




CHANGES RELATED TO WORK PERMITS OF FOREIGN EMPLOYEES WORKING IN VIETNAM

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Decree No. 219/2025/ND-CP ("**Decree 219**") on foreign workers working in Vietnam was promulgated on August 7, 2025, and took effect on the same day. Prior to this, the relevant regulations were mainly governed by Decree No. 152/2020/ND-CP ("**Decree 152**") and its amendments and supplements under Decree No. 35/2022/ND-CP and Decree No. 70/2023/ND-CP.

The issuance of Decree 219 marks a significant change in scope of regulation, management authority, and administrative procedures for foreign workers in Vietnam, in line with the Government's policy of streamlining the administrative structure and reforming administrative procedures. Below is a comparison of the notable new points of Decree 219 compared to Decree 152:

1. SCOPE

Decree 219 focuses on provisions regarding foreign workers in Vietnam, including conditions, order, and procedures for issuance, re-issuance, extension, and revocation of work permits and certifications of exemption from work permit.

Decree 152 had a broader scope, not only regulating foreign workers but also covering recruitment and management of Vietnamese workers working for foreign organizations and individuals in Vietnam. This is a significant difference in regulatory focus between the two Decrees.

2. LICENSING AND MANAGEMENT AUTHORITY

Decree 219 makes a major change in authority. Accordingly, the provincial People's Committees have the authority to issue, re-issue, extend, and revoke work permits and certifications of exemption from work permit requirements. Provincial People's Committees may also delegate this authority to relevant competent agencies.

Previously, under Decree 152, this authority belonged to the Ministry of Labor - War Invalids and Social Affairs or the provincial Departments of Labor - War Invalids and Social Affairs. This is a strong decentralization from the central to local level.

3. ADDITION OF WORKING FORM FOR CAPITAL CONTRIBUTION UNDER VND 03 BILLION

A key new point is that Decree 219 added to the list of working forms the positions of Chairman of the Board of Directors, member of the Board of Directors of joint stock companies; owner or member of a limited liability company with a **capital contribution value of less than VND 3 billion**.

Notably, this working form is no longer required to carry out the procedures for announcing recruitment of Vietnamese workers and submitting an explanatory report on the demand for foreign workers before employing them, as was previously required.

4. JOB POSITION CRITERIA FOR EXPERTS AND TECHNICAL WORKERS

Decree 219 loosened the experience requirements for experts and technical workers:

- **Experts:** Decree 219 requires a **university degree or higher** (or equivalent) and **at least 2 years of relevant work experience**, or **at least 1 year of experience** if working in priority fields such as finance, science, technology, innovation, national digital transformation, or socio-economic development priority sectors. Decree 152 required experts to have a university degree or higher and at least 3 years of experience, or at least 5 years of experience with a practicing certificate.
- **Technical workers:** Decree 219 requires **at least 1 year of training** and **at least 2 years of experience**; or **at least 3 years of relevant work experience**. Decree 152 required at least 1 year of training and 3 years of experience; or at least 5 years of relevant work experience.

5. SCOPE OF OBLIGATION TO SUBMIT AN EXPLANATORY REPORT ON DEMAND FOR FOREIGN WORKERS AND RECRUITMENT NOTICE

Under Decree 219, the obligation to submit an explanatory report and recruitment notice for Vietnamese workers only applies when issuing or extending Work Permit for:

- Workers working under labor contracts;
- Workers working for foreign diplomatic missions, international organizations; and
- Workers participating in implementation of projects or packages in Vietnam.

6. EXEMPTIONS FROM WORK PERMIT

Decree 219 expands cases exempt from work permits for managers, CEO, experts, and technical workers if their total working time is less than 90 days in a calendar year (from January 1 to the last day of the year), instead of the previous limit of 30 days and not more than 3 times in a year under Decree 152. This is a significant improvement for short-term activities.

7. REGULATIONS ON ELECTRONIC TRANSACTIONS

Decree 219 clearly provides for the online submission of applications for issuance, re-issuance, extension of Work Permit and certifications of exemption from work permit requirements via the National Public Service Portal. Notably, Decree 219 allows integration of the Criminal record certificate issuance procedure with the Work Permit issuance procedure through the public service portal, simplifying the process.

Decree 152 did not specify mandatory online submission for all procedures as Decree 219.

8. TIMELINE FOR ADMINISTRATIVE PROCEDURES

Decree 219 adjusts the processing timeline:

- Applications for issuance of Work Permit and Certification of exemption from Work Permit requirements must be submitted within 60 days and no less than 10 days prior to the expected commencement date;
- Processing time for issuance of Work Permit: 10 working days;
- Processing time for issuance of certifications of exemption from Work Permit requirements: 5 working days;
- Processing time for extension of Work Permit: 10 working days;
- Processing time for extension of Certifications of exemption from Work Permit requirements: 5 working days;

Decree 152 required submission at least 15 working days prior to the expected commencement date, with a processing time of 5 working days for both issuance and extension.

Thus, Decree 219 extends both the application submission window and the processing time for issuance and extension of Work permits.

9. ADDITIONAL EXPERIENCE REQUIREMENTS FOR CEO POSITIONS AND PROOF OF EXPERIENCE

Decree 219 stipulates that a CEO is the head who directly manages one field of an agency, organization, or enterprise, and must have **at least 3 years of experience** in a field relevant to the job position to be undertaken in Vietnam. This is more specific than Decree 152. At the same time, Decree 219 allows CEO to use an existing Work Permit or a certification of exemption from Work Permit requirements as proof of the required years of relevant work experience.

10. RESPONSIBILITIES OF MINISTRIES

Decree 219 designates the Ministry of Home Affairs as the lead agency, coordinating with the Ministry of Public Security and other relevant agencies to develop and manage the database of foreign workers and to perform unified state management. Decree 152 designated the Ministry of Labor, Invalids and Social Affairs as the lead agency for approval of demand, exemption confirmation, issuance, re-issuance, extension, and revocation of Work Permit, as well as state management...

This change reflects a new state management mechanism for foreign workers (the Ministry of Home Affairs replaces the Ministry of Labor - War Invalids and Social Affairs due to the merger of the two Ministries from March 1, 2025, under the policy of streamlining the apparatus. The merger aims to reduce staffing, unify management, simplify procedures, shorten Work Permit issuance time, and remove the separate approval step for the demand for foreign workers).

11. TRANSITIONAL PROVISION

Decree 219 provides clearer transitional provisions regarding continued use of work permits and certifications issued under previous decrees until their expiry, and that re-issuance and extension will be carried out under Decree 219.

Notably, Decree 219 clearly states that cases issued under the forms “Manager, executive director, expert, technical worker” or “Working for foreign non-governmental organizations or international organizations in Vietnam” under previous decrees will be re-issued or extended under the form “Seconded from agencies, organizations, enterprises abroad to Vietnam to work, except for intra-corporate transferees” under Decree 219.

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