



Impact of the Fourth Industrial Revolution on Vietnamese Legislation on Female Employment Law: The Issues Raised in Improving the Law Governing the Employment of Female Workers

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ABSTRACT

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The Fourth Industrial Revolution (4IR) influences all aspects of global life, including the employment of female workers. The problem of creating jobs for female workers is becoming increasingly difficult due to the fiercer competition on the job market as a result of the influx of foreign workers into the national market, the increased demand for skilled labor, and the substitution of artificial intelligence (AI) and robots for low-skilled jobs. The Industrial Revolution 4.0 has a significant impact on the job market of female workers due to its technological characteristics, such as the unemployment of female workers in a number of new occupations and their lack of adequate skills. In order to ensure sustainable employment for female workers, the completion of the law on the employment of female workers is a necessary and objective concern for every nation, including Vietnam calling for special consideration. Consequently, the paper focuses on elucidating the current state of Vietnam's law on female employment as well as the effects of the Fourth Industrial Revolution on the improvement of Vietnamese legislation on female employment. The author proposes some improvements to the law governing the employment of female workers in the near future.

Keywords:

Law on employment, female workers, the Industrial Revolution 4.0, complete.

INTRODUCTION

International integration is an inevitable trend in the current context, especially the Fourth Industrial Revolution - 4IR affecting all aspects of international life, including the field of employment. Female workers are classified as one of the vulnerable groups that need to be protected, especially under the impact of international integration. International integration may cause difficulties in creating jobs for female workers because the competition of the job market will be more fierce due to the movement of foreign workers into the national market, higher demand for skilled workers, the replacement of artificial intelligence (AI), robots for low-skill jobs. The Asian Development Bank (ADB)¹ argued that the

development of new technologies in the past led to more jobs due to the development of new industries. However, 4IR has not brought positive signals as before. According to ILO estimates, 56% of jobs in five countries including Cambodia, Indonesia, Vietnam, Thailand and the Philippines are at high risk of being automated in the next few decades. Besides, professional qualifications and skills of female workers are often lower than those of male workers. According to the Annual Labor and Employment Survey Report of the General Statistics Office of Vietnam, in 2020, the percentage of trained labor force participation of men was higher than that of women, specifically this percentage of male workers was 26.9%, that of female workers was 20.9%.² The above

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¹ Asian Development Bank (ADB) (2017), ASEAN 4.0: What does the Fourth Industrial Revolution mean for regional economic integration?, World Economic Forum, p. 10, <http://dx.doi.org/10.22617/TCS179126-2>, accessed on November 11, 2022.

² General Statistics Office of Vietnam (2021), *Labor and Employment Survey Report 2020*, Statistical Publishing House, p. 16, <https://www.gso.gov.vn/wp->

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percentage in 2019 was 25.0% for male workers and 20.0% for female workers.³ Therefore, the improvement of Vietnam's law on employment of female workers in order to ensure that they have stable jobs and maximize their abilities at work is a necessary issue at present.

1. Definition of law on employment of female workers

Law on employment is understood as a system of regulations with the function of regulating social relations in employment, including social relations in the field of job creation and job settlement for workers.⁴ On the basis of the definition of the law on employment, it can be seen that the law on employment of female workers is a system of regulations formed to regulate the social relations of female workers, including the relationship in the field of job creation and job settlement for female workers. It can be seen that the law on employment of female workers is governed by the employment relationship with female workers. The purpose of the formulation of the law on employment for female workers is to eliminate the inequalities faced by female workers due to gender differences in the labor market, thereby increasing the employment opportunities for female workers. The content of the law on employment of female workers includes regulations on recruitment of female workers, job creation for female workers and job security for female workers.

The law on employment of female workers has the following characteristics:

Firstly, the source of the law on employment of female workers is mainly from legal documents, including: legal documents promulgated by the State by legislative bodies, regulatory agencies according to the authority.

Legal documents promulgated by the state by legislative bodies and regulatory bodies include the Constitution, legal documents and sub-law documents. In addition to stipulating general principles on women's rights, Constitution 2013⁵ stipulates that men and women are equal in all aspects and the state has policies to ensure equal rights and opportunities. The State, society and family create conditions for women to develop comprehensively and promote their roles in society. Female workers enjoy civil rights, and at the same time enjoy women's rights such as the inviolability of the body, the inviolability of private life, personal and family secrets, etc. Among the above rights, the right to work, choose career, job and workplace is one of the rights that needs to be focused and secured first of all because ensuring this right means

creating opportunities for women to ensure own life and family as well as affirming their capacity compared to men, thereby making contribution to reducing gender stereotypes against women.

Legal documents and sub-law documents such as the Labor Code 2019 (hereinafter referred to as Labor Code 2019), the Law on Gender Equality 2006, Decree No. 145/2020/ND-CP dated December 14, 2020 on detailing and guiding the implementation of a number of articles of the Labor Code on labor conditions and labor relations, Circular No. 26/2013/TT-BLDTBXH dated October 18, 2013 of the Ministry of Labor, Invalids and Social Affairs... provided quite detailed regulations on recruitment of female workers, responsibilities of the subjects for the employment of female workers, rights and obligations of female workers in the field of employment and job settlement and employment facilitation for female workers. For example, the Labor Code 2019 dedicates Chapter X to provide separate regulations for female workers and gender equality assurance. On the basis of Chapter X of the Labor Code in 2019, Decree No. 145/2020/ND-CP detailed regulations on female workers and ensuring gender equality in Chapter IX. Circular No. 26/2013/TT-BLDTBXH on promulgates a list of jobs that do not employ female workers, in order to protect the health of female workers, are jobs that adversely affect the reproductive function and child-rearing according to the list issued by the Ministry of Labor, Invalids and Social Affairs in coordination with the Ministry of Health, the work of regular immersion in water, regular work in mines.

Secondly, the law on employment of female workers relates to policies and laws on gender equality and other policies on protection of women's rights.

Gender equality is understood as the recognition and equal appreciation of the similarities and differences between women and men.⁶ That means, gender equality aims at equal conditions and opportunities for women and men so that they can participate in and develop their potential in all aspects of social life such as political life, social and economic life, civil legality. Therefore, in the field of labor including employment, female workers must also be secured to have equal opportunities with men in job creation and job security so that they can promote their capacities as well as create a source of income for themselves and their families. When it comes to regulations on gender equality at the global level, it is impossible not to mention Convention on the Elimination of All Forms of Discrimination Against Women 1979

[content/uploads/2022/02/sach_laodong_2020_b6.pdf](https://www.gso.gov.vn/wp-content/uploads/2022/02/sach_laodong_2020_b6.pdf), accessed on November 16, 2022.

³ General Statistics Office of Vietnam (2020), *Labor and Employment Survey Report 2019*, p. 23, <https://www.gso.gov.vn/wp-content/uploads/2021/03/Bao-cao-dieu-tra-lao-dong-viec-lam-2019-26-3-2021.pdf>, accessed on November 16, 2022.

⁴ Lam Thi Thu Huyen (2011), *Basic legal issues on employment and job creation in the context of the current economic recession in Vietnam*, Master of Law thesis, Hanoi Law University.

⁵ Article 26 of Constitution 2013.

⁶ Dao Thi Hang (2005), "Gender equality and guarantees in Vietnam labor law", *Jurisprudence Journal, Special issue on gender equality*, p. 11.

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(referred to as CEDAW Convention) – the most comprehensive international treaty on women's equal rights, enabling women to have equal opportunities and full development, participation in all fields of social life. Vietnam is one of the countries in the world that joined the Convention on July 29, 1980 and ratified the Convention on November 27, 1981. In the CEDAW Convention, an obligation imposed on member countries is to stipulate in national legislation the principle of equality between men and women.⁷ On that basis, Vietnam promulgated national policies and laws on gender equality, including records on ensuring equality in employment for female workers, specifically:

Resolutions of the National Party Congress mentioned the task of ensuring gender equality. For example, the Resolution of 9th National Party Congress clearly stated “*Practical care for gender equality and the advancement of women*”. In addition, the Resolutions and Decisions of the Government and the Prime Minister on gender equality were also issued such as Decision No. 19/2002/QĐ-TTg on approving the National Strategy for the Advancement of Women, Resolution No. 28/NQ-CP dated March 3, 2021 on promulgating the National Strategy on Gender Equality for the 2021-2030 period, Resolution No. 28 on setting a target in the economic and labor sector to increase the proportion of paid female workers to 50% by 2025, about 60% by 2030, and at the same time reduce the proportion of female workers working in the agricultural sector in total number of active female workers to below 30% by 2025 and less than 25% by 2030.⁸

The ILO Conventions and Recommendations on the rights of workers (including female workers) specify the right to work, the right to independent trade union, the right not to be forced into unpaid work, the right of men and women to equal pay, the right not to be discriminated, the right not to be discriminated if having children, the right to help and have suitable employment in case of illness, the right to receive training and retraining with pay, the right not to be fired, the right to enjoy salary in cash, the right to enjoy salary above or equal to the minimum rate, the right to be paid if the employer goes bankrupt, the right to work off at least one full day per week, the right to equivalent benefits if working part-time, the right to work no more than 40 hours/week, the right to work at night, the right to labor safety, the right to be compensated in case of an accident, etc. Thus, female workers are fully entitled to all basic rights in civil, political, economic, socio-cultural fields like other workers and one of the basic rights of female workers is the right to work. Author

Le Thi Hoai Thu believes that “*the right to work is the core to realize other human rights and constitute an important and integral part of the nature of human dignity*”.⁹ The right to work is a fundamental factor to ensure the existence of people because employment is associated with income and salary for workers, ensuring their human dignity. The above provisions have been incorporated into the national legal documents of Vietnam.

The Law on Gender Equality was passed by 11th National Assembly and took effect from July 1, 2007, in which the goal is to eliminate gender discrimination and create equal opportunities for men and women in socio-economic development and human resource development, towards substantive gender equality between men and women, and to establish and strengthen cooperation and support relations between men and women in all fields of the social and family life.¹⁰ In the labor field, the Law on Gender Equality stipulates equality between men and women in terms of standards, age when recruiting, equal treatment in employment, salary, bonus, social insurance, etc. The law also prescribes specific measures to ensure gender equality.¹¹ The above provisions are consistent with the spirit of international treaties on the protection of women's rights and female workers and serve as the basis for regulations in specific fields, including regulations on ensuring gender equality in employment of female workers. The Labor Code 2019 inherited the provisions of the previous Labor Codes and had new regulations to ensure the implementation of the provisions of the Law on Gender Equality 2006 and international commitments on gender equality in the labor field. Some regulations can be mentioned such as the responsibility of employers to implement the principle of gender equality in recruitment, employment, training, working time, break time, salary and other benefits; female workers have right to make up their mind to select jobs that adversely affect reproductive function and child rearing.

2. Current status of Vietnam law on employment of female workers

As mentioned in Section 1, the content of the law on employment of female workers includes regulations on recruitment of female workers, job creation for female workers and job security for female workers. All of the above contents are aimed at ensuring fairness in job creation for female workers, specifically as follows:

Regarding the recruitment of female workers: Employers must comply with the principle of equality and

⁷Article 2 of CEDAW Convention.

⁸ Luatvietnam, Resolution No. 28/NQ-CP National Strategy on Gender Equality for the 2021-2030 period, <https://luatvietnam.vn/chinh-sach/nghi-quyet-28-nq-cp-chien-luoc-quoc-gia-ve-binh-dang-gioi-giai-doan-2021-2030-199301-d1.html>, accessed on November 9, 2022.

⁹ Le Thi Hoai Thu. (2013), *Ensuring human rights in Vietnam labor law*, VNU Publishing House, p. 23.

¹⁰ Article 4 of the Law on Gender Equality 2006.

¹¹ See more in Article 19 of the Law on Gender Equality 2006.

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take measures to ensure gender equality in recruitment.¹² The principle of equality is reflected in the regulations on recruitment age, conditions for entering into contracts, etc. for female workers. In case employers fail to comply with the regulations on recruitment of female workers, depending on the nature and severity of the situation, they will be sanctioned according to the provisions of law. Violation of the law on gender equality in labor recruitment occurs if employers apply different qualification conditions in recruiting male and female workers for the same job; refuse or restrict the recruitment of female workers.

*Regarding job creation for female workers:*¹³ The State takes measures to create jobs for workers, including measures to support job creation and measures to directly create jobs. Measures to support job creation can be mentioned such as encouraging investment, setting up job programs, developing a system of employment services, vocational training associated with employment, and establishing a Fund for job creation, unemployment insurance policy. Measures to directly create jobs such as sending Vietnamese workers to work abroad under contracts.

Vocational training associated with employment is one of the core issues of job security for female workers because employment has a close relationship with vocational training. The issue of vocational training for workers, including female workers, was recognized in the Law on Vocational Education and Training 2014 and the Labor Code 2019. Accordingly, female workers are secured to effectively access general programs of technical and vocational instructions, employment services and vocational training and enrichment programs. They are also free to choose vocational training, participate in national evaluation and recognition of vocational skills and develop professional capacity in accordance with their employment needs and abilities. In addition, the State expands many types of training that are favorable for female workers to have additional backup jobs and are suitable to women's physical, physiological and maternal functions.¹⁴

*Regarding job security for female workers:*¹⁵ The law on employment of female workers sets out the responsibilities of the subjects (the State, mass organizations, social organizations, employers and female workers) in ensuring that any female worker who is able to work have the equal employment opportunities. For employers: they have right directly or indirectly (through job placement organizations to recruit female workers, have right to increase or decrease the number of employees in accordance with production and business needs under the legal provisions, they are responsible for giving priority to the recruitment of female

workers, not firing or unilaterally terminating labor contracts with workers for reasons of marriage, pregnancy, maternity leave, raising children under 12 months of age. The State also has preferential policies for enterprises when employing many female workers, specifically the State has preferential policies, considering tax reduction for enterprises employing many female workers¹⁶. The enterprises employing many female workers will enjoy preferential loans with low interest rate from the National Employment Fund, and are given priority to use annual investment capital to improve working conditions, are entitled to tax reduction.

Employers must not dismiss or unilaterally terminate labor contract with workers for reasons of marriage, pregnancy, maternity leave or raising children under 12 months of age, unless employers are dead individuals, are declared by a court to have lost their civil act capacity, are missing or dead, or non-individual employers terminate their operation or receive a notice from a specialized agency in charge of business registration under the People's Committee of the province of the fact that they have no legal representative, the person authorized to perform the rights and obligations of the legal representative. In case the labor contract expires while female workers are pregnant or raising children under 12 months of age, such female workers must be given priority to enter into a new labor contract.

It can be seen that Vietnam's law on female employment clearly demonstrated the State's policy in ensuring equal working rights of female workers, creating favorable conditions for female workers to be equal with other male workers in job creation, self-employment, job search and job security in the process of participating in labor relations. However, the law on employment of female workers has some limitations as follows:

Firstly, a number of regulations on recruitment and job creation of female workers have not been specified in detail or not feasible yet. Regulations on encouraging employers to prioritize recruiting and employing women to work when those who meet the conditions and standards to do the job are suitable for both men and women, but what is "meeting the conditions and standards for doing jobs suitable for both male and female workers" are not specified¹⁷, regulations on anti-discrimination in employment for female workers, tax reduction policies applied to employers employing many workers have not been really attractive to workers. Point e, Clause 01, Article 19 of the Law on Gender Equality 2006 on stipulating that employer must give priority to recruit female workers in case such female workers meet the same conditions and standards as male workers, which is not feasible because of this regulation may infringe upon the

¹² Point a, Clause 1, Article 78 of Decree No. 145/2020/ND-CP.

¹³ See more in the Employment Law 2013.

¹⁴ Clause 5, Article 135 of the Labor Code 2019.

¹⁵ See more in Article 137 of the Labor Code 2019.

¹⁶ Article 83 of the Labor Code 2019.

¹⁷ Point a, Clause 3, Article 78 of Decree No. 145/2020/ND-CP.

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employer's right to recruitment freedom. In addition, employers may not comply with this regulation because there is no security sanction. The regulation at Point e, Clause 01, Article 19 of the Law on Gender Equality 2006 need to be combined with regulations on incentives for employers employing many female workers to encourage employers to comply with and implement.¹⁸

Secondly, regulation on job security for female workers has not covered all cases, and there are still loopholes that make the employment of female workers not really secured. Clause 3, Article 137 of the Labor Code 2019 prohibits employers from firing or unilaterally terminating labor contracts with female employees but not prohibits employers from transferring female employees to a job other than the job specified in labor contracts, and also not prohibits employers from suspending labor contracts with female workers. Thus, employers can use these two methods to reduce the salary and income of female workers, affecting the daily life of female workers as well as putting pressure on female workers, making them decide to quit.

Regulations on securing employment rights of female workers after maternity leave are not strictly specified. Article 140 of the Labor Code 2019 stipulates: "*Workers are secured for their old jobs when they return to work after their leave term expires as prescribed in Clauses 1, 3 and 5, Article 139 of this Code without any decrease in salary, rights and benefits compared to before maternity leave; In case the old jobs are no longer available, employers must arrange another job for them with a salary not lower than the salary before the maternity leave*". According to the above regulations, if female workers return to their old jobs, their salary, rights and benefits must not be cut down compared to those before taking maternity leave. However, if female workers returns to work but old jobs are no longer available, female workers will only be entitled to the salary of new jobs that are not lower than the salary of old jobs and lose the rights and benefits that they were entitled to before taking maternity leave. Applying the above provisions in practice, employers can arrange female workers to do other jobs with the same salary as before taking maternity leave, but it will deprive female workers of the rights and benefits that they were entitled to before taking maternity leave. This is an unfair regulation on the employment regime for female workers on maternity leave.

3. Impacts of 4IR on Vietnam's law on employment of female workers and orientation for improvement

The term 4IR was first applied in data exchange technologies used in manufacturing. However, the term is now understood with a broader connotation including technologies applied in combination in all physical, digital and biological fields.¹⁹ Technologies include cyber physical system - CPS, Internet of Things - IoT, artificial intelligence - AI and cloud computing. 4IR affects all aspects of life and the law on employment of female workers is not an exception. The law in general and the law on employment of female workers in particular have a particularly important role in social life because the law is used as a tool for state management, society and also means for citizens to protect their legitimate rights and interests. The law is always behind reality, so the improvement of the law is inevitable in the fields governed by the law. Some of the impacts of the 4IR on the improvement of the law on employment of female workers are as follows:

Firstly, the 4IR affects regulations on encouraging employers to prioritize recruiting female workers in certain occupations. The entire shift of production, management and administration systems makes 4IR bring many opportunities and challenges in the field of employment, directly and indirectly affect industries in the economy and groups of workers, especially vulnerable groups such as young people, women, etc.²⁰ The 4IR creates more jobs in a number of occupations such as managers, experts, technicians, sales staff, unskilled, service workers) but will also narrow the employment of some other occupations (secretary, planner, operation worker) - also known as the effect of "job polarization".²¹ Because of the changes in the type of employment in the coming time, before the impacts of 4IR, the law on employment of female workers in the field of employment will be changed to encourage the recruitment of female workers in order to minimize the unemployment of female workers as well as ensuring that female workers can adapt to new occupations or old occupations that require new skills.

Secondly, the 4IR promotes the completion of regulations on job security for women, especially ensures decent employment opportunities for female workers. Female workers face more employment challenges from the 4IR than male workers, especially gender discrimination in recruitment. Discrimination includes direct discrimination and indirect discrimination, in which direct discrimination is easier to recognize while indirect discrimination is more

¹⁸Nguyen Thi Kim Phung (2007), "Regulations on gender equality in the field of labor law, comparison and recommendations", *Jurisprudence Journal* (03), p. 63 - 64.

¹⁹K.Schmab (2017). *The Forth Industrial Revolution*. New York: Currency.

²⁰ILO (2018), *The Forth Industrial Revolution in Vietnam: Implications for the labor market*,

https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_630855.pdf, accessed on November 23, 2022.

²¹ ILO (2018), *ibid*.

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difficult to identify because indirect discrimination measures is often not obvious. Discrimination against female workers stems from gender differences, from gender stereotypes leads to limitations, exclusions, not recognizing or attaching importance to the roles and positions of men and women, causing inequality in all areas of social life, including employment.²² For example, in labor recruitment, there may be discrimination against female workers such as employers set out stricter conditions on female candidates in order to limit the opportunities for female workers to be employed in a particular job position.

Some enterprises, when recruiting workers, only recruit male workers, if recruiting female workers, some constraints will be accompanied such as not having children in the near future because of the fear that childbirth may affect costs and efficiency of the enterprises.²³ For recent years, regulations to encourage enterprises to recruit female workers have been promulgated such as Labor Code 2019, Law on Gender Equality 2006 and Decree No. 145/2020/ND-CP dated December 14, 2020 on detailing and guiding the implementation of a number of articles of the Labor Code on labor conditions and labor relations, Circular No. 78/2014/TT-BTC dated June 18, 2014 on guiding Decree No. 218/2013/ND-CP dated December 26, 2013 on guiding the implementation of the Law on Corporate Income Tax for enterprises in the manufacturing, transportation and construction industries that employ a lot of female workers... However, the above regulations have not really encouraged enterprises to recruit female workers. Even according to the authors Nguyen Tien Long and Nguyen Thi Thuy Dung, this priority policy is very difficult to implement in practice.²⁴

4IR sets out a requirement for completing regulations on training and retraining for female workers in order to meet skills for occupations increased by 4IR. Authors Alhloul, A. and Kiss E. showed that 4IR requires skills in 04 groups: Personal skills, social/interpersonal skills, technical skills and methodological skills.²⁵ If female workers are not trained and may not adapt to technology and digital transformation, it is difficult for them to join the labor market and will face the risk of job loss. For recent years, Vietnam has issued policies and laws on vocational training for female workers, but

policies and regulations on updating knowledge and skills before the impact of 4IR have been still vague. Currently, the classification and standardization of competencies in accordance with the vocational education and higher education levels of Vietnam based on the National Qualifications Framework (NQF)²⁶ built according to the output standards (on knowledge, skill and degree of autonomy and responsibility) are the “framework”. The issue of training and retraining female workers also needs to comply with NQF standards, but NQF implementation is still slow, so the impacts of NQF on training qualifications of workers in general, female workers in particular are not really clear. In addition, the Law on Vocational Training stipulates vocational training and development of vocational skills but only stipulates that it is associated with the training process at vocational establishments but not with the working process and labor of workers.²⁷ The above limitations along with the absence of specific regulations on support for training and retraining of qualifications and skills for female workers in the context of the 4IR also pose a need to improve the law on this issue.

On the basis of the impacts of the 4IR on the improvement of the law on employment of female workers, some recommendations to contribute to the improvement of the law on employment of female workers in the context of the 4IR are mentioned as follows:

Firstly, boost the training and retraining for female workers with new knowledge and skills to meet the requirements of the 4IR. To do this, the law on employment of female workers first of all needs to have specific regulations on supporting enterprises in training knowledge on 4IR as well as knowledge and skills derived from the needs of 4IR.²⁸ In addition, Vietnam law also needs to have provisions on vocational training for female workers who are fired by enterprises because they do not meet the requirements for professional qualifications so that they have the opportunity to change their career. Currently, Vietnam has promulgated the National Qualifications Framework and had a plan to implement the Vietnam National Qualifications Framework for vocational education qualifications for the 2021-2025 period according to Decision No. 1232/QĐ-TTg

²² Luong Thi Hoa (2012), *ibid.*, p. 12.

²³ Hoang Trieu Hoa (2021), “Gender equality in employment and income in Vietnam: Some problems and policy solutions”, *Economic and Forecasting Journal* Issue 13, p. 3.

²⁴ Nguyen Tien Long and Nguyen Thi Thuy Dung (2018), “Employment status of female workers in Vietnam today”, *Journal of Economics and Business Administration* Issue 06, p. 22.

²⁵ Alhloul, A.; Kiss, E. (2022). *Industry 4.0 as a Challenge for the Skills and Competencies of the Labor Force: A bibliometric Review and a Survey*. Sci, p. 12.

²⁶ Vietnam National Qualifications Framework was approved by the Prime Minister in Decision No. 1982/QĐ-

TTg on approving the Vietnam National Qualifications Framework dated October 18, 2016.

²⁷ Tran Thang Loi (2012), “Improving the law on employment under the impact of international integration”, *Legislative Research Journal* Issue 20 (228), <http://lapphap.vn/Pages/tintuc/tinchitiet.aspx?tintucid=207936>, accessed on November 24, 2022.

²⁸ Le Hong Viet (2020), “Some proposals to support female workers in the face of the impact of the Fourth Industrial Revolution”, *Journal of Science of Vietnam Women's Academy* Issue 2, p. 67.

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dated July 15, 2021. However, in order for workers in general and female workers in particular to meet the regional standards of education and training in Vietnam, it is necessary to further accelerate the completion of regulations on vocational training in order to harmonize qualifications between Vietnam and other countries in the region, thereby helping female workers have more opportunities to approach and work in ASEAN member countries.

Secondly, in order to ensure gender equality in the employment of female workers, limit discrimination by enterprises in recruiting and employing female workers, the Government should issue specific regulations on prohibiting enterprises from discriminating against female workers in their recruitment programs.²⁹ Currently, the regulations on labor contracts between female workers and employers comply with the provisions of general labor contracts for all subjects, so it is necessary to consider studying to separate labor contracts with an involved party who is female worker. Such separated regulations will contribute to controlling the arbitrary dismissal of female workers by enterprises.³⁰

Thirdly, it is necessary to soon amend and supplement the current regulations that have not kept pace with the requirements of the 4IR. Specifically, review the occupations that need backup training, adding a number of new jobs arising from the development of science and technology so that female workers can ensure sustainable and uninterrupted job opportunities, their income is not affected. In addition, it is also necessary to focus on short-term trained occupations suitable for female workers, linking vocational orientation and job counseling activities.³¹

CONCLUSION

The law on employment has a core role as a legal tool to regulate social relations in the field of employment and through which the State can regulate the labor market accordingly. In the field of employment of female workers, the law on employment plays an important role in eliminating the inequalities faced by female workers due to gender differences in the labor market, thereby increasing job opportunities for them. The 4IR brings new job opportunities for female workers, but also threatens employment in some occupations that require competence related to science and technology. Vietnam's law on employment of female workers has been improved through each development stage, however, in the current period, it requires improvement in the direction suitable to the development of science and technology as well as deeper and broader international integration of labor. Therefore, in the coming time, the improvement of the law on employment of female workers

should pay attention to a number of criteria on the completeness of the law in the process of amending and supplementing relevant regulations, complete some contents on ensuring equal rights of female workers in recruitment and employment at enterprises, strengthen training and vocational orientation activities for female workers to help them improve their skills and improve efficiency of enforcing the law on the employment of female workers.

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²⁹ Hoang Trieu Hoa (2021), *ibid.*, p. 5.

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³⁰ Le Hong Viet (2020), *ibid.*, p. 68.

³¹ Nguyen Tien Long and Nguyen Thi Thuy Dung (2018), *ibid.*, p. 23.

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