

Electronic Labor Contracts under Decree No. 337/2025/ND-CP

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Decree No. 337/2025/ND-CP (“**Decree 337**”), which will take effect on January 01, 2026, provides new regulations relating to labor contracts in electronic form (“**eContract**”). eContracts are signed through licensed vendors and registered on a platform provided by the Ministry of Home Affairs. Paper-based labor contracts can be converted to eContracts, and vice versa. eContracts are not mandatory.

1. Signing of eContracts

1.1. eContracts

eContracts are labor contracts established and signed as data messages in accordance with labor law and electronic transaction law, and have the same legal validity as paper-based labor contracts. Each eContract will be issued a unique ID on the eContract Platform¹. eContracts are not mandatory but are encouraged for personnel management and administrative procedures.

1.2. Signing of eContracts

The employer and the employee must sign the eContract through a service provider that is qualified and licensed to provide eContract signing services in accordance with Decree 337 and relevant laws (“**eContract Provider**”)². The eContract Provider is responsible for uploading and synchronizing the eContract on the eContract Platform³.

The employer and the employee must satisfy the following conditions⁴:

- (a) Possess digital signatures and use timestamping services as prescribed by law on electronic transactions;
- (b) Employees must possess the following documents:
 - (i) Identification documents: citizen identity card, or identity card, or electronic identity card, or identity certificate, or level 2 electronic identity account, or valid passport; and
 - (ii) Valid entry visa or documents proving visa exemption (for foreign individuals).
- (c) Employers must possess the following documents:
 - (i) For employers who are individuals, the same identification documents as employees; or
 - (ii) For employers who are registered businesses, agencies, organizations, cooperatives, or households:
 - Corporate documents: Establishment Decision, or Decision regulating functions, tasks, powers, organizational structure, or Enterprise Registration Certificate, or Investment Registration Certificate, or Household Business Registration Certificate; and

¹ Article 3.(1,5) of Decree 337

² Article 5 and 6.(3,4) of Decree 337

³ Article 14.2(a) of Decree 337

⁴ Article 6.2 of Decree 337

- Personal identification documents of the legal representative: citizen identity card, or identity card, or identity certificate, or level 2 electronic identity account, or valid passport; and valid entry visa or documents proving visa exemption (for foreign individuals).

The signing of eContracts must meet the technical and security requirements outlined in Decree 337⁵. Unless otherwise agreed by the parties, an eContract takes effect when the last party digitally signs, the timestamp affixes the digital signature of the parties involved in the contract, and authenticates the service provider's data message on the eContract⁶.

1.3. Conversion of labor contracts⁷

Paper-based labor contracts can be converted to electronic form and vice versa, provided that such conversion meets the requirements under Article 12 of the Law on Electronic Transactions. Additionally, for conversion to electronic form, the conversion must also meet the following conditions:

- (a) Parties entering into a written labor contract must be authenticated in accordance with the law on electronic identification and authentication; and
- (b) The converted eContract must be digitally signed by an authorized person of the employer to confirm its accuracy and completeness compared to the original and to be legally responsible for the converted content. The converted eContract must be assigned an ID.

2. **eContract Platform**

2.1. Definition⁸

The eContract Platform is an information system for large-scale electronic transactions, built, operated, and managed by the Ministry of Home Affairs ("**Platform**"). The Platform's function is to centrally manage data on eContracts and provide shared services to agencies, organizations, businesses, cooperatives, households, and individuals nationwide.

2.2. Use of the Platform

The Ministry of Home Affairs provides each party with an account on the Platform. The services available on the Platform include the following⁹:

- (a) Data sharing service to facilitate the resolution of administrative procedures related to labor contracts within state agencies;
- (b) Data synchronization service with the master data of the Platform to standardize and unify data between relevant databases and information systems within state agencies;

⁵ Article 6.1 of Decree 337

⁶ Article 7 of Decree 337

⁷ Article 8.(1,2) of Decree 337

⁸ Article 3.2 of Decree 337

⁹ Article 12 and 15 of Decree 337

- (c) Data aggregation, statistics, analysis, and reporting service on eContracts to support management, direction, and operation by competent authorities; administrative reform; and improvement of public administration capacity; and
- (d) Service to provide eContract data to citizens and businesses to promote the development of the digital economy and digital society.

2.3. Rights and obligations of the employer and employee

(a) Request for information¹⁰

A party may request, in writing, the Ministry of Home Affairs to provide data from the Platform. The request letter must clearly state the purpose and scope of the data to be provided within the Platform, and include a commitment to use the provided data only for the intended purpose. Within 07 working days, the Ministry must consider and respond to the request.

(b) Rights and obligations of the employer¹¹

- (i) To register for an account and use it to access the Platform to search, verify, and manage the signed eContracts.
- (ii) Use eContract service providers to declare labor and report on the labor use situation as prescribed in Article 4 of Decree No. 145/2020/ND-CP dated November 14, 2020.
- (iii) Share and use the eContract data from the Platform to report on the labor situation, conduct administrative procedures, and carry out related electronic transactions as prescribed by law.
- (iv) Directly updates information regarding the main contents of a labor contract as stipulated by labor law and other details serving the state management of labor as prescribed by law.
- (v) Implement the conclusion, amendment, supplementation, suspension, and termination of eContracts in accordance with the provisions of Decree 337.
- (vi) Store and securely manage eContract data, ensuring its integrity and accessibility when needed.
- (vii) Coordinate with eContract Providers and state management agencies in checking, verifying information, and resolving issues arising related to eContracts.
- (viii) Organize guidance, training, and provide means and conditions to support employees in concluding and implementing eContracts; using and accessing eContracts on the Platform.

¹⁰ Article 18.3 of Decree 337

¹¹ Article 19 of Decree 337

- (ix) Immediately notify the Platform's management agency of any signs of security risks, forgery, inaccurate information, or unauthorized access.
 - (x) Comply with legal regulations on the protection of state secrets, the protection of personal data, and the operating rules of the Platform during the exploitation and use of eContract data.
- (c) Rights and obligations of the employee¹²
- (i) To register and use an account to access the Platform to search, verify, and manage the signed eContracts.
 - (ii) Share and use the eContract data from the eContract Platform to carry out relevant administrative procedures and electronic transactions in accordance with the law.
 - (iii) Conclude, amend, supplement, suspend, and terminate electronic labor contracts in accordance with the provisions of this Decree.
 - (iv) Keep the access account information confidential and do not share it with others for unauthorized use.
 - (v) Update their personal information fully and accurately as instructed when registering an account on the Platform.
 - (vi) Immediately notify the Platform's management agency upon detecting any signs of security risks, forgery, inaccurate information, or unauthorized access.
 - (vii) Comply with legal regulations on the protection of state secrets, personal data protection, and the operating rules of the Platform during the exploitation and use of eContract data.

Please get in touch with Diep Hoang at diep.hoang@dilinh.com or Michael Lee at michael.lee@dilinh.com if you have any questions regarding electronic labor contracts.

¹² Article 20 of Decree 337

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