



NEW GUIDANCE ON ELECTRONIC LABOR CONTRACTS UNDER CIRCULAR 08/2026/TT-BNV

On 15 May 2026, the Ministry of Home Affairs issued **Circular No. 08/2026/TT-BNV** (“**Circular 08**”), providing detailed guidance on several provisions of **Decree No. 337/2025/ND-CP** on electronic labor contracts (“**Decree 337**”), which will take effect on 01 July 2026. The Circular further develops the legal framework for **electronic labor contract** (“**e-Labor Contract**”) by introducing operational requirements intended to ensure the authenticity, integrity, traceability, and evidentiary value of such contracts.

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1. Overview of e-Labor Contract

E-Labor Contract was first recognized under the Labor Code. Subsequently, Decree 337 established the legal framework governing e-Labor Contracts and introduced the Electronic Labor Contract Platform (the “**Platform**”). To be specific, an e-Labor Contract is defined as a labor contract concluded and established in the form of a data message in accordance with the labor laws and laws on electronic transactions, which has the same legal validity as a written labor contract. At the same time, the Platform has been established as a large-scale information system serving electronic transactions, developed, operated, and managed by the Ministry of Home Affairs to facilitate centralized management of electronic labor contract data and provide shared services nationwide. Further, Circular 08 builds on this framework by providing detailed guidance on the issuance of contract IDs, access to the Platform, and the management and use of platform data.

2. Labor Contract Identification Code

Each e-Labor Contract is assigned a unique and permanent ID

In contrast to a written labor contract, which contracting parties include the employer and the employee, the conclusion of an e-Labor Contract

further involves a qualified eContract service selected by the contracting parties to certify the e-Labor Contract. Accordingly, within 24 hours after the last contracting party signs the contract, the eContract service provider is required to transmit the e-Labor Contract to the Platform for the issuance of an identification code (“**ID**”). It should be noted that the ID does not affect the validity of the e-Labor Contract unless otherwise agreed by the parties.

Regarding the structure of ID, each e-Labor Contract is assigned a unique ID, which remains unchanged even if the e-Labor Contract is amended, supplemented, suspended, or terminated. The ID consists of one alphabetical character and 12 numerical digits, including:

- The alphabetical character identifies the type of eContract: (i) “**A**” for e-Labor Contracts concluded through the Platform from 1 July 2026; (ii) “**B**” for e-Labor Contracts converted from paper-based contracts; and (iii) “**C**” for e-Labor Contracts concluded electronically before 1 July 2026.
- The 12-digit sequence: The first two numeric characters represent the last two digits of the year in which the ID is issued, while the remaining is randomly generated.

e-Contract service providers are responsible for obtaining IDs

Circular 08 places the responsibility for obtaining IDs on eContract service providers by sending e-Labor Contract together with prescribed data and documentation to the Platform.

Upon receipt of an e-Labor Contract, the Platform will review the submitted information and issue an ID within 24 hours. Once issued, the ID is transmitted to the eContract service provider’s system for management and storage together with the e-Labor Contract. While the retention period is subject to the parties’ service agreement, e-Labor Contracts must be retained for at least 10 years from the date of termination of the labor contract.

3. Access accounts and End-user protection on the Platform

Access to the Platform requires VNeID Accounts

Employees and employers are entitled to register and use accounts for accessing and managing information on the Platform. Account registration and authentication are integrated with Vietnam’s National Electronic Identification and Authentication System (VNeID).

- Employees and individual employers must use their personal identification accounts.
- Enterprises, agencies, and organizations employing labor must use organizational identification accounts. Where they are unable to obtain an organizational electronic identification account, they may request the Ministry of Home Affairs to issue an account for accessing.

The scope of account usage depends on the user type. Employers may access and share e-Labor Contract information, submit labor reports, and utilize functions available on the Platform, while employees may access and share information relating to their own e-Labor Contract and use the Platform’s permitted functions and services.

Protection of end users during service interruptions

Under Circular 08, “end users” mean employers and employees whose rights and interests are affected by the handling of eContract connections or user accounts. To protect such end users, Circular 08 introduces safeguards applicable where an eContract service provider’s connection or a user’s access account is suspended, locked, or terminated. In such cases, priority must be given to preserving users’ ability to access, retrieve, download, and rely on lawfully stored data.

Where an eContract connection is suspended or terminated, data relating to validly concluded e-Labor Contracts must be maintained in a protected mode and the original transaction history may not be unlawfully modified. Appendices to, notices of suspension of, and notices of termination of an e-Labor Contract arising after a change of the e-Contract service provider will continue to be assigned the ID of such e-Labor Contract in accordance with the regulations.

In addition, eContract service providers are further required to cooperate in data transfer and record export processes, including the transfer of data and the provision of support for exporting data packages, to ensure that end users retain access to the evidence necessary to establish their rights and obligations.

4. The use of data on the Platform

Different types of data are subject to different access requirements

Circular 08 categorizes Platform data into three groups: (i) master data, serving as an official reference source, (ii) shared data, which may be exchanged and utilized through the Platform and related data-sharing infrastructure, and (iii) open data, which is publicly available and excludes state secrets, personal data, and other legally restricted information. Depending on the

type of data concerned, different access mechanisms apply. Parties involved in the conclusion and performance of e-Labor Contracts may access open data by registration in accordance with the regulations governing the National Data Center, while access to master data and shared data requires written registration with the Ministry of Home Affairs.

Data usage requirements

It is required that data to be accessed and processed for legitimate purposes, on a need-to-know basis, and within the scope of the user's authority. Any access, sharing, or extraction of data exceeding normal thresholds must be logged, monitored, and subject to review. In addition, personal data, sensitive data, state secrets, and trade secrets may only be accessed, shared, or transferred where there is an appropriate legal basis and adequate protection measures are in place.

5. Additional considerations for Employers

In addition to facilitating the conclusion and management of e-Labor Contracts, the Platform now serves as a centralized channel for labor reporting. Employers are required to report labor changes through the Platform in accordance with applicable labor laws, replacing the previous mechanism under which

semi-annual and annual labor changes reports were submitted to the Department of Home Affairs through the National Public Service Portal or in paper form.

Besides, on 09 June 2026, the Ministry of Home Affairs issued Decision No. 644/QD-BNV, which will also take effect on 01 July 2026, introducing a new administrative procedure for e-Contract service providers to submit application dossiers for connection of their eContract systems with the Platform. e-Contract service providers whose systems satisfy the prescribed connection requirements will be published by the Ministry of Home Affairs on a public list of eligible service providers. Accordingly, employers may consider verifying the status of their service providers against this public list before entering into service arrangements to ensure that their e-Labor Contracts are concluded through a duly connected and compliant system.

In summary, Circular 08 reflects the Government's continued push toward the digitalization of employment relationships in Vietnam and provides the operational framework necessary for the wider adoption of e-Labor Contracts. With the new requirements taking effect on 1 July 2026, employers should proactively evaluate their current practices and the capabilities of the

e-Contract service providers to ensure compliance and facilitate a seamless transition to the electronic labor contract regime.

We hope the above is beneficial to you. Should you have any questions or need further information, please feel free to contact us.

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