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# Improving policy and law on employment for people with disabilities in Vietnam

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## Abstract

People with disabilities (PWDs) belong to a disadvantaged and vulnerable group in society. According to the Ministry of Labor, War Invalids, and Social Affairs statistics, there are currently more than 6.2 million PWDs in Vietnam, but only 31.7% are in the labor force. The employment rate for PWDs aged 15 and over is 36%, while the figure for people without disabilities is 60%. The article analyzes the current legal employment status of PWDs in Vietnam and the practice of implementing legal provisions in this field. In which demonstrating the advantages, and limitations and identifying their causes. Thereby, the article proposes recommendations to improve policies and laws on the employment of PWDs in Vietnam today.

**Keywords:** People with disabilities, improving law, job, policy.

## 1. General Theory On People With Disabilities And Law On Employment For People With Disabilities

### 1.1. People With Disabilities

There is no unified concept of “person with disabilities” globally, which varies among countries. In the past, the term “disabled person” was used. However, nowadays, the term was replaced by “person with disabilities” thanks to the campaigns of human rights organizations and individuals. In general, the two concepts are quite similar, however, it is found that “person with disabilities” is more respectful. It is necessary to clearly distinguish “person with disabilities” and “worker with disabilities”. A worker with disabilities is a person who has a disability in daily life, however, is still able to work. Whereas “person with disabilities” generally includes PWDs who are still able to work and, disabled people who are unable to work when the competent authority determines the degree of disability that impairs their working capacity, depending on the law of each country. Vietnam currently stipulates that people who are determined to have a disability level that reduces their working capacity by 81% or more are powerless to work (Article 1 Joint Circular No.28/2013/TTLT-BYT-BLĐTBXH dated 27/9/2013 on ratings of impairments caused by injuries, illness, disability, and occupational diseases). Within the scope of the article, the concept of “people with disability” is understood as “workers with disabilities”, which means that PWDs are still able to perform employers’ labor requirements.

The Convention on the Rights of Persons with Disabilities and its Optional Protocol (CRPD, 2006, A/RES/61/106) defines persons with disabilities as "persons with long-term physical, mental, intellectual or mental disabilities" whose various interactional barriers prevent their participation in society on an equal basis with others. Full participation. Can prevent obstruction and effective participation. In situations of forced displacement, people with disabilities have the same basic rights and needs as others, including the right to work. The ability of people with disabilities to maintain an adequate standard of living for themselves and their families is key to their social inclusion and is an important factor that affects overall participation opportunities [10]. Work is a defining feature of human existence and in many societies, the ability to work is seen as the most important way through which people can make their personal contributions to their communities. However, despite existing national, regional and international laws and the activities of international organizations and the Organization of Persons with Disabilities (DPO), PWDs around the world are often denied the right to work. Statistics indicate that unemployment, low-employment, and economic inactivity rates are much higher than those of other workers.

### 1.2. Law on Employment for People with Disabilities

“Work is the most important tool for being able to reintegrate those who tend to be marginalized” [3, p.37]. From the critical role of work for PWDs, the law regulating employment for this group is one of the most crucial laws in the national legal system and policy marking. Through issuing policies, legal systems, protection programs, and social security for PWDs, the State expresses its responsibility for PWDs by facilitating a favorable environment so that PWDs can integrate into the community. From the perspective of rights, a job helps ensure PWDs’ labor rights. Law of the People’s Republic of China on the protection of disabled persons in 2008 regulates: “The State encourages PWDs to show a spirit of self-respect and self-esteem confidence, self-reliance, and social contribution. PWDs need to obey the law, fulfill their obligations and responsibilities, and respect social ethics.” Many PWDs in the world, especially in Africa, face the challenge of

unemployment because the law on employment for this person has some limitations on regulations and the reality of implementation (including access to education or vocational training).

Similar to the other countries, Vietnam must gradually improve its legal system and policies on PWDs and internalize commitments ensuring the PWDs' rights to fulfill international and regional commitments, including regulations related to employment for this group. Vietnam actively participates in the international and regional agreements on the issue of PWDs. In 2004, Vietnam committed to implementing the BIWAKO Millennium Framework for Action (to promote an inclusive, barrier-free, and rights-based society for PWDs in the region). The year 2014 witnessed the ratification of Vietnam for the United Nations Convention on the Rights of Persons with Disabilities. Vietnam also signed the Convention on Vocational Rehabilitation and Employment for Persons with Disabilities (No. 159) in 2016, which demonstrates commitment in the field of labor and employment for PWDs, thereby showing respect, protection, and guarantee of human rights and citizenship of Vietnam. Vietnam has currently issued more than 20 legal documents on PWD. In which, the 2019 Code of Labor and the 2014 Law on persons with disabilities grasp the whole of matters on this group. These legal documents must obey some crucial principles: (i) The principle of equality and non-discrimination; (ii) The principle of ensuring the right to access to employment, and reasonable support for PWDs; (iii) The principle of respecting and ensuring the PWDs' labor rights.

## **2. Current Status of the Law on Employment for People with Disabilities in Vietnam**

### **2.1. Regulations on Employment for People with Disabilities in Vietnam**

The law on employment for PWDs in Vietnam has taken effective more than 10 years, in reality, however, it expresses its limitation in some aspects:

#### *Firstly, recruitment of workers with disabilities.*

It is the first and the most challenging step so that PWDs can access jobs. The principle of equality in labor law, which prohibits discrimination during the recruitment process, must be respectfully applied. This principle has been internalized in the Vietnamese 2010 Law on PWDs: "Discrimination against persons with disabilities means the act of shunning, refusing, maltreating, disparaging, showing prejudice against, or restricting the rights of, persons with disabilities because of their impairments (Clause 3 Article 2)". The 1998 ordinance on persons with disabilities clearly sets out the percentage of workers with disabilities that enterprises must adopt in order to work as follows: All economic sector enterprises and all types of ownership must get a share of PWDs at the rate of 2% for enterprises in the fields of power generation, metallurgy, chemicals, geology, maps, oil and gas, mining, mineral extraction, capital construction, and transportation; This number is 3% for the remaining industrial entrepreneurs. However, the 2010 act on persons with disabilities no longer requires enterprises to hire PWDs to operate at this rate. This is a solution to encourage employers to create job opportunities for PWDs.

Several flexible economic measures that have replaced the former rigid regulations to ensure the policy's practicality and sustainability. Manufacturing and business establishments employing PWDs may receive assistance in improving their working conditions and suitable environment for persons with disabilities comprising 30% or more of their total employees; Exemption from enterprise income tax; Taking loans at preferential interest rates under production and business development schemes; Lease of land, land and water surface is preferred and disabled workers are exempted from rent of land, land and water surface for serving production and business activities in proportion to their percentage of disability, degree of their disability and degree of their disability. Size of Enterprise (Article 34, Persons with Disabilities Act). But the implementation of this policy is not effective. Many enterprises that employ up to 30% of the total workforce with disabilities find it challenging to obtain tax incentives and other state support mandated by law.

#### *Secondly, the rights and obligations of persons with disabilities in employment.*

*About the type of work:* Workers with disabilities have the same rights and obligations regulated in the labor provisions as ordinary workers in labor relations. However, there are some particular regulations for those subjects. The Labor Code of 2019 sets out strictly prohibited tasks in the employment of disabled workers (Article 160), which prohibits the employment of workers with mild disabilities, whose ability to work is reduced by 51% or more, workers with severe disabilities, or extreme overtime or night work. Severely disabled workers, except where the worker agrees. The former Code of Labor, which is the 2012 Code, The list issued by the Minister of Labour, Illegal and Social Affairs (Circular No. 11/2020/TT-BLATBXH dated 12/11/2020) prohibits PWDs from performing heavy, dangerous or harmful tasks, which publishes a list of hard, dangerous and dangerous occupations and jobs and extremely harsh, dangerous and dangerous occupations and jobs). In contrast, the 2019 Code of Labor repeals this regulation, so that PWDs can choose the appropriate job for their health. In addition, employers employ PWDs to perform heavy, hazardous, or harmful work in the list issued by the Minister of Labor, Invalids, and Social Affairs if they have provided sufficient information on that job and have the approval of workers with disabilities. Compared with the 2012 Code of Labor, the 2019 Code has a progressive outlook when adding

the employees' approval related to their rights. It can be seen that employers cannot deal with overtime work or night work, even hazardous, or harmful work, because of their profits.

*About working time and rest time:* the 1994 Code of Labor stipulated that the working time of persons with disabilities does not exceed 7 hours/day or 42 hours/week to facilitate PWDs to work within their abilities and recover their health for a long time and productivity. In contrast, the regulation expressed its limitation in reality when creating discrimination between PWDs and ordinary workers. Employers do not prefer employing PWDs because they cannot adapt the working time as the other workers. Some surveys demonstrate that several PWDs can perform productively as workers without disabilities. Consequently, from the 2012 Code of Labor to the 2019's, the provision of working time and rest time for the subject was eliminated. It creates an equal working environment between PWDs and ordinary workers, whereby PWDs obey the working time under Article 105 of the 2019 Code of Labor (not exceeding 8 hours/day and 48 hours/week).

*About occupational safety and hygiene:* health care for PWDs is stipulated with a wide scope from Article 21 to Article 26 of the 2010 Law on Persons with disabilities, including primary health care problems; medical examination and treatment; orthopedic, rehabilitation... In addition, the matter is regulated in Article 159 of the 2019 Code of Labor: "employers must ensure working conditions, tools, and occupational safety and health and shall organize regular health check-ups that are suitable for workers with disabilities". The word "regular" is somewhat abstract, making it difficult for employers and workers with disabilities to define their rights and responsibilities. How many times is called "regular"? In case the employers do not comply with the law, they will be administratively sanctioned (Article 13) [4]. Moreover, corporate image is built not only by the quality of the products on the market but also by the policies for employees, including PWDs. Therefore, some employers avoid hiring workers with disabilities because they do not know how to enforce the law correctly.

*Thirdly, policy on vocational training and employment for people with disabilities.*

The policy on vocational training and employment for PWDs is adjusted in the 2010 Law on persons with disabilities. And Decree No. 28/2012/ND-CP of the Government guiding the implementation of a number of articles of the Law on People with Disabilities has detailed regulations on vocational training and employment for PWDs. The State ensures and facilitates for PWDs to choose, consult and learn vocational skills according to their abilities and health; vocational training establishments must ensure vocational training conditions; agencies, organizations, enterprises, and individuals cannot refuse to recruit qualified PWDs... Although the 2019 Code of Labor removed the regulation: "The Government shall stipulate the policy on providing concessional loans from the National Employment Fund for employers who employ disabled persons", however, the matter is stipulated in Decree No.73/2019/VBHN-BLDTBXH dated 28/2/2019 detailing and guiding the implementation of a number of articles of the Law on persons with disabilities. The State encourages PWDs to create their own jobs, following policies to loan with preferential interest rates for production and business from the Bank for Social Policies. Businesses employing 30% or more of the total number of employees who are PWDs are entitled to preferential policies such as financial support for improving working conditions and an environment suitable for PWDs according to regulations of the Ministry of Labor, Invalids and Social Affairs. The level of support is based on the percentage of PWDs who work stably at the company, the degree of disability of employees, and the scale of business. The issue also adjusted, in the 2013 Employment Law, preferential credit policies to support job creation, job maintenance from the National Employment Fund, and other credit sources. Accordingly, small and medium-sized enterprises, cooperatives, and business households that employ a lot of PWDs are among the beneficiaries of loans from the Fund with lower interest rates than other subjects.

Moreover, the 2014 Law on Vocational Education has affirmed the support and preferential policies of our State for people with disabilities in vocational education activities (Article 6). The vocational training institutions that reserved for PWDs shall benefit from the policies and receive financial support to invest in training facilities and equipment; acquire land through land allocation or lease to construct buildings that are located in a place convenient to the disabled. Vocational training institutions for PWDs must meet the following requirements: (i) There are training facilities, tools, learning materials, methods, and duration of training compliant with disabilities. Buildings serving the study of persons with disabilities must meet the technical regulations and standards set out in the law relating to construction; (ii) There are teaching staff qualified for PWD and with teaching skills.

These are preferential regulations that contribute to supporting businesses to expand their production activities and improve the working environment for PWDs to access employment and these have certain success in reality.

*Fourthly, the responsibility of the State and other subjects in employment for PWDs.*

*About the State:* State policies for workers with disabilities are regulated as follows: The state protects the right to work and self-employment of disabled workers and adopts a policy of creating employment for disabled workers in accordance with the Law on Persons with Disabilities and provides appropriate incentives and disincentives to employers for their employment (Article 158, 2019 Labor Code). Therefore, the State affirms its responsibility on ensuring employment for PWDs. Compared with the former Code of Labor, legal sources regulating State policies on workers with disabilities and incentives to employers in hiring PWDs have been expanded according to the 2019 Labor Code. The proof is that the 2019

Code of Labor provides a broader scope, which are all regulations related to PWDs, replacing the former provision in the 2012 Labor Code “only in the 2010 Law on persons with disabilities”. As a result, the State will implement these policies based on all provisions of the law on PWDs, including the 2010 Law on Persons with Disabilities and Decrees, Decisions of the Prime Minister, Circulars, and guiding documents containing provisions related to PWDs.

In addition, the 2010 Law on persons with disabilities shows that the State shall ensure the rights of persons with disabilities to vocational rehabilitation, free of charge job counseling, job placement, and job retention in accordance with the health and types of disabilities (Article 33). The previously Ordinance 81/CP dated 23/11/1995 regulated the proportion of PWDs that enterprises had to accept. If the business does not hire enough the number of PWDs as prescribed, it will have to pay a corresponding amount to the Employment Fund for PWDs. This is considered a major source of revenue for the Fund. However, the Law on Persons with Disabilities in 2010 removed the compulsory regulation on the percentage of workers with disabilities that businesses must employ. Consequently, the provision on contributions to the Employment Fund was also revoked. Instead, the 2010 Law on Persons with Disabilities provides for a Fund to support people with disabilities (Article 10). Accordingly, this fund, a social charitable fund to mobilize resources to help PWDs, is formed from financial sources such as voluntary contributions, donations from domestic and foreign organizations and individuals, state budgets and other legal revenues.

*About other subjects:* Institutions, agencies, organizations, enterprises, and individuals shall neither reject job applications of PWDs who are qualified for the positions nor create recruitment criteria that aim at limiting job opportunities for PWDs according to legal regulations.

## **2.2. Reality of Implementation of the Law on Employment for Persons with Disabilities**

### **2.2.1. Reality**

Workers with disabilities account for a significant proportion in Vietnam. According to statistics from the National Committee for Persons with Disabilities, by the beginning of 2022, Vietnam has approximately 6.2 million PWDs, accounting for 7.06% of the population aged 2 years and over, of which nearly 29% are people with severe and especially multiple disabilities. The majority of PWDs live in rural areas, their work is mainly to help their families in agriculture, forestry, and fishery, with unstable jobs, and low incomes [5]. Creating jobs for PWDs not only helps this group to confidently overcome their circumstances, integrate into the community, and contribute to reducing the burden on their families and society... but also affirms their role such as participation in social activities, or contributing to the country's development. Consequently, the Party and State have promulgated many schemes and policies on social security, job creation, and vocational training for PWDs. Many documents have been issued such as the Labor Code, the Law on Persons with Disabilities... especially Decision No.899/QĐ-TTg of the Prime Minister, dated 20/6/2017 “Target Program of Vocational Education - Employment and Occupational Safety for the period 2016 - 2020”, in which the crucial content of job creation for PWDs in the Employment and Labor Market Development Project.

The Employment Department signed order contracts with 28 agencies (the HCYC Central Committee, 22 Employment Service Centers under the Department of Labor, War Invalids and Social Affairs, 04 Youth Employment Service Centers, and the Association of Persons with Disabilities in Hanoi City) based on Decision No. 710/QĐ-LĐTBXH, dated June 12, 2018. Its purpose is to support migrant workers, to create jobs for young workers, ethnic minorities, poor women in rural areas, and people with disabilities with the total cost of 12 billion VND. The State and the social community have facilitated for PWDs to access preferential capital for vocational training and job searching. The Bank for Social Policies has allocated preferential capital to thousands of projects for PWDs and businesses employing many PWDs. Several localities have established and set funds up from the Employment Fund for PWDs to support and create jobs for this group.

The number of vocational training institutions for PWDs has increased in terms of quantity, size, and quality of training. Vocational training for PWDs has been gradually socialized with the participation of the private sector. As of the beginning of the third quarter of 2018, there were 156 vocational training institutions participating in vocational training for PWDs, including 55 specialized vocational training institutions, 200 establishments participating in vocational training for PWDs, especially tuition fee waiver for many PWDs. Many PWDs find jobs, gradually take control of their lives, and reduce the burden on their families and society. Some PWDs become directors of businesses, creating jobs for many other people in the same situation in the locality [5].

#### *About accepting workers with disabilities in enterprises*

Businesses have currently a high demand to recruit WPDs, especially in big cities such as Ho Chi Minh city, and Hanoi. However, only 31.74% of PWDs have a job out of 1.6 million PWDs who have the ability to work with over 6.2 million PWDs. Job placement centers and businesses also face many difficulties in recruiting because they cannot find candidates who meet their requirements. The main reason is that PWDs, especially PWDs in rural, remote, and isolated areas have low

education levels, and the percentage of PWDs graduating from universities and colleges is still at the bottom (less than 0.1%) [6]. Also according to formerly data (in 2008) from a study conducted by the Vietnam Association for the Support of the Disabled (VNAH) and the Vietnam Chamber of Commerce and Industry (VCCI) to survey the situation of workers with disabilities in enterprises, there were 3/4 of business owners that are very satisfied with the work efficiency of PWDs; 1/3 of companies will hire PWDs; 1/3 of companies have low-cost workplaces; 2/3 of companies plan to increase their workers with disabilities in the future [7].

*Regarding the number of PWDs having a job.*

Although there is progress in the number of PWDs having a job, however, the rate between PWDs and people without disabilities for this figure is significant. From the table below of the participation in the labor force of the two groups, it can be seen that the employment rate of people with disabilities is very low.

**Table 1: Participation in labor force (Source: General Statistics Office of Vietnam)**

		People with Disabilities	People without disabilities	Difference
		Total		
Whole country	79,05	32,76	83,20	50,44
Age groups				
41-64	87,50	57,12	89,70	32,58
18-40	90,87	46,30	91,80	45,50
15-17	25,24	15,02	25,43	10,41
65+	32,40	16,07	43,60	27,53
Educational levels				
College+	83.19	40.16	83.91	43,75
Lower primary	67,69	24,58	81,42	56,84
Lower secondary	77,52	49,59	78,80	29,21
Primary	83,20	36,79	87,26	50,47
Upper secondary	85,47	43,06	86,64	43,58
Vocational secondary	85.14	43.76	86.20	42,44

*About supporting PWDs to have vocational education and training, and find a job*

In recent years, support for job searching and facilitating vocational training for PWDs has been actively implemented nationwide. However, due to the impact of the Covid-19 pandemic, it is difficult to support jobs for this group in the general situation of the labor market. Hanoi is an illustration, having 100.000 PWDs, about 30% of them are in the youth age and need a job to stabilize their lives [8]. Therefore, the Hanoi City Disabilities People Association has encouraged PWDs to participate in the general labor market in the past time. The Association has simultaneously coordinated with the Hanoi center for employment services to provide recruitment information for workers with disabilities through various channels such as official dispatches to district associations, via email, etc., so that they can grasp job searching opportunities and participate directly in disability-inclusive sessions. Consequently, in order to increase job searching opportunities for PWDs, the Association has actively organized vocational training for members through coordination with vocational training centers and businesses.

In September 2021, the Hanoi Association of People with Disabilities launched a YouTube channel about employment services for PWDs, which is one of the activities within the framework of the project "Public-private partnership in training and vocational education for young PWDs in Hanoi, Vietnam" funded by Rehabilitation International - RI. Through the official channel, PWDs have the opportunity to approach employers, find suitable jobs, and receive training in interview, communication, and job application skills. In addition, the Hanoi Association of People with Disabilities also has a website, fan page, newsletter, and businesses affiliated with the Association (Vun Art Cooperative, Vocational-job training facility 3-12, Pink Heart Handicraft Cooperative...) have a demand to recruit PWDs. In addition, the Hanoi Association of People with Disabilities cooperates annually with the Hanoi Center for Youth Employment Service (under the Hanoi Youth Union), the Employment Service Center - the Department of Education and Training Hanoi - Department of Labor, War Invalids and Social Affairs of Hanoi to organize inclusive job fairs, integrated job sessions for businesses to recruit workers with disabilities to work in the garment, carpentry, information technology, telesales, sales, customer care, reflexology massage with an average salary of 3-7 million VND.

### **2.2.2. Causes of the Limitations**

*Firstly*, wide gaps in the Vietnamese legal system on ensuring the right to work of PWDs, including the policy to consult and support the subject at the workplace. The current policies focus on vocational training and job counseling.

*Secondly*, the ineffectiveness of the current preferential policies for employing PWDs. Businesses that hire persons with disabilities, up to 30% of the total employees, are challenging to receive tax incentives and other state support as prescribed by law. Because the procedure to make a tax exemption application is complicated and must be renewed regularly every year. The administrative process will also take up much time and money for businesses. Consequently, they are not much interested in the state's policies to encourage the use of PWDs.

*Thirdly*, the low educational background of PWDs. According to the statistic, 41% of PWDs aged 6 and above are illiterate, and the rest mostly graduated primary or high school (9<sup>th</sup> grade) [9]. That obstructs the employment access of PWDs because it is necessary to obtain a required educational level.

*Fourthly*, the agencies, as well as local authorities, do not have much interest in the policy on the employment of PWDs. There has also been no regular direction, inspection, supervision, and assessment of the results of implementing those policies.

*Fifthly*, other obstacles such as transportation, environment... For example, there is no satisfactory solution for regulations banning three-wheeled vehicles for transporting goods. It is a part of why PWDs lose their jobs. PWDs also find it challenging to access buses and airplanes. Even in some cases, the subject is rejected to serve. Nevertheless, there is no particular way or other facilities for PWDs at the workplace.

*Sixthly*, the weak awareness of employers and the community. Several employers show that businesses will bear more responsibility and fees if using persons with disabilities. A part residents prefer resolving jobs for ordinary workers. Unemployment is a social existence that cannot be solved entirely. This perception is unequal for persons with disabilities.

### 3. Recommendations to Improve the Law on Employment for Persons with Disabilities

*Firstly*, adding more legal regulations detailing how to perform in guiding documents of ministries and provincial departments of Labor, War Invalids, and Social Affairs in order to implement the regulation to protect workers with disabilities working overtime. For example, the regulation on banning the use of PWDs from 51% or more to work overtime at night can only be enforced if the provision is clearly mentioned in the corporate charter. Consequently, the Ministry of Labor, War Invalids, and Social Affairs should pay attention to this issue when approving the corporate charter. In addition, PWDs must be assessed on their disability before recruitment.

*Secondly*, supplementing the regulation prohibiting all acts of discrimination against workers with disabilities in recruitment, it is impossible to refuse to hire PWDs if they meet the recruitment requirements in job announcements, especially in public agencies. Including content for PWDs or not, content related to encouraging PWDs to apply for jobs as equally as people without disabilities. Public agencies can provide a certain proportion to make PWDs regular members of the personnel at some suitable jobs for their health and their capacity in several industries, such as information technology, switchboard, and clerical work...

*Thirdly*, perfecting regulations on Job-creation Fund for persons with disabilities. *This fund, which aims to encourage people with disabilities to overcome difficulties in their lives, was formed under Government Decree No. 81/CP on November 23, 1995*, which details and guides several articles of the Labor Code for workers. With the disabled: "Provinces and cities under the central government shall establish direct employment creation funds for the disabled to restore their performance and find employment" (Article 5). However, even though the Decree expired on January 3<sup>rd</sup>, 2020, the Fund is still vacant in reality. Due to it, several persons with disabilities are difficulty accessing integration and equal society. One of the reasons is that there were no specific provisions to stipulate the form of the Fund. Therefore, the Government should promulgate documents guiding Job-creation Fund for persons with disabilities, including its forming source, target, object, and responsible agencies...

*Fourthly*, detailing regulations on the form in which employers provide adequate information on jobs with heavy, hazardous, and dangerous elements when employing PWDs according to the list promulgated by the Minister of Labor, War Invalids, and Social Affairs for workers with disabilities. Up to the present, there are no legal documents guiding the implementation of the 2019 Code of Labor related to this matter which is whereas employers' responsibility. For PWDs, each type of disability has different difficulties. For example, hearing impaired people have difficulty hearing so it is difficult for them to provide information orally; providing information in plain text (not Braille text) is also detrimental to people with visual impairments. In fact, not all workers with hearing and speech impairment can read written documents. Employers are responsible for ensuring a variety of forms of information transmission for employees with hearing and speech impairment such as combining written information and using sign language interpreters in different situations.

*Fifthly*, regulating the form of recording the agreement to use employees (including workers with disabilities) to work overtime, and work at night. Currently, the 2019 Code of Labor does not stipulate that the document is a mandatory form to record the agreement to work overtime and work at night between the employer and their employee, including employees (including workers with disabilities), however, it is only optional. Compared with verbal agreements, written agreements ensure the safety of the parties and avoid disputes arising. For visually impaired workers, the content of the agreement is presented in a suitable form for their disability (Braille text).

*Sixthly*, setting up systematic and reliable information channels for PWDs to find job training and job opportunities. The barrier for PWDs is a lack of information. Vietnam has many laws, policies, and documents under the Law regulating the priorities that PWDs are entitled to in the field of vocational education and employment. However, individuals with disabilities are not well aware of these preferential policies. In addition, developing a feedback system for PWDs, which helps them to access information and reflect on information, problems in support services, violations in law implementation, and policies on PWDs to relevant agencies, in order to take necessary measures or adjustments to support PWDs integrating into society.

*Seventhly*, raising awareness of PWDs and society to ensure the rights of people with disabilities. People with disabilities currently lack awareness about the preferential policies they enjoy from the State. Moreover, the quality of the assurance of their PWDs' rights depends on the level of society's awareness of this issue. Information,

communication, and education activities on PWDs are considered particularly important measures to raise social awareness, thereby ensuring the rights of this group in practice.

### 3. Conclusion

Solving the problem of employment for PWDs requires the totality of a series of economic, policy-legal, and social measures. The State, as a management subject, plays an important role in promoting job opportunities for PWDs through reasonable policies that harmonize the interests of subjects' labor relations: workers with disabilities and their employers, simultaneously ensuring international committees. To achieve this target, Vietnam must have solutions to improve its legal system on PWDs and enhance awareness of all society on the issue.

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