



COVID-19 & Managing your workforce

No matter the business model, geographical location or type of service/product on offer, one of the greatest assets of any business are its people. People are the core of innovations, culture, solutions and reputation. Businesses must be vigilant in handling employment matters when they are dealing with a crisis event and/or business slowdown. Understanding the viral affection of Coronavirus (“COVID-19”) pandemic to the businesses on global scale in general and nationwide in particular, KPMG wish to provide supports with respect to legal issues that Vietnam businesses may face when considering the most common measures in managing your workforce during epidemic times like this.

Business Triggers	Potential Legal Issues	Our Services
Application of a Work From Home (WFH) policy	<ul style="list-style-type: none"> – Liability of the employer – Overtime payment – Confidentiality leakage 	<ul style="list-style-type: none"> – Advice on feasibility of application of a WFH policy in light of existing company policies and the Labour Code – Assistance in reviewing the Internal Labor Regulations (“ILRs”) to integrate sufficient protective measures for the employer – Reviewing and proposing necessary enhancement to internal data security policies
Reduction of the operational capacity & Poor revenue performance / large losses & Suspension of operation	<ul style="list-style-type: none"> – Potential change in employment terms / benefits – Changes to working shifts – Putting employees into paid or unpaid leave – Deferral or reduction of wage payment – Suspension of labor contract – Mass termination of employment 	<ul style="list-style-type: none"> – Analyzing options available to change employment terms based on ILRs, the labor contracts and the Labour Code – Advice on the legal basis for lay-off of employees, deferred / reduced payment or reduced working hours as well as guidance in complying with all related procedures – Advice on available permissible options based on company policies and the laws – Advice on feasibility and legal risks in the event of mass unilateral termination of employment – Drafting documentation necessary for selected approach
Labor disputes	<ul style="list-style-type: none"> – Potential wrongful termination lawsuits 	<ul style="list-style-type: none"> – Advice and guidance on necessary procedures to lawfully terminate employment – Assistance with communications/ negotiations with employees and trade unions / authorities – Drafting documentation to settle any dispute or terminate employment

Your Contacts

Ho Chi Minh City



Bui Thi Thanh Ngoc
Partner - Legal Services
T: +84 283 8219266 (ext. 3792)
E: ntbui@kpmg.com.vn



Sarah Galeski
Associate Director - Legal Services
T: +84 283 8219266 (ext. 3604)
E: sgaleski@kpmg.com.vn

Danang



Bui Thi Le Thuyen
Associate Director – Legal Services
T: 84 (236) 3 519 051 (ext 3373)
E: tlbui@kpmg.com

Hanoi



Tran Thi Thanh Minh
Director - Legal Services
T: +84 (24) 3 946 1600 (ext. 6491)
E: mttran@kpmg.com.vn