

April 2025

For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the [Leave Network website](#)). To contact authors of country notes, see the [members page](#) on the Leave Network website.

## **1. Current leave and other employment-related policies to support parents**

### **a. Maternity leave (Maternity regime: *Chế độ thai sản*) (responsibility of Ministry of Finance/the Vietnam Social Security<sup>666</sup> as stated in the 2024 Law on Social Insurance and the 2019 Labour Code)**

*Length of leave (before and after birth)*

- 6 months: 2 months may be taken before the birth.
- Female employees are also entitled to a 'leave for convalescence and health rehabilitation' within the first 30 working days after the Maternity leave period:
  - A maximum of 10 days for a multiple birth
  - Up to 7 days for a surgical birth
  - Up to 5 days for other cases.
  - The number of leave days is jointly decided by the employer and the Trade Union at the grassroots level or solely decided by the employer if there is no grassroots Trade Union.

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<sup>664</sup> Please cite as: Luong, N. and Tran, A.H. (2025) 'Vietnam country note', in Dobrotić, I., Blum, S., Kaufman, G., Koslowski, A., Moss, P. and Valentova, M. (eds.) *International Review of Leave Policies and Research 2025*. Available at: <https://www.leavenetwork.org/annual-review-reports/>

<sup>665</sup> The authors contributed equally to the writing of this country note.

<sup>666</sup> Vietnam Social Security (VSS) is a governmental agency under the management of the Ministry of Finance, managing the implementation of social and health insurance regimes and policies; managing the unemployment insurance regime; as well as managing the funds for social, health, and unemployment insurance in accordance with the law. The functions, tasks, powers and organizational structure of the Vietnam Social Security: <https://baohiemxahoi.gov.vn/gioithieu/Pages/chuc-nang-nhiem-vu.aspx>

### *Payment, funding and taxation*

- Maternity leave: 100 per cent of average earnings for the 6 months before leave on which social insurance premiums are based.
- Leave for convalescence and health rehabilitation: 30 per cent of the basic salary per day (30% x VND2,340,000 [€77.29]<sup>667</sup> = VND702,000 [€23.19] per day).<sup>668</sup>
- The payments are not taxed.
- Funded by the Social Insurance Fund (*Quỹ Bảo hiểm Xã hội*), managed by the Vietnam Social Security, which is financed by social security contributions from employers and employees (coming from those who participate in employment-based insurance, not voluntary (self-paid) social insurance contributions).<sup>669</sup>

### *Flexibility in use*

- Female employees can negotiate with their employers for additional unpaid leave after the statutory leave period (no restriction on how long the unpaid leave can be).
- Female employees can return to work after they have taken at least 4 months of Maternity leave, if requested by the employee and agreed by the employer. Employees have to obtain a confirmation document from a qualified medical establishment stating that the early resumption of work does not negatively affect their health condition. In this case, the employees are still entitled to maternity benefit following the social insurance law plus the normal salary.

### *Eligibility (e.g., related to employment or family circumstances)*

- Female employees who are Vietnamese citizen, and who work with indefinite-term, definite-term from one month; or are cadres, civil servants and public employees; or are defence workers and employees, public security workers and persons doing other jobs in cipher organizations; or officers and professional non-commissioned officers and officers and technical non-commissioned officers of the people's public security and army; or salaried managers of enterprises, representatives of enterprise capitals; or controllers and representatives of state capitals, or management and union positions of cooperatives; or persons working on a part-time basis in communes, villages and residential quarters; or owners of registered business households.

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<sup>667</sup> Conversion of currency undertaken for 16 July 2025, using: <https://www.xe.com/>.

<sup>668</sup> From July 2024, the basic salary rate in Vietnam is VND2,340,000 [€77.18] per month: [https://thuvienphapluat.vn/van-ban/Lao-dong-Tien-luong/Nghi-dinh-73-2024-ND-CP-muc-luong-co-so-che-do-tien-thuong-can-bo-cong-chuc-luc-luong-vu-trang-615447.aspx?anchor=dieu\\_3](https://thuvienphapluat.vn/van-ban/Lao-dong-Tien-luong/Nghi-dinh-73-2024-ND-CP-muc-luong-co-so-che-do-tien-thuong-can-bo-cong-chuc-luc-luong-vu-trang-615447.aspx?anchor=dieu_3)

<sup>669</sup> Employees and employers are both required to contribute to the social insurance managed by the Vietnam Social Security (VSS). The contribution is based on employees' monthly gross wage. Employees are required to pay an eight per cent rate for the mandatory social insurance and employers are required to contribute 17.5 per cent.

- Female employees of non-Vietnamese citizenship who work legally (having a work permit) with indefinite-term contract or a fixed term contract of at least 1 year with an employer in Vietnam.<sup>670</sup>
- Female employees must have contributed to the social insurance system for at least 6 months within the 12 months before childbirth.<sup>671</sup> From 1 July 2025, this condition will be adjusted to 6 months of contributions within 24 months before childbirth for mothers who cease work for infertility treatment (2024 Social Insurance Law).
- Overall, only a minority of women are eligible (see 4a)

*Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother*

- If the employee is pregnant with multiple children, the length of the Maternity leave is extended by 1 month for each additional child.
- In the case of a miscarriage, abortion, intrauterine foetal demise, stillbirths occurring during labour, or ectopic pregnancy, a female employee may take Maternity leave as prescribed by a competent health establishment. The maximum leave period depends on how far the pregnancy has proceeded before the miscarriage etc.: 10 days for a pregnancy under 5 weeks; 20 days for a pregnancy between 5 weeks and under 13 weeks; 40 days for a pregnancy between 13 weeks and under 22 weeks; and 50 days for a pregnancy of 22 weeks or more. The female employee and her husband may also take Maternity leave as in the case of a female employee giving birth. The payment is calculated based on a monthly allowance divided by 24 days; the monthly allowance is equal to 100 per cent of average earnings during the 6 months before the leave on which social insurance contributions are based or the average of earnings during the months for which social insurance contributions have been paid if the employee has paid social insurance contribution for under 6 months.
- In the case of a postnatal death of a child under 2 months of age, the mother is entitled to continue a 4 month leave, counted from the date of childbirth; in the case of the death of a child older than 2 months of age, the mother is entitled to a 2 month leave, counted from the date of the child's death. However, the Maternity leave period must not exceed the statutory 6-months period.
- If the mother, who is eligible for the Maternity leave, dies in or after childbirth, her (remaining) post-natal leave is transferred to the father or another direct guardian. If the mother dies and she has not accumulated enough contributory time within the social insurance system to be entitled to the Maternity leave, the father or the direct guardian is entitled to Maternity leave until the child reaches 6 months of age. If the mother dies, the father or the direct guardian who currently contributes to social insurance but does not take transferred Maternity leave is entitled to both

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<sup>670</sup> Except for internal travel within the enterprise, being at retirement age when signing the labour contract or other provisions by treaties to which Vietnam is a contracting party.

<sup>671</sup> In many cases, the employers have collected the contributions from the female employees but have not paid to VSS which can affect the actual maternity entitlement.

their regular salary and the Maternity leave for the remaining period applicable to the mother.

- If the mother dies in childbirth or faces a postnatal risk certified by a competent health establishment that she is unable to take care of the child and only the father is covered by social insurance, the father is entitled to a Maternity leave until the child reaches 6 months of age.
- A surrogate mother is entitled to Maternity leave and benefits as a normal female employee, except that she can take Maternity leave only until the time of relinquishing the child to the intended mother. However, the minimum length of leave is 60 days and the maximum length of leave is 6 months from the childbirth regardless of the relinquishing date. An intended mother is entitled to Maternity leave from the time of receiving the child until when the child reaches 6 months of age.

#### *Regional or local variations in leave policy*

- None.

*Additional note (e.g., if leave payments are supplemented by collective agreements, employer exclusions, or right to postpone)*

- None reported.

#### **b. Paternity leave (“chế độ thai sản cho nam giới có vợ sinh con”) (responsibility of Ministry of Finance/the Vietnam Social Security as stated in the 2024 Social Insurance Law and the 2019 Labor Code)**

#### *Length of leave (before and after birth)*

- 5 working days.

#### *Payment, funding and taxation*

- 100 per cent of average earnings for the 6 months before leave on which social insurance premiums are based, or the average salary of the months for which social insurance contributions have been paid in case the employee has less than 6 months of social insurance contributions.
- A male employee is entitled to a one-time lump sum payment equivalent to two times basic salary pay rate per child (VND4,680,000 [€154.63]) if he contributes to the social insurance system.
- Payments are made to the parent either in cash directly at the local Social Insurance Agencies, or through the employer, or transferred directly to their bank account.
- Taxed and funded as for Maternity leave.

#### *Flexibility in use*

- Leave can be taken within the first 60 days after the birth.

*Eligibility (e.g., related to employment or family circumstances)*

- Male employees, whose wives give birth to children (including surrogate mothers in surrogacy arrangements), are entitled to Paternity leave if they currently pay social insurance contributions. Same-sex and co-inhabiting couples are not recognized in Vietnam for any legal benefit entitlement, including Maternity and Paternity leave and benefit.
- Male employees who are Vietnamese citizen and who: work with indefinite-term, definite-term or seasonal labour contracts; have from 3-to-12-month full-time contracts; are cadres, civil servants and public employees; who work in defence, public security or cipher agencies (i.e., governmental agencies under the Ministry of Defence specialising in cryptogram, coding and decoding); officers and professional non-commissioned officers and officers and technical non-commissioned officers of the people's public security and army; or salaried managers of enterprises and cooperatives.
- Male employees of non-Vietnamese citizenship who work legally (having a work permit) with indefinite-term contract or a fixed term contract of at least 1 year with an employer in Vietnam.

*Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother*

- The length of leave can be extended beyond 5 days, depending on the type of birth and the number of children born. In particular:
  - 7 working days in case of a surgical birth or a birth before 32 weeks of pregnancy.
  - 10 working days in case of twins; in case of multiple births, the length of leave is extended for 3 additional working days for each additional child.
  - 14 working days in case of a surgical multiple birth.

*Regional or local variations in leave policy*

- None.

*Additional note (e.g., if leave payments are supplemented by collective agreements, employer exclusions, or right to postpone)*

- None reported.

**c. Parental leave**

No statutory entitlement.

**d. Childcare leave or career breaks**

No statutory entitlement.

## **e. Other types of leave and flexible working**

### *Adoption leave and pay*

- In the case of the adoption of a child who is younger than 6 months of age, employees are entitled to Maternity leave and benefits until the child reaches 6 months. If both parents are covered by social insurance, either the father or the mother is entitled to Maternity leave.

### *Time off for the care of dependants*

- When parents are covered by social insurance, both or one of them can take **leave to care for sick children** under 7 years of age, with the certification of a competent health establishment. The allowed number of leave days per parent depends on the age of the children: up to 20 working days per year if the child is under 3 years of age; up to 15 working days per year if the child is between 3 and 7 years of age. Payment is based on the number of leave days x a monthly allowance equivalent to 75 per cent of earnings in the month preceding leave on which social insurance contributions are based and divided by 24 days.

### *Specific provision for (breast)feeding*

- A female employee with a child under 12 months of age is entitled to one 60 minute break for breastfeeding, lactating, or resting during every working day with full pay.<sup>672</sup> The break time can be chosen and must be informed to the employer in advance. If the employee does not want to take the break and if agreed by the employers, she is entitled to extra payment for the additional hour of work.

### *Flexible working*

- According to the 2019 Labour Code (Article 137 – Maternity protection), employers must not require female employees to work nightshifts, work overtime, or go on long-distance working trips if (i) they reach 7 months or more of pregnancy (or six months or more of pregnancy in case they work in highland, deep-lying, remote, border or island areas); or (ii) they are raising children under 12 months of age (unless the workers agree).
- In case the pregnant female employees engage in heavy, hazardous, dangerous work or works that can negatively affect their ability to reproduce and nurse children during pregnancy, their employers should assign them to safer and less laborious tasks or reduce 1 working hour per working day without reducing their salaries, rights, and benefits. This regulation applies until the female employees' children reach 12 months old.

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<sup>672</sup> According to the 2019 Labour Code and Decree 145/2020/ND-CP.

### *Antenatal appointments and care*

- During pregnancy, a female employee is allowed fully paid leave on 5 occasions for prenatal check-ups. The length of each leave is up to 2 working days.
- Female employees including surrogating mothers who need to take a leave during pregnancy for pregnancy care as prescribed by competent health establishment must have paid social insurance contributions for at least 12 months and have paid social insurance contributions for at least three months within the 12 months before childbirth.

### *Other provisions*

- **Birth allowance.** A lump-sum payment is made equivalent to two times the basic salary rate at the month of childbirth (i.e., VND4,680,000 [€154.70] per child).  
An exceptional one-off birth allowance of VND2,000,000 [€66.11] per person (from the state budget, not from VSS) is made to women giving birth with no compulsory social insurance who are ethnic minorities or Kinh ethnic (the major ethnic group in Vietnam) whose husbands belong to ethnic minority groups, or who belong to the poor household category in classified disadvantageous/poor areas.<sup>673</sup> If the mother is not covered by social insurance but the father is, the father is entitled to this allowance (See 1b).

## **2.Relationship between leave policy and early childhood education and care policy**

The maximum period of paid post-natal leave is 6 months, unless the employee negotiates a longer period with their employer. There is no entitlement to Early Childhood Education and Care (ECEC), and the compulsory school age is 6 years.

According to the 2019 Law on Education, public and private nurseries (for children from the age of 3 months to 3 years), kindergartens (for children from 3 to 6 years), and preschools (for children from 3 months to 6 years) are allowed to provide ECEC for children from 3 months to 6 years old. Yet, the majority of public nurseries only take in and provide ECEC for children starting from 12 months of age. Private nurseries take children from 5 months of age. In 2009, the Vietnamese government approved universal access to ECEC for children aged 5 years; even though attendance is not mandatory, 99 per cent of 5-year-old children now attend.<sup>674</sup>

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<sup>673</sup> Decree 39/2015/ND-CP: to be entitled to the payment, women need to follow the population policy of having from 1 to 2 children only or having a 3<sup>rd</sup> child if they belong to minority groups with less than 10,000 individuals or with decreasing population.

<sup>674</sup> Nguyễn, H.T.T. and Boyd, W. (2022) 'Early Childhood Education in Vietnam', in L.P. Symaco and M. Hayden (eds.) *International Handbook on Education in South East Asia*, Singapore: Springer. [https://doi.org/10.1007/978-981-16-8136-3\\_35-1](https://doi.org/10.1007/978-981-16-8136-3_35-1)

No information for ECEC attendance levels in 'relationship between leave and ECEC entitlements' in the [cross-country tables](#) at the front of the review.

### **3. Changes in policy since April 2024** (including proposals currently under discussion)

The revision of the 2014 Social Insurance Law was approved on 29 June 2024, and comes into effect on 1 July 2025 with the following changes:

#### *Expansion of Maternity leave coverage*

- New groups: defence employees, management positions at state capital enterprises and cooperatives, persons working on a part-time basis in communes, villages and residential quarters, owners of registered business households.
- New types of labour contract: employees with labour contract from one month (instead of 3 months) and people working part-time (only full-time employees were covered previously) and having monthly salary equal to or higher than the lowest salary on which compulsory social insurance premiums are based.

#### *Expansion of eligible conditions for maternity benefits*

- Surrogating mothers, who have paid social insurance contributions for at least 12 months and have paid social insurance contributions for at least three months within the 12 months before childbirth, are also entitled to taking a leave during pregnancy for pregnancy care.
- Female employees who cease work for infertility treatment are entitled to maternity leave benefits if they have contributed to the social insurance system for at least 6 months within the 24 months (instead of 12 months) before childbirth.
- Female employees undergoing any type of abortion, not just for pathological abortion as stipulated in the previous regulations, are entitled to maternity benefits.

#### *Increase of maternity benefits*

- Eligible female employees and their husband may take maternity leave as for regular birth in case of a miscarriage, abortion, intrauterine foetal death, or stillbirths occurring during labour after 22 weeks of pregnancy.
- The length of prenatal check-up leave increase from one to up to two working days for all, regardless of pregnancy conditions or residential locations which were the conditions for previous 2-day check-up entitlements.
- Maternity allowances which are based on basic salary increase thanks to the raise of basic salary from VND1,800,000 [€59.43] to VND2,340,000 [€77.26]/month from July 2024.

*Extension in the time period in which parental leave can be taken*

- Male employees can take their Paternity leave within 60 days after the child birth, an extension of the 30 days in the previous version of the law.

## **4. Uptake of leave**

### **a. Maternity leave**

Only 30 percent of Vietnamese women giving birth are covered by the Maternity leave and benefit. The majority of the remaining uncovered women are those working in the informal sectors.<sup>675</sup>

### **b. Paternity leave**

No information available.

### **c. Parental leave**

No statutory leave entitlement.

### **d. Other employment-related measures**

No information available.

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<sup>675</sup> Vietnam's Women Union (2024) 'Maternity regime should apply to all women, including workers in informal sector'. Available at: <https://hoilhpn.org.vn/web/guest/tin-chi-tiet/-/chi-tiet/che-%C4%91o-thai-san-can-%C4%91uoc-ap-dung-cho-tat-ca-phu-nu-ke-ca-lao-%C4%91ong-tu-do-60378-1801.html>