

The amended Decree No. 70 introduces significant changes to regulations governing work permits and work permit exemption certificates in Vietnam. These changes encompass various aspects, each of which is detailed below:

**1. Educational Requirements and Evidence:**

- The requirement for foreign employees' education or training background to be relevant to their job position has been eliminated for expert positions. Now, there is no need for the degree to match the experience and job position.
- Skilled workers no longer need their training field to be related to their experience and job position in Vietnam.
- Graduation certificates are now accepted as educational evidence for experts.

**2. Experience Documentation:**

- Work permits or work permit exemption certificates issued in the past can serve as evidence of foreign labor's working experience.
- Executive positions have been clarified, defining them as heads of branches, representative offices, business locations, and those directly supervising divisions under an organization/business.

**3. Documentation Simplification:**

- Sponsors can certify copies of foreign labor's passports, eliminating the need for notarized true copies.
- Foreign lawyers and foreign labor married to Vietnamese citizens no longer require labor management authority approval, and they can apply for work permit exemption certificates.

**4. Special Cases:**

- Foreign labor in managerial, executive, principal, and deputy principal roles for educational institutions established by foreign diplomatic representative agencies or intergovernmental organizations can obtain work permit exemption certificates as foreign teachers.

**5. Application Procedure Changes:**

- Starting from January 1, 2024, businesses using foreign labor must submit job postings 15 days before applying for foreign labor to the labor management authorities through the electronic information portal of the Ministry of Labor, War Invalids, and Social Affairs (Department of Employment).
- If foreign labor will work in different locations within the same province, all work locations must be included in the application.
- If they work in different provinces, the application should be submitted to the Ministry of Labor, War Invalids, and Social Affairs.
- Employers must notify authorities electronically about employees' work within three days of their start date.

**6. Authority Changes:**

- Economic and industrial zone authorities no longer issue work permits/work permit exemptions; these responsibilities are now with the Ministry of Labor, War Invalids, and Social Affairs and provincial Department of Labor, War Invalids, and Social Affairs.

- Recruitment and management of foreign workers are unified from central to local levels, with the Ministry of Public Security providing monthly reports to the Ministry of Labor, War Invalids, and Social Affairs.

**7. Terminology and Documentation:**

- The term "university degree" has been replaced with "university graduated," making certificates more acceptable.
- Requirements for degree and experience for Experts and Technicians have been reworded, with relevance now applying only to experience, not the degree.
- New definitions for "Executive director" are provided.
- The foreign labor demand report must be submitted at least 15 days before the expected work start date, with no expiry date.
- New forms for foreign labor demand requests and changes have been introduced.
- Labor market testing requirements are applicable from January 1, 2024.
- Work in multiple provinces and locations within the same province is addressed.

**8. Eligibility Criteria for Categories:**

- Detailed eligibility criteria are provided for "Manager," "Executive," "Expert," and "Technical worker" categories.
- Some application requirements are simplified, particularly for experts and technical workers.
- Authorities responsible for handling foreign labor matters are narrowed down to DOLISA and MOLISA.

**9. Simplification of Procedures:**

- In the event of a company name change with the same enterprise number, work permit re-issuance is accepted without the need for a new foreign labor demand approval.

**10. Passport Requirement:**

- A company-certified copy of a passport is accepted for work permits instead of a notarized copy by a Notary Office.

These comprehensive changes in regulations and procedures aim to streamline the process for foreign labor employment in Vietnam while providing more flexibility and clarity for employers and foreign workers.