZs (LWD)			

YEAR TWO	SIIR ACTIVITY WORKPLAN	Apr, 2011	May, 2011	Jun, 2011
3.1.2	Development of draft National IR Strategies			→
3.1.3	Report on ADR and CBA within the framework of industrial relations strategies			
3.1.4	National workshop on draft national IR Strategies (LWD)			
3.1.5	Development of the finalized study report on NIRC/PIRC and planning for piloting PIRC model	→		
SUB-COMPONENT 4: STRENGTHENING CAPACITY FOR TRIPARTITE STAKEHOLDERS ON CBA AND DISPUTE SETTLEMENT				
4.1	Strengthening capacity for tripartite stakeholders on collective bargaining			
4.1.1	Tripartite workshop on collective bargaining (Department of Labor and Wages, MOLISA)	→		
4.1.2	Piloting pattern bargaining model in textile sector (VGCL)	→		
4.1.3	Development of training collective bargaining materials and pilot training for selected 50 trade union officials (VGCL)	→		
4.1.4	Training on collective bargaining for 50 VCA officials (VCA)		→	
4.1.5	Development of training materials and advanced training on collective bargaining for 50 VCCI's HR officers (VCCI)	→		→
4.2	Strengthening capacity for tripartite stakeholders on labor dispute settlement			
4.2.1	Tripartite workshop on dispute settlement (Department of Labor and Wages, MOLISA)	→		
4.2.2	Development of training materials on ADR	→		
4.2.3	Training on ADR for 50 selected trade union officials in IZ/IPZs (VGCL)	→		
4.2.4	Training on ADR for 50 selected VCA's HR officers (VCA)	→		
4.2.5	Training on ADR for 50 selected VCCI's and supporting the pilot development of labor arbitration center (VCCI)	→		
4.2.6	Training for strike resolution officials in IZs/IPZs (Department of Labor and Wages, MOLISA)			→
SUB COMPONENT 5: BUILDING CAPACITY FOR IR EDUCATION INSTITUTION				
5.1	Improving training capacity of IR Education of University of Labor and Social Affairs, Trade Union University and Ton Duc Thang University			
5.1.1	An extended workshop on industrial relations education with US educators			→
5.2.2	Assessment of the IR textbook 2008 edition's quality			

YEAR TWO	SIIR ACTIVITY WORKPLAN	Apr, 2011	May, 2011	Jun, 2011
5.2.3	Writing and editing the textbook	→	→	→
SUB COMPONENT 6: MONITORING AND EVALUATION				
6.1	Coordination and Planning (TBD)			
6.2	Monitoring and Evaluation (TBD)			