

Turkish Online Journal of Qualitative Inquiry (TOJQI)
Volume 12, Issue 8, July, 2021:6979 – 6990

Research Article

Current Situation And Solutions On Labor Relations In Foreign Invested Enterprises (Fdi) In Ho Chi Minh City

Dang Trung Dung

Postgraduate of University of Economics Ho Chi Minh City (UEH)
Vice-Chairman, Binh Duong Confederation of Labour
trungdung7980@yahoo.com.vn

ABSTRACT

Ho Chi Minh City has many favorable conditions for foreign invested enterprises (FDI) to invest. Labor relations in the foreign-invested sector at enterprises in Ho Chi Minh City is a necessary and urgent issue with the great significance in terms of both theory and practice, as a primary concern of employers and employees. Good handling of this relationship is also one of the important factors to attract foreign direct investment and enterprises in Ho Chi Minh City, so as to contribute to economic growth in the process of industrialization, modernization, increase budget revenue, increase export turnover, partly solving labor problems and economic restructure in the trend of global economic integration at the locality. However; besides the achieved results, the labor relations situation in enterprises still has many shortcomings, such as: reforming policies to attract foreign direct investment is still limited, the state management still has many shortcomings, not paying enough attention to the policy of encouraging employees, etc. Therefore, it is necessary to propose solutions to improve labor relations, enhancing the lives of workers in non-state enterprises, partly making healthy labor relations in foreign-invested enterprises in Ho Chi Minh City.

Keywords: labor relations, enterprises, foreign direct investment (FDI), Ho Chi Minh City (HCMC).



I. INTRODUCTION

Since our country's policy of opening the market, strengthening international economic relations, it has created favorable conditions for capital flows from abroad to invest in Vietnam. Foreign-invested enterprises (FDI) have grown stronger and stronger, making an important contribution to the socio-economic development of Vietnam. On average for the period of 2010 - 2020, gross domestic product - GDP grew by 5.96%, although the growth of gross domestic product - GDP in 2020 reached the lowest level in the period of 2011-2020 at 2.91%, however, before the negative impacts of Covid-19, it is a success of our country with the highest growth rate in the group of countries in the world. In addition, gross domestic product - GDP per capita has more than doubled from \$1,331 in 2010 to about \$2,750 in 2020, helping Vietnam officially become a middle-income country since 2010. After 2018, when Vietnam firstly entered the group of top 20 FDI attracting countries in the world, then Vietnam's disbursed FDI also surpassed the US\$20 billion mark for the first time in 2019, while global FDI tended to decrease growth rate, the growth rate increased by 7.2% to 38.02 billion USD, exceeding the target set by the National Assembly from 6.6% to 6.8% (in the first quarter, it increased by 6.82%, in the second quarter, it increased by 6.73%; the third quarter increased by 7.48%; the fourth quarter increased by 6.97%), this is the second consecutive year that Vietnam's economic growth has reached over 7%. By 2020, although it decreased by 25% compared to 2019, total foreign direct investment (FDI) into Vietnam as of December 20, 2020, including newly registered capital, adjusted registered capital and capital contribution value, buying shares of foreign investors reached 28.5 billion USD. These contributions have partly promoted economic growth, economic restructuring, improved industrial production capacity, created jobs, increased labor productivity, and improved human resources.

Ho Chi Minh City has many favorable conditions for foreign invested enterprises (FDI) to invest. As a major economic center of Vietnam with a population of more than 10 million people, it is very suitable for foreign investors to live... With its position as the largest economic center in the country, the city's population accounts for 9.5 %, labor accounts for 8.2% of the whole country; contributing 27% of national budget revenue. Therefore, the investors in the field of technology, artificial intelligence solutions ... have many opportunities for development. At the same time, this is also the city with the highest labor productivity in Vietnam, three times higher than the national average. Ho Chi Minh City has the largest and most successful software center in Vietnam, it's Quang Trung Software City, providing workspace for 10,000 students and exporting 500 million USD in software; good infrastructure, including information technology infrastructure, traffic infrastructure; smart traffic, smart education and most importantly, it's smart people. The share of gross domestic product - GDP of the agriculture, forestry and fishery sector decreased from 17% in 2015 to 13.96% in 2019 and 14.85% in 2020, while the proportion of of the service sector increased from 39.73% in 2015 to 41.64% in 2019 and 41.63% in 2020; the proportion of industry and construction sector remained stable at 33-34.5% from 2015 to 2019 reaching 33.72% in 2020. Economic growth gradually shifted in depth, the contribution ratio of total factor productivity (TFP) in gross domestic product - GDP growth in 2019 reached 46.11%, average level in the period of 2016- 2019 reached 44.46%, much higher than the average rate of 33.6% in the period of 2011-2015. Labor productivity of the whole economy at current prices in 2020 is estimated at 117.9 million VND/worker (equivalent to 5,081 USD/worker, up 290 USD compared to 2019). "It shows that when it comes to the leading role, the proportion of the city's contribution to the whole country over the years has been constantly increasing." Not only growth but also reflected in the contribution to the national budget, in terms of economic intensity (gross domestic product - GDP generated over 1km²) of Ho Chi Minh City compared to the whole country is also constantly increasing.

II. CURRENT SITUATION OF LABOR RELATIONS IN FOREIGN INVESTED ENTERPRISES (FDI) IN HO CHI MINH CITY

2.1. Policies to attract foreign direct investment

The role of FDI enterprises in Ho Chi Minh City in promoting economic development and creating jobs for Ho Chi Minh City's employees is undeniable. However, in addition to the goal of economic development, the goal of promoting technology transfer and improving the quality of human resources is very important. As analyzed above, FDI enterprises investing in Ho Chi Minh City in recent years are mainly labor-intensive industries and relied on cheap labor costs, and most of these businesses are low value-added position in the product value chain. These enterprises use a lot of labor but mainly use unskilled labor and pay very low wages for these workers. This has caused a waste of human resources in HCMC. On the other hand, at present, the labor source of Ho Chi Minh City cannot meet the demand in terms of quantity, so FDI enterprises often have to recruit workers in other provinces. This will give rise to many problems such as: housing for workers, local security...

Investment policy of Ho Chi Minh City in recent times has not been good, there is not much leverage policy, so it may be a part of the limitations in attracting FDI enterprises. Due to the requirements of economic development, the investment policy of Ho Chi Minh City is somewhat easy to attract FDI enterprises, only interested in quantity but not much attention on quality. On the other hand, due to lack of experience, the appraisal and investment licensing is not strict. Thus, the renewal of policies to attract foreign direct investment is an objective and necessary issue in the current period.

2.2. State management of labor

With the scope of specialized management, the state management of labor plays a very important role in labor relations. The state management of labor, if done well and strictly, will limit violations of the law, complaints

from employees and employers will be resolved in a timely manner, reducing stress and urgent concerns of the parties, contributing to healthy labor relations. In recent years, the state management of labor in Ho Chi Minh City has been concerned. The qualifications and capacity of the staff in charge of labor management have been gradually improved; propaganda, implementation guidance and inspection have been strengthened. However, it still does not meet the requirements in the current situation. Many shortcomings and inadequacies in management have not been overcome.

The staff is both short in number and weak in expertise. Although it has been strengthened in recent years, the labor management staff is still very thin. At the HCMC level, the number of officers of the Department of Labor - Invalids and Social Affairs specializing in labor management is only 6, the Ho Chi Minh City Management Unit of Industrial Parks has 3 people, and the inspector in labor is only 3 people. At district level, each district has 1 person in charge of labor - employment (total of 8 people). With such a small number of staff, but having to manage over 2000 businesses in the area, it is a very difficult task.

On the other hand, the level of knowledge about labor law and management skills of officials must be also concerned. The current number of staff from the Department of Labor, War Invalids and Social Affairs and the Ho Chi Minh City Management Unit of Industrial Parks can basically meet the requirements. However, the level of understanding of labor law and labor management skills of district-level staffs is very low and uneven, although the proportion of officials with university degrees is quite high, accounting for 75.5%. However, the percentage of staffs studying in the right major is relatively low, accounting for 37.5%. In addition, because the districts have not paid due attention to labor management, these officials have not been interested in training and fostering professional knowledge.

The loose management is reflected in the following points: Firstly, the work of information and reporting between management agencies and enterprises is still very limited, many enterprises do not periodically report according to regulations, resulting in management agencies not understanding the situation of enterprises. Secondly, the number of annual inspections and examinations is very low compared to the number of enterprises.

Non-severe punishment is reflected in aspects such as: Firstly, the inspection is still formal, mainly based on the reports of enterprises, so it is difficult to detect all violations of enterprises. Secondly, when detecting violations, the handling is not resolute and thorough. Thirdly, the work of urging the implementation and post-inspection inspection is still limited. Fourthly, the sanctions are still light and not deterrent enough and the enforcement is very difficult.

2.3. Qualifications, manners and consciousness of employees

Qualification and understanding of labor law

The quality of the workforce is based on the level of education and expertise to carry out the assessment. With FDI enterprises, employees will have legal understanding on the basis of cultural awareness, expertise and working time: Usually, the higher the degree and the longer seniority, the more knowledgeable about the law is. Qualified and knowledgeable employees of labor laws will behave in a restrained manner when participating in labor relations, and at the same time, they can protect their rights and interests.

FDI enterprises in Ho Chi Minh City mainly use unskilled workers with low professional qualifications and most of them are very young, they have just left school, so their knowledge about law is very limited.

The survey results of 120 employees in FDI enterprises also show this. The percentage of workers who do not know and know very little about the provisions of the law accounts for 71.7% (34.2%+37.5%), the percentage of employees who know the labor law is very low, only 5, 8%, the proportion of workers who know the relevant

regulations is 22.5%. In which, the percentage of direct workers who do not know and know very little about labor laws is very high, accounting for 85.5%.

Table 2.1. Level of understanding of labor law of employees (%)

Chi tiêu	Biết rõ	Biết những quy định liên quan	Biết rất ít	Không biết
Tỷ lệ chung	5.8	22.5	37.5	34.2
LĐ trực tiếp	2.2	12.2	42.2	43.3
LĐ gián tiếp	16.7	53.3	23.3	6.7

(Source: Survey results of 120 employees in FDI enterprises)

In the recent meeting of FDI enterprises held by the People's Committee of Ho Chi Minh City, enterprises all assessed the qualification and level of understanding of employees' labor laws as very low.

Low qualifications and lack of understanding of labor law is one of the causes of employees' violations of labor laws and also partly creating opportunities for employers to take advantage to evade their obligations or violate the rights of employees as analyzed above.

Sense of discipline organization and industrial style

In addition to the lack of understanding of labor laws, employees in FDI enterprises are also limited in their sense of discipline and industrial manners. FDI enterprises often require a very high sense of organizational discipline and industrial style. Meanwhile, the laborers recruited into FDI enterprises in Ho Chi Minh City recently are mostly rural workers and at a very young age. The big disadvantage is that our country's workers often put the agricultural style into industry: long talk, familiar with village customs, living arbitrarily, acting violently when dissatisfied, not complying with the rules of the enterprise. Through discussions with some employers, they are very upset about the disorganized and undisciplined employees. Also in the meeting with FDI enterprises organized by the People's Committee, most of the enterprises propose the People's Committee of Ho Chi Minh City to have solutions to improve the sense of discipline and industrial style for employees. It can be said that the sense of organization and discipline of employees is a pressing issue of employers in FDI enterprises in Ho Chi Minh City today. Meanwhile, employees are not familiar with the new working environment that requires a high sense of organization and discipline, so they feel very constrained and stressed. This is one of the causes of discord between employers and employees in recent times.

2.4. Employment strategy and policies to encourage employees

The success of a business depends to a large extent on whether the enterprise has a highly competent and enthusiastic workforce. This issue depends largely on the enterprise's employee incentive policy. In fact, this factor has a great influence on labor relations. On the other hand, the policy to encourage employees depends on the enterprise's labor use strategy.

Normally, enterprises with a long-term employment strategy will be the ones who care, encourage, and take care of their employees sincerely, creating a favorable working environment, and building a friendly cooperative relationship between all members so that they work together in the spirit of trust and attachment. In contrast,

businesses without a long-term strategy of employment, using labor in the style of "burn after reading" will not pay attention to the lives and minds of employees, trading profits with workers' health.

In Ho Chi Minh City, FDI enterprises do not have a long-term strategy of employment, many businesses invest in Ho Chi Minh City with the motivation of relying on cheap labor, not paying enough attention to policies to encourage employees. This is evident in the following issues:

- The survey shows that, of the total number of labor contracts implemented in FDI enterprises, the number of labor contracts with indefinite term accounts for only 33.4%; Number of labor contracts from 1 year to less than 3 years, accounting for 55%; the number of contracts from 3 months to less than 1 year accounting for 8.7% and under 3 months accounting for 1.4%; the remaining 1.5% is the number of employees working in FDI enterprises without labor contracts. As reflected by employees, in order to avoid paying social insurance premiums, some employers have switched from signing labor contracts to signing service contracts, consulting, and collaborators for some regular jobs...[10]
- Volatility, change of labor in FDI enterprises is very high. In the annual report on the employment situation of enterprises, on average, about 10-15% of the number of employees work and leave the enterprise, and in some enterprises up to 25%. The survey results on labor demand in enterprises in Ho Chi Minh City in 2015 also show this, the average number of employees who have worked for 5 years in FDI enterprises changed jobs to other enterprises higher than 2.2 times, employees with 3 years working time on average changing 0.7 times. This shows that businesses have not yet created a bond between employees and businesses.
- The salary paid by enterprises to employees is currently lower than that of state-owned enterprises and non-state enterprises, especially direct workers. Meanwhile, labor intensity is high. This shows that FDI enterprises pay their employees inadequately, not commensurate with the labor they have spent. The survey results of 120 employees in FDI enterprises showed that up to 65.9% of employees were not satisfied and very dissatisfied with the salary paid by the enterprise. For businesses with frequent strikes, this rate is even higher, accounting for 81.7%.

Besides businesses that have not well implemented policies to encourage employees, there are also many businesses that are very interested in taking care of the material and spiritual life of their employees. Therefore, it has created a close and friendly relationship between employees and businesses.

2.5. The issue of cultural differences in FDI enterprises

Different countries have different cultures, corporate culture is also rooted in national culture. Cultural differences make it difficult for employees and employers in FDI enterprises to get along with each other, which has had a significant impact on labor relations. It can be said that this is a characteristic factor of FDI enterprises in general and of Ho Chi Minh City in particular.

Differences in language and gestures. Language difference is a big barrier in communication. Due to language differences, employees and employers have little communication and exchange of information, leading to lack of mutual understanding and sympathy. On the other hand, gestures and actions also cause frustration and misunderstanding for both employees and employers. For countries with different cultures, sometimes what is normal and acceptable in one country is taboo and not allowed in another. Language differences should not resolve misunderstandings due to cultural differences. So, if at least one party is fluent in the other party's language, explanations can be given to each other and disagreements can be resolved. This is even more serious in FDI enterprises in Ho Chi Minh City, because most of the workers are very young and have very weak foreign language skills. On the other hand, due to the lack of information channels within the enterprise, especially the

role of the grassroots trade union organization, it has not fulfilled its task of being a bridge between employees and employers.

With a cultural background and a sense of law signing, behavior, and a sense of discipline, play a leading role in all aspects of life in general and businesses in particular. Discipline and industrial style have not yet formed in the way of thinking and working style of Vietnamese workers in general. For workers in FDI enterprises in Ho Chi Minh City, this issue becomes even more prominent because most FDI enterprises have just invested in Ho Chi Minh City, so the labor force in FDI enterprises is still very young and most of them come from rural areas, the industrial working style has almost not been formed. Because they are not used to the industrial working environment, they feel very constrained and stressed. Meanwhile, foreign bosses cannot accept or even be shocked by the sloppy, arbitrary way of working, going anywhere or going there, or the undisciplined expressions of the workers. It is this difference that gives rise to many frustrations for both employees and employers.

Differences in concept and behavior. Different cultures will lead to very different conceptions and behaviors in the employer-employee relationship. Vietnamese people are sentimental, "a bad compromise is better than a good lawsuit", "every fault needs pardon", so solving problems is often arbitrary in the style of "one hundred reasons are not equal to one bit of love". This is different from the Western tradition, where people are trained in their sense of individuality and independence from a young age, everything is always resolved according to reason and the law. There are more similarities between Vietnam and other Asian countries such as Korea, Japan, China, Taiwan, and Singapore.

III. HEALTHY SOLUTIONS FOR LABOR RELATIONS IN FDI ENTERPRISES IN HO CHI MINH CITY

3.1. Renovating policies to attract foreign direct investment

Ho Chi Minh City needs to develop appropriate and effective investment policies to attract enterprises with advanced technology and employ highly qualified workers while ensuring economic efficiency and promoting economic growth, enhancing technology transfer and improving skills and income for workers. The development and implementation of investment policies should pay attention to the following issues:

Firstly, selecting investment projects suitable to the socio-economic conditions, land conditions, and human resources of Ho Chi Minh City. In the current situation, according to the author, it is advisable to focus on attracting enterprises with high technology level, environmentally friendly and using highly specialized labor. On the other hand, in terms of investment, in addition to industrial production enterprises, priority should be given to attracting enterprises operating in the fields of agriculture and services.

Secondly, on the basis of project selection objectives, it is necessary to develop a system of standards and criteria for enterprises to achieve high technology in a clear way.

Thirdly, reviewing, amending and supplementing appropriate and attractive investment attraction incentive policies to attract these enterprises to invest in Ho Chi Minh City

Fourthly, improving the investment licensing appraisal capacity of the Ho Chi Minh City Industrial Parks Management Unit of and the Department of Planning and Investment.

3.2. Strengthening the State management of labor

Labor law is a tool to orient labor relations into the order that the state needs. However, in order for the labor law to come to life, everyone must respect and strictly abide by the provisions of the law, the State management of labor plays a very important role.

Propaganda and dissemination of labor law to employees and employers. It is necessary to focus on propaganda and education of labor law for employees. Propaganda and guidance can be done in many forms such as: Training for employers and grassroots trade union organizations to propagate and guide employees; propagandize and guide in the settlement of strikes at enterprises; Propaganda on the mass media, legal question-and-answer sections...

Furthermore, Ho Chi Minh City needs to create conditions for foreign employers to access the Vietnamese labor law system more easily by translating this system into popular languages such as English, Chinese, Japanese, Korean and widely available for them. Continuously implementing and improving the operational efficiency of the project on legal propaganda in enterprises.

Whole labor management machines at all levels.

- To ensure that the labor management staff can take on the task, it is necessary to perform two tasks in parallel. Firstly, urgently supplementing the payroll for the Labor - Invalids and Social Affairs sectors, especially inspectors of the department and labor managers in districts, towns and cities with many enterprises. Secondly, it is necessary to train and retrain to improve the quality of staff. For this force, knowledge of labor law and labor management skills are of the utmost importance.

- Strengthen decentralization of tasks for districts, towns and cities. In fact, by performing tasks, knowledge and responsibility will be enhanced. In the past time, the decentralization of the district-level People's Committee to handle the strikes has proved to be effective in both reducing the load on the HCMC level and enhancing the responsibility of the district level. In the future, more decentralization research is needed.

Strengthen public inspection, examination, strictness in sanctioning. In order to minimize the violations of enterprises, in the coming time, the inspection and examination must well perform the following contents: The number of annual inspections and examinations must be increased, especially at the district level. The Department of Labor - Invalids and Social Affairs should consider assigning quotas for the number of inspections to districts, towns and cities. When a mistake is discovered, it must be dealt with firmly. The urging, supervision and inspection of the implementation of post-inspection conclusions must be thorough.

3.3. Building a legal working environment in enterprise

To create a legal living and working environment in an enterprise, employees and employers must first understand the law and respect the law. In order to build a legal working environment, FDI enterprises must perform well the following contents:

Firstly, strengthen the propaganda and education of the law, awareness and working style for employees. It can be said that knowledge of labor law and awareness and working style of employees are prominent issues in FDI enterprises today. Therefore, it is very necessary and urgent to propagate and educate employees on legal knowledge and awareness and working style. This problem is not only the responsibility of the State agencies, but the main responsibility belongs to enterprises. Education propaganda can be done in a variety of ways, such as:

Secondly, for legal propaganda and education, it is necessary to: Coordinate with grassroots trade union organization to organize training courses for employees, distribute documents and leaflets; building the columns of questions and answers on legal knowledge within the enterprise; propaganda in the form of bulletin boards about labor law or organize contests to learn about labor laws...

Coordinate with the Ho Chi Minh City Confederation of Labor to organize the effective implementation of the project on labor law propaganda for employees. Enterprises need to actively develop a specific propaganda plan

on the content, form and time of propaganda and send it to the Ho Chi Minh City Confederation of Labor to coordinate the implementation. - Proactively propose to the Department of Labor - Invalids and Social Affairs, the Ho Chi Minh Industrial Parks Management Unit to provide records and documents on labor laws. Appoint employees of the enterprise to fully, seriously and properly participate in training sessions, fostering legal knowledge organized by the Department of Labor, War Invalids and Social Affairs and the Ho Chi Minh Industrial Parks Management Unit.

Thirdly, for the work of propaganda, awareness education, working style. Consciousness, working style is not natural, it must be trained and guided. Therefore, enterprises need to organize training and guidance for employees. The organization of instruction training must be done seriously and methodically. On the other hand, consciousness and working style cannot be formed immediately, but gradually formed during the working process. Therefore, the propaganda and education of awareness and working style for employees must be carried out regularly and continuously from the time employees start working and throughout the working process of the employees.

Fourth, develop and implement well the labor rules and the Collective Labor Agreement. The Labor Regulations and the Collective Labor Agreement are the two most important labor law institutions in the enterprise to maintain the working order, as well as stipulate the rights and responsibilities of each party in the working process. The construction and good implementation of the above two institutions will help businesses create a healthy working environment and comply with the law.

3.4. Well implement the policy on employee encourage

In order for employees to feel secure to work and devote to the enterprise, in the coming time, FDI enterprises need to perform well the following issues:

Firstly, the issue of paying workers' wages has been a very pressing issue and the main cause of strikes in FDI enterprises in recent times. Therefore, businesses need to consider paying employees commensurate with the labor they have spent, especially direct labor. Non-wage allowances must clearly show that it is a policy to encourage and motivate employees, not a measure to manage employees by economic means and tricks to lower the social insurance premium as in the recent past. via.

Secondly, concerned with housing issues for workers. As analyzed above, FDI enterprises use a lot of foreign workers in Ho Chi Minh City, the living conditions of these workers are now very difficult. In order to create favorable conditions for workers to work safely, enterprises must consider building houses, or have a policy to provide adequate housing support for these workers.

Thirdly, consider signing long-term labor contracts for employees so that they can rest assured to work long-term at the enterprise.

Fourthly, for some businesses, it is necessary to improve working conditions, pay attention to occupational safety and health, and protect the health of workers.

Thursday, In addition to the above-mentioned material factors, businesses need to take care of the spiritual life of employees.

3.5. Building a culture of harmony in enterprise

Building a culture of harmony in the enterprise must accomplish the following three contents:

Firstly, language barriers between Vietnamese and foreign workers must be eliminated, making information exchange easier, thereby creating friendliness and closeness between workers and foreign employers. In fact,

doing this is also relatively difficult and requires many plans. However, the simplest option is for businesses to recruit good interpreters to convey information well and resolve language disagreements. In addition, there should be policies to encourage and reward foreign experts who learn Vietnamese and Vietnamese employees and workers to learn foreign languages in order to detect and promptly resolve misunderstandings and conflicts.

Secondly, must reconcile the difference in consciousness and working style. In this regard, it is important to improve the sense of discipline and working style for Vietnamese workers, on the other hand, enterprises also need to have a flexible management method that is suitable to personality and habits with Vietnamese people.

Thirdly, it must reconcile differences in concept and behavior. In this regard, FDI enterprises need to actively learn the identities of the Vietnamese people, on that basis, promote common values and respect the inherent values of the Vietnamese people. On the other hand, Vietnamese workers must also be more active in introducing their culture to foreigners so that they understand and respect their country's customs and habits, and at the same time have to actively learn, understand and respect cultural characteristics of foreigners. Enterprises can coordinate with the Trade Union to organize seminars and exchanges to enhance mutual understanding between Vietnamese and foreign employees.

CONCLUSION

Labor relation is a system of relationships between individuals or representative organizations of employees and individuals or organizations representing employers or their representative organizations with the State and other subjects which take place around the employment process, ensuring that the relationship is performed optimally and protecting the interests of the parties involved. In the current integration context, labor relations are more and more concerned when businesses invest more and more in Vietnam, especially FDI enterprises in Ho Chi Minh City. Experiences from many countries have shown that the harmonious settlement of labor relations will create cohesion between workers and enterprises, thereby enhancing the competitiveness of enterprises and improving the investment environment.

Besides the positive aspects in labor relations such as the implementation of occupational safety and hygiene, the labor relations in FDI enterprises in Ho Chi Minh City also have some inadequacies such as low salary, especially direct labor; cultural differences not overcome; employees' low sense of organization and discipline, industrial style; loosen state management of labor; limited activities of agencies and organizations to settle labor disputes;

To gradually build a harmonious and progressive employer in FDI enterprises in Ho Chi Minh City, it is necessary to focus on implementing the following solutions: Completing legal regulations on employers; consolidating and effectively implementing the tripartite mechanism at the central level; improving the representative capacity of employers; renewing and improving the capacity of trade union organizations; renewing Ho Chi Minh City's policy of attracting foreign direct investment; strengthening the State management of labor in the locality; consolidating and enhancing the operational efficiency of the labor dispute settlement system; building a legal working environment in enterprises; well implementing policies to encourage and motivate employees; strengthening social dialogue in enterprises; building a harmonious culture in the business.



REFERENCES

1. Duong, T. M. (1995). Some problems about Vietnamese employees in joint ventures with foreign countries. *Journal of Thought and Cultural Work*, No. 6/95;
2. Phung, L. (1997). Building a harmonious relationship between the employee's representative and the employer in the enterprise. *Journal of Labor and Trade Union*, No. 1/97;
3. Vu, V. H. (2004). Some issues on labor relations in non-state enterprises in Vietnam, the case study in Ho Chi Minh City.
4. Luu, B. N. (3/2009), "Practical application of the Labor Code and the direction of improvement of the Labor Code", *Legislative Research*, (05), pp.142
5. Vietnam General Confederation of Labor (2008), "Building harmonious labor relations at enterprises", Labor Publishing House.
6. Bui, T. K. N. (2003), "Labor contract under the law amending and supplementing a number of articles of the Labor Code", *Journal of Legal Science*, (02).
7. Do, N. K. (2008), "Completing and implementing the law on collective labor agreements", *Journal of Legislative Research*, (113), p.1.
8. ILO (2004), *Strikes and Industrial Relations in Vietnam*.
9. hcmcpv.org.vn
10. tapchitaichinh.vn
11. The Labor Code was amended and supplemented in 2002, 2006, 2007.
12. The Law on Trade Unions of 1990 replaced the Law on Colleges of November 5, 1957;
13. Decree 11/2008/ND-CP dated January 30, 2008 of the Government Regulations and guiding the implementation of article 179 of the Labor Code on compensation for illegal strikes;
14. Decree 47/2010/ND-CP dated May 6, 2010 of the Government stipulating administrative penalties for violations of the labor law;
15. Decrees on stipulating and guiding the implementation of a number of Labor Codes on wages and guiding circulars;
16. Ho, T. H. (2002), "Strikes and responsibilities of grassroots trade unions", *Labor and Trade Union Review*, (268).
17. Classic model of JTDunLop, American doctor.

18. Model of the group Kochan, McKensie and Cappeli.
19. Andre Petit's model of interactions.
20. Research work by Ian Clark.