



International Labour Organization

iTrack

Evaluation

# ILO EVALUATION

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- **Name of consultant(s):** Sten Toft Petersen (International Consultant),  
Nam Pham Quang (National Consultant)
- **ILO Administrative Office:** ILO CO Hanoi
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This evaluation has been conducted according to ILO’s evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the ILO Evaluation Office.

Noted: This evaluation report is also translated in Vietnamese. The original of this evaluation report is written in English and it is the English version which shall prevail.

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## List of Acronyms

BEA	Bureau of Employers' Activities
CBA	Collective bargaining agreement
CPTPP	Comprehensive and Progressive Trans-Pacific Partnership
DOLISA	Department of Labour, Invalids and Social Affairs
DWCP	Decent Work Country Programme
EPZ	Export Processing Zone
EVFTA	EU-Vietnam Free Trade Agreement
FDI	Foreign Direct Investment
FOL	Federation of Labour
FPRW	Fundamental Principles and Rights at Work
FTA	Free trade agreement
GoV	Government of Vietnam
GSO	General Statistics Office
GTU	Grassroots Trade Union
HCMC	Ho Chi Minh City
HR Club	Human Resources Officers' Club
IA	Implementing agreement
ILO	International Labour Organisation
IR	Industrial relations
IZ	Industrial zone
IZTU	Industrial Zone Trade Union
MECBA	Multi-employer collective bargaining agreement
MESD	Multi-employer social dialogue
METU	Multi-employer trade union
MTO	Medium-term objective
MOLISA	Ministry of Labour, Invalids and Social Affairs
NIRF	New Industrial Relations Framework
PD	Project Document
PIU	Pilot Implementing Unit
RBM	Result Based Management
SD	Social dialogue
STO	Short-term objective
TAC	Technical Advisory Committee
TU	Trade Union
USD	United States Dollar
VCA	Vietnam Cooperative Alliance
VCCI	Vietnam Chamber of Commerce and Industry
VGCL	Vietnam General Confederation of Labour

VND	Vietnamese Dong
WRO	Workers Representative Organizations

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## **1. EXECUTIVE SUMMARY**

The project under evaluation, “Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work” (NIRF) was generally seen to be relevant by the involved stakeholders, as it was designed and customised to the Vietnamese context. The project focused on policy development and implementation within a context, where policies and strategies were being developed, also with contributions from other projects. Consequently, it was relevant to concentrate on contributing to piloting initiatives to prepare for a post reform era. The donor also understood that it should be built on the results of already implemented projects.

### **1.1 Relevance**

The current project is intended to be viewed in connection with the other three pillars of the NIRF Program. When viewed thus, the project was highly relevant, as it builds on the bi- and tripartite elements of the overall reform. Without this important pillar, the reform would be unlikely to meet its objectives. Furthermore, the project builds on and scales up the achievements gained in the two previous phases of Industrial Relations (IR) projects.

The project was relevant to the ILO’s P&B Outcomes 1, 2 and 7 and Output 10, because of its support, implemented under the NIRF, to the Vietnamese labour market’s very important reform process. It also delivered on DWCP Outcomes 3.1, 3.2, 3.3 and 3.4. and SDG Indicators 8.8.2 (Labour rights).

### **1.2 Project Design and Strategic Fit**

The project design, as laid down in the Project Document (PD), is quite logical and coherent with a comprehensive Logical Framework (Logframe) which defines the objectives, outcomes, outputs, indicators and means of verification. The project faced a structural change during the process of implementation from being one of pillar of the NIRF Program to become a project under the overall NIRF program.

The ILO’s governmental counterpart for developing the DWCP is the Department of Employment, under the Ministry of Labour, Invalids and Social Affairs (MOLISA), and its counterpart for implementing the project was the Department of Industrial Relations and Wages, under MOLISA.

The VGCL assumed good ownership, especially at the Federation of Labor (FOL) and Industrial Zone Trade Union (IZTU) level. The support given to the Multi-employer trade union (METU), Multi-employer collective bargaining agreement (MECBA) and direct elections was well received, as it largely contributed to already ongoing VGCL activities.

Only a limited number of activities were implemented with the VCCI at national level, therefore they did not feel greatly involved with the project and, consequently, felt a limited sense of ownership. The ownership on the employer’s side lays more at the provincial level.

### **1.3 Effectiveness and Progress**

The project contributed positively to the preparation for scaling some of the new approaches, which were requested as a consequence of changes in legislative framework. The new labour legislation is creating a new environment for the work of workers and employers' organisations. It will however take some years before the mindset, practices and culture both among workers and employers and in their organizations have changed in full. It is too early to expect that the objectives set out for the current project would have been met in full. The evaluation finds that some lessons have been learned through the pilot projects, which will help the ILO to develop possible new projects, which can support the social partners in playing an active role in transforming the new industrial relations framework into practice.

Some informants are expecting that a large number of 'new trade unions' – i.e. Workers' Representative Organisations (WRO) – would be established in 2021, when the new Labour Code comes into force. If this materialises, it will be a big challenge for the VGCL to accommodate. It will also challenge employers in how they deal with these new structures. The IZTUs and the FoL will face challenge in cooperating with these structures, in one way or the other. The project staff reported that activities were implemented to advise VGCL on how it should reform in terms of election, organisational structure and operation, how to promote collective bargaining and social dialogue but a policy and strategy for how to handle WROs is still in its development.

### **1.4 Effectiveness of Management Arrangement**

This evaluation finds that the project received technical support on industrial relations of a high quality. The support is reported to have been provided in a timely manner and with a good understanding of the local context.

The ILO did provide technical support to the workers representatives on both national, provincial and local level. This, because it is highly critical in a project that deals with the deep ongoing reform (the VGCL even called it 'renovation') of the institutional set-up and of highly political internal trade union matters to provide high quality support on issues new to the VGCL. The evaluation was informed that the technical support was challenged by vacancies of technical specialist's posts with ACTRAV and ACTEMP which were not filled.

MOLISA, the ILO's key governmental partner, did not feel well informed about the project. They were only kept up to date during meetings every six months, and the project's implementation was handled directly by social partners and local institutions. This might be caused by the fact that according to the project's structure, the NIRF/Japan Project focused on support for social partners. The other projects (NIRF USDOL/ NIRF Canada and NIRF EU) provide support to MOLISA.

The implementing partners were, by nature, key to the project's successful implementation; this was because the reforms were taking place inside and in the close environment around the partners themselves. They had the full mandate, in each respective field to influence all levels of the project's implementation, from the governmental to the local enterprise levels. The capacity and resources available with the VGCL were relatively high, whereas the VCCI had fewer human and financial resources directly available but was able to mobilise some resources from chambers and member enterprises. The

GoV gave the implementation of the reform a high priority and adequate resources were allocated or could be mobilised.

### **1.5 Efficiency and resource use**

The evaluation finds that, in general, the allocated resources were spent in a sound and efficient manner. The budget goals were met, and the delivery timing was very much in line with the implementation plan. The project allocation was linked to an outcome-based budget, which is highly appreciated by the evaluation.

The financial reports and work plan showed that the project was delivered in timely manner, with few exceptions. Likewise, the funding was made available by the donor in a timely manner.

Many training activities were implemented in relation to the trade unions. The project management decided to work directly at the provincial and local levels, rather than using the existing VGCL training and education structures. The fact that VGCL experts were widely used in capacity building activities underlines that the needed expertise in most cases was available within VGCL. If further capacity had been built up in the VGCL institutions, there would have been a long-term impact and many more participants could potentially have benefitted from the investment.

Pilots on METU and MECBA were based on the implementation of new ways of organizing trade unions and collective bargaining. The implementation was very difficult, arduous and time consuming. It is however expected that the implementation will be more favourable when lessons learned are taken into account. The evaluation finds that it would be timely to conduct a cost analysis both when it comes to human and financial resources requested for successful implementation of these new initiatives, if a such had been conducted very early in the pilot development it could have contribute to stronger assessment of the sustainability of the new practises.

### **1.6 Impact**

The evaluation finds that the project has contributed to establishing an institutional foundation for the new industrial relations' framework both at tripartite and bipartite level.

The decision on the ratification of C.98 is a major milestone in aligning the Vietnamese labour market's legislation and practice with ILS. The project contributed well to the process that led to this decision.

The social effect of the project could eventually be seen on the mid-term, if a number of – to-date – informally employed women and men could organise and work under a CBA, with legally binding benefits to the employees. Stronger workplace trade unions, which are able to negotiate better working and employment conditions, could mean an improved social situation for workers. This could eventually be of special benefit for women workers, as they could gain benefits that would improve their work-family balance, which is often a challenge for them.

A modernisation of industrial relations could have a positive impact on the formal sector enterprises' profit margins. The foreseen changes would eventually minimise wildcat strikes and work stoppages, which are very costly for enterprises. Likewise, if more enterprises were formalised this would minimise the unfair competition from informal sector enterprises. Experience from other countries demonstrates

that improved working conditions, with special attention to occupational health and safety, have a positive impact on productivity.

The VGCL's 2018 Congress amended the organizations Statutes, to accommodate the role of IZTU. This could be important for the development of trade union structures that are able to defend workers' rights. The evaluation's findings point to the IZTU as a possible cornerstone around which these structures could be built.

The METU, which was also institutionalised, could have its right in certain economic sectors, although targeting micro enterprises and the informal sector might be challenging in a situation where many institutional and structural changes are under way. The informal sector requires a specific strategy and a political decision, to avoid any risk that organising the informal sector leads to keeping the workers in these enterprises in an informal work relationship rather than pushing them towards formalisation.

In the new Labour Code, the MECBA will gain a more prominent status, but questions remain concerning their enforcement. A question concerning ownership of the MECBAs will arise when the new workers' representative organisations are established.

The evaluation finds that the direct election pilot – in its current format – should not be continued, as even though formally it is free, in practice, it is not fair. It was reported that rarely the 'direct election' set-up led to more candidates coming forward. The ILO should support VGCL in developing practises that meet best international standards.

The Human Resources Officers' Clubs (HR Clubs) have been in place for some time, but the project supported them in a further positive development it is an innovative approach for the VCCI to reach out to members and potential members. The skills' upgrading that took place in the clubs was very attractive to both individual HR managers and for the companies for which they were working.

## **1.7 Sustainability**

No exit strategy was foreseen as such. It was expected that, if successful, the pilot projects could be scaled by the Vietnamese partners. The legislation will only come into place from 2021 and the social partners will be confronted by the challenges of the reforms then. However, the pilot projects that were implemented within the current project's framework have good prospects of being maintained beyond the lifetime of the project, as they are promoted by the VGCL and the VCCI.

The activities which the VGCL already began, before the current project, were institutionalised by political decisions at the VGCL's Congress and are very likely to be continued beyond the project lifetime.

The signed MECBAs will continue, at least until they expire. Whether they will be renewed will depend on the signing parties and this in turn will depend on any benefit(s) they feel they may gain from such an agreement. The fact that the MECBAs have a more prominent place in the LC will also help to ensure the sustainability of this initiative.

The tourist boat owners' and rickshaw pullers syndicates could be a door opener for organising the self-employed and the VGCL will have to decide whether it will put effort into organising this group.

If social dialogue were to develop at all levels, there would be a need for the VCCI to build up its structures to match the unions and governmental structures.

The Workers' Representative Organisations (WRO) will represent a challenge to all stakeholders, as their role, rights and functions are still unclear in many aspects.

## **1.8 Cross cutting issues**

During the implementation of the project, the constituent's capacity in ILS and social dialogue has increased. The discussions and training, linked to trade agreements, the new labour code and ratification of C. 98, all contributed to an increased understanding of ILS among the constituents' leaders and senior officials.

In general, the social partners showed a high level of awareness of gender-related issues and the participation of women in activities was relatively high (the VGCL has a general policy that there must be equal representation wherever possible). This occurred even though no request for gender balancing was tabled before the partners.

## **1.9 Recommendations**

### **Recommendation 1:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
GoV	Medium	Medium	Low

The evaluation recommends that the GoV establish an institutional link between the different departments working with the ILO's Country Office (CO) and that projects that are being implemented with the support of the ILO, in order to ensure alignment between all initiatives.

### **Recommendation 2:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO, VCCI and VGCL	Medium	Medium-term	High

The evaluation recommends that joint training should be rolled out for employers and employees (trade union leaders) on social dialogue (SD) and collective bargaining agreement (CBA), and on an as much as possible large-scale, to pave the way for good faith bargaining and dispute resolution in the establishments.

### **Recommendation 3:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the ILO provide technical assistance to the VGCL so it can organise in micro establishments and the informal economy, in order to prepare for mid- and long-term interventions. The VGCL is further recommended to conduct an assessment of the resources needed to organise in micro establishments and the informal economy, to estimate whether it is timely to scale organising in this segment.

**Recommendation 4:**

Addressed to	Priority	Time frame	Resources
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the VGCL develop clear strategic and practical guidelines for its interaction with the WROs and the ILO is recommended to provide technical assistance to this activity.

**Recommendation 5:**

Addressed to	Priority	Time frame	Resources
VCCI	Medium	Short-term	Low

The evaluation recommends that the VCCI develop a strategy for scaling the HR Clubs, as both a membership service and a tool, for increasing an organisation's outreach.

**Recommendation 6:**

Addressed to	Priority	Time frame	Resources
ILO	High	Short-term	Low

The evaluation recommends that, when a pilot approach is applied, a clear target should exist as to which strategy it feeds into. A pilot does not have any meaning in its own right. It should bring a new element into an intervention. It should also be time-bound, with an exit strategy, as if the pilot is unsuccessful it leaves disappointment behind.

**Recommendation 7:**

Addressed to	Priority	Time frame	Resources
ILO, VCCI and VGCL	High	Short-term	Medium

The evaluation recommends that the ILO provide high-level expertise to both the VCCI and the VGCL to build up the legal capacity of both organisations. This would enable them to provide better services to their members in labour legislation issues and, in particular, interpretation of the new rules and regulations and ILS.

**Recommendation 8:**

Addressed to	Priority	Time frame	Resources
ILO and constituents	High	Short-term	Low

The evaluation suggests that the new developments in the Vietnamese labour market may lead to an increased need for mitigation. The evaluation recommends that the ILO provide technical support to the constituents to build up capacity, so that they can react quickly and effectively to conflicts and disputes at the enterprise level.

**Recommendation 9:**

Addressed to	Priority	Time frame	Resources
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the direct election of local trade union presidents (and ExCos) should be further developed, so that the elections become not only free but also fair. The ILO should provide the VGCL with technical expertise.

#### **Recommendation 10:**

Addressed to	Priority	Time frame	Resources
ILO	High	Short-term	High

The evaluation recommends that the ILO pilot the SCORE program and social dialogue capacity building in parallel, within the same enterprises, in order to achieve a “1 + 1 = 3” effect.

### **1.10 Lessons Learned and Emerging Good practises**

The evaluation finds that one lesson learned from the current project is that it is very complicated and expensive to establish multi-employer trade unions (METUs). The attempts to establish METUs, based on micro-enterprises, had limited success.

Another lesson learned concerns the MECBAs these were met with different opinions, depending on the trade union leaders’ personal experiences. Employers also found the approach complicated. It will be very difficult to scale the concept.

A third lesson learned is linked to the attempt to increase the trade union democracy through direct elections of local trade union Presidents. Even the bylaws and internal regulations are in place it has hardly changed the situation on the ground as the practises do not encourage members to step forward.

An emerging good practise that was developed within the project was the establishment of HR Clubs. These have great potential both to increase the members’ professional skills and (thereby) to be a benefit to their employers. If trained, members could also function as agents of change, when it comes to changing the mindset of many employers in relation to industrial relations and dialogue with workers and their organisations. Their improved professional skills will allow managers to avoid many conflict situations with staff. The HR Clubs offer the VCCI a good opportunity to increase its outreach.

## 2. Background

### 2.1 Vietnamese Labour Market Reform

Since the start of *doi moi* (reform), in 1986, Vietnam's economic output has increased almost ten-fold; from USD 24 billion to USD 201 billion, in 2019 (measured in constant 2010 US\$). This is equivalent to a compound annual growth of 6.7 percent. The GDP per capita, measured in constant 2010 USD, increased from USD 385, in 1986, to USD 2,082, in 2019 (World Bank's data). The poverty rate, measured by the international poverty line of USD 1.90 (2011 PPP) a day, declined sharply from 52.9 percent, in 1992, to 1.9 percent, in 2018<sup>1</sup>.

Vietnam has also become a major destination for global companies, eager to take advantage of its young and cheap labour force. By the end of 2019, Vietnam had attracted nearly 34 thousand FDI projects, with a registered capital over USD 454 billion and a disbursed capital of USD 211 billion. FDI flows are intensifying, as the country continues to become more deeply integrated into the global economy and value chain: the disbursement of FDI capital in the decade 2010–2019 was three times greater than in the preceding decade<sup>2</sup>.

**Table 1: Foreign direct investment in Vietnam**

Period	Number of projects	Total registered capital (in million USD)	Total disbursed capital (in million USD)
Before 1999	2,953	42,729.40	18,269.50
2000 – 2009	9,236	151,756.50	49,876.40
2010 – 2019	21,732	259,533.20	143,327.00
Total	33,921	454,019.10	211,472.90

(Source: General Statistics Office)

The importance of the state economic sector has decreased and that of the private sector has increased, as the economy has transitioned from a centrally planned to a market model. In 2005, the state sector produced nearly 38 percent of the total economic output. By 2019, this percentage had shrunk to just over 27 percent. Conversely, in the same period, the contribution of the private sector, including FDIs, rose from 24 percent to 30 percent. In fact, over the past 20 years, the private sector has been the sole creator of jobs in Vietnam. From 2000 to 2019, whereas the number of people aged 15 years or older who had a job, increased from 37 million to nearly 55 million, the number of jobs in the state sector remained constant. The private sector, including FDIs, absorbed all of the 18 new million people who were added to the labour force.

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<sup>1</sup> World Bank's data <https://data.worldbank.org/country/vietnam> (August 28, 2020)

<sup>2</sup> <https://www.gso.gov.vn/default.aspx?tabid=716>



**Table 2: Size of working population, aged 15 and over by economic sector (in thousands)**

	<b>Total</b>	<b>State sector</b>	<b>Non-state sector</b>	<b>FDI sector</b>
<b>2000</b>	37,075.30	4,358.20	32,358.60	358.5
<b>2001</b>	38,180.10	4,474.40	33,356.60	349.1
<b>2002</b>	39,275.90	4,633.50	34,216.50	425.9
<b>2003</b>	40,403.90	4,919.10	34,731.50	753.3
<b>2004</b>	41,578.80	5,031.00	35,633.00	914.8
<b>2005</b>	42,774.90	4,967.40	36,694.70	1,112.80
<b>2006</b>	43,980.30	4,916.00	37,742.30	1,322.00
<b>2007</b>	45,208.00	4,988.40	38,657.40	1,562.20
<b>2008</b>	46,460.80	5,059.30	39,707.10	1,694.40
<b>2009</b>	47,743.60	5,040.60	41,178.40	1,524.60
<b>2010</b>	49,124.40	5,025.20	42,370.00	1,729.20
<b>2011</b>	50,547.20	5,024.80	43,423.80	2,098.60
<b>2012</b>	51,690.50	5,017.40	44,423.30	2,249.80
<b>2013</b>	52,507.80	4,994.90	44,994.60	2,518.30
<b>2014</b>	53,030.60	4,893.20	45,269.30	2,868.10
<b>2015</b>	53,110.50	4,779.90	45,132.80	3,197.80
<b>2016</b>	53,345.50	4,702.30	45,052.20	3,591.00
<b>2017</b>	53,708.60	4,595.40	44,905.40	4,207.80
<b>2018</b>	54,282.50	4,525.90	45,215.40	4,541.20
<b>2019 (preliminary)</b>	54,659.20	4,226.20	45,664.60	4,768.40

(Source: GSO's Labour Force Surveys)

However, the increase of jobs in the non-state sector emerged through employment in private enterprises, and not in family-based agriculture or household businesses. The following table shows that wage workers are the only group that expanded, in the period 2009-2019, and at the cost of all the other groups. The wage workers' group refers workers who are employed in the state sector (all of them are wage workers by definition). As shown in the previous table, this sub-group remained constant, so the logical conclusion is that the entire expansion in the wage workers' group was concentrated in private wage employment.

**Table 3: Size of working population aged 15 and over by employment status**

	<b>Total</b>	<b>Wage worker</b>	<b>Employer</b>	<b>Own-account worker</b>	<b>Unpaid family worker</b>	<b>Member of cooperative</b>
<b>2009</b>	47,743.60	15,981.00	2,286.20	21,357.90	8,062.50	55.9
<b>2010</b>	49,048.50	16,572.70	1,687.00	21,242.60	9,523.90	22.3
<b>2011</b>	50,352.00	17,431.70	1,455.10	22,103.60	9,350.50	11.2
<b>2012</b>	51,422.40	17,862.10	1,387.10	23,175.40	8,981.60	16.2
<b>2013</b>	52,207.80	18,188.60	1,300.10	23,746.40	8,963.80	8.9
<b>2014</b>	52,744.50	18,801.20	1,102.60	21,534.20	11,298.60	7.9
<b>2015</b>	53,110.50	21,067.10	1,553.10	21,480.50	8,996.90	12.8
<b>2016</b>	53,345.50	22,113.30	1,506.60	21,222.70	8,477.30	25.5
<b>2017</b>	53,708.60	23,112.40	1,085.70	21,192.30	8,309.00	9.2
<b>2018</b>	54,282.50	23,995.30	1,167.20	21,075.80	8,039.80	4.4
<b>2019 (preliminary)</b>	54,659.20	25,943.80	1,496.00	19,535.30	7,677.60	6.5

The emergence of a significant segment of waged employment, within the private sector, poses new challenges for Vietnam. Previously most, if not close to 100 percent, of waged work, in the country's centrally planned economy, took place within the state-owned enterprises. At that time because of the established non-conflict of interests between workers and managers (representing the owner) in such enterprises the salaries were decided by the state<sup>3</sup>, rather than through negotiation. In addition, the trade unions' role was "helping management to achieve its production plans by strengthening labour motivation and labour discipline, with particular responsibility for providing social welfare and sporting, cultural and entertainment facilities"<sup>4</sup>.

In early 1990s, a first wave of workers' strikes occurred. These signalled that Industrial Relations in the new era required an overhaul in the labour legal framework and subsequently led to the National Assembly's passing the first ever Labour Code, in 1994. Before that year, Vietnam had had only two decrees from the Minister Council, which regulated labour relations in private and foreign-invested enterprises. The 1994 Labour Code devoted an entire chapter to labour dispute resolution, a topic that none of the previous labour-related legal documents had even discussed. The Code legalised strikes, described the procedures for organising a strike, established an enterprise-level mediation council and a provincial-level arbitration council, and described the procedures for dispute resolution, through those councils. The People's Court was made the final authority for solving both individual and collective labour disputes.

Subsequent revisions of the Labour Code were made in 2002, 2012 and 2019. They retained the key elements of the labour dispute resolution mechanism, with one exception only: the enterprise-level mediation council was replaced by labour mediators, who were appointed by the provincial authority. However, researchers who have examined IR in Vietnam have pointed out that the IR institutions and mechanisms, stipulated in the labour law, are ineffective at best. To date, almost all workers' strikes have been wildcat strikes, which were not led by a trade union and which did not follow the legal procedures for organising a lawful strike. Additionally, virtually no labour dispute cases have advanced through the conciliation and arbitration structures that were established to handle industrial disputes<sup>5</sup>.

The first Labour Code (1994) also established collective bargaining between a trade union (or a provisional union) and an employer, in an enterprise. Subsequent revisions of the law merely added more details to the practice. The main negotiation method in Vietnam is bridge negotiation, wherein a trade union acts as an intermediary between workers and their employer. The trade union collects the workers' issues, for collective bargaining, and represents both sides in selecting and deciding the relevant content for any negotiations. It also tries to bring the wishes and expectations of both sides closer to each other. Workers' participation in the negotiation is rather passive and is limited to giving the trade union information and then waiting for the union to communicate the results of the negotiation. The content of collective bargaining agreements (CBAs) with any provisions higher than those established by the law, if any, is

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<sup>3</sup> Bac, P. N. (2016). The strategy of trade union revitalisation in Vietnam - A thesis submitted in fulfilment of the requirements for the degree of Doctor of Philosophy.

<sup>4</sup> Clarke, Simon; Chang-Hee Lee and Do Quynh Chi. 2007. "From Rights to Interests: The Challenge of Industrial Relations in Vietnam." *Journal of Industrial Relations* 49, pp. 545-568.

<sup>5</sup> Clarke, Simon et al. (op. cit.)

mainly brought about by the willingness and voluntary sharing of the employer with the workers, rather than as the result of collective bargaining<sup>6</sup>.

In the early 1990s, the Government of Vietnam instituted a basic salary for those working in the state sector and a minimum salary for non-state workers. In the 1990s and 2000s, different levels of minimum wage existed for domestic workers and those in foreign enterprises. These differences were removed, in 2011, to meet the requirements of Vietnam's accession to the WTO. In 2006 and following a wave of wildcat strikes at the end of 2005, the Government raised the minimum wage by 40 percent, compared to the last raised level in 1999<sup>7</sup>. From 2008 to 2020, the minimum wage was raised every year, and – with the exception of the last four years – at a rate that was much higher than the country's rates of GDP growth, inflation, and productivity growth. A World Bank policy-research working paper concluded that, as a percentage of the mean wage, the minimum wages in Vietnam were “among the highest statutory minimum wage “bites” found anywhere in the world and are only exceeded by a small number of countries in either the OECD or the East Asia and Pacific region”<sup>8</sup>.

**Table 4: Percentage change of regional minimum wages compared to previous years**

Year	Region 1	Region 2	Region 3	Region 4
2020	5.74	5.66	5.54	5.14
2019	5.03	5.10	5.18	5.80
2018	6.13	6.33	6.55	6.98
2017	7.14	7.10	7.41	7.50
2016	12.90	12.73	12.50	11.63
2015	14.81	14.58	14.29	13.16
2014	14.89	14.29	16.67	15.15
2013	17.50	17.98	16.13	17.86
2012	29.03	31.85	32.48	27.27
2011	15.67	13.45	12.50	10.00
2010	11.67	10.19	9.47	8.70
2009	20.00	20.00	18.75	15.00
2008	14.94	13.92	12.68	12.68

(Source: Annual government decrees on minimum wage) (Note: data from 2011 and earlier applied to foreign enterprises only.)

The 2012 Labour Code established a National Wage Council, composed of representatives from the Ministry of Labour, Invalids and Social Affairs (MOLISA) (five representatives), the Vietnam General Confederation of Labour (VGCL) (five representatives), and employers' organisations (the Vietnam Chamber of Commerce and Industry (VCCI), the Vietnam Cooperative Alliance (VCA) and three national business associations, (five representatives). This council plays an advisory role to the government in deciding the minimum wage level.

<sup>6</sup> Pham Thi Thu Lan. 2019. Collective Bargaining in Vietnam. ILO discussion paper.

<sup>7</sup> Quynh Chi Do, The Challenge from Below: Wildcat Strikes and the Pressure for Union Reform in Vietnam.

<sup>8</sup> Achim, D. Schmillen; Truman, G. Packard. 2016. Vietnam's Labor Market Institutions, Regulations, and Interventions – Helping People Grasp Work Opportunities in a Risky World.

As labour relations become increasingly complex in the market economy, with multiple conflicting interests, labour laws on these issues and the work of labour inspection has also becoming increasingly important.. An International Labour Organisation (ILO) assessment of labour inspection in Vietnam reported that the number of labour inspectors' visits, to workplaces in Ho Chi Minh City, increased from 100, in 2006, to 1,754, in 2011, which resulted in additional inspectors being recruited. However, this remains a small proportion of the roughly 100,000 enterprises that registered with Department of Labour, Invalids and Social Affairs (DOLISA), for work permits, in 2011<sup>9</sup>.

## **2.2 Project Background**

In November 2018, Vietnam's National Assembly unanimously passed a resolution ratifying the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP), which entered into force for Vietnam on 14 January 2019. As a party to the CPTPP, Vietnam commits to adopting and maintaining the fundamental rights, as stated in the ILO's Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) (ILO FPRW Declaration,) into its laws and practices. Those rights are:

1. Freedom of association and the effective recognition of the right to collective bargaining;
2. the elimination of all forms of forced or compulsory labour;
3. the effective abolition of child labour and, for the purposes of this Agreement, a prohibition on the worst forms of child labour; and
4. the elimination of discrimination in respect of employment and occupation.

Both Vietnam and the European Union ratified the EU-Vietnam Free Trade Agreement (EVFTA), which came into effect from 1 August 2020. Like the CPTPP, the EVFTA states that the EU and Vietnam reaffirm their commitment to respecting, promoting and effectively implementing the agreement's principles concerning fundamental rights at work, as stated in the ILO's FPRW Declaration. The CPTPP differs in that under the EVFTA, Vietnam explicitly pledged to make continued and sustained efforts toward ratifying all fundamental ILO Conventions. As of August 2020, Vietnam has ratified six out of eight ILO fundamental conventions. The remaining non-ratified conventions are: Convention 87, on Freedom of Association and Protection of the Right to Organise, and Convention 105 (ratified but not yet into force), on the Abolition of Forced Labour. Vietnam is however as a member state obliged to apply the core Conventions even it has not ratified all the Conventions.

Vietnam's negotiation and ratification of the CPTPP and the EVFTA, with high labour standards, is evidence of the country's commitment to reform, in the fields of labour and IR. Furthermore, they provide an additional impetus to accelerate this reform. The country has implemented concrete steps to push the reform forward.

On 14 June 2019, the National Assembly unanimously supported the ratification of ILO Convention No. 98 on the Right to Organise and Collective Bargaining. The ratification instrument was deposited in July 2019, and one year after that date, the Convention came into force for Vietnam. In the ratification resolution

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<sup>9</sup> ILO, Technical Memorandum – Viet Nam Labour Inspection Needs Assessment (2012)

(Resolution #80/2019/QH14), the National Assembly requested the Government and all relevant state agencies/organisations, to review the stipulations made in the 2012 Labour Code and other legal documents, in order to bring them into line with the Convention (Article 3).

Soon after the ratification, in November 2019, the National Assembly passed a new Labour Code, to replace the Labour Code from 2012. The new law will become effective from January 2021. For the first time in a unified Vietnam, the new Labour Code permits the creation of workers' representative organisations, outside the structure of the Vietnam Trade Union. Previous Labour Codes presented only one option for employees, wishing to organise collective actions to defend their rights: joining the Vietnam Trade Union. The Vietnam General Confederation of Labour and its subsidiaries at the provincial, district and grassroots levels are the only legally recognised organisations that represent the interests of workers. The option of joining this organisation still exists under the new law. The "workers' representatives' organisations" will have the same rights as the VGCL trade unions, in terms of being able to be a party to social dialogue and negotiation with employers on behalf of its members.

Consistent with the Convention 98's principle of voluntariness in conducting collective bargaining, the new Labour Codes no longer requires enterprises to organise periodic collective bargaining with workers' and their representatives. A new form of collective bargaining (Multi-employer CBA) is added, in addition to those which existed in the previous Labour Codes, namely enterprise and industry level CBAs.

Once every five years, the Vietnam General Confederation of Labour (VGCL) organises a congress to define its strategy and to select its leaders for the next five-year term. In September 2018, the 12<sup>th</sup> Congress of the Vietnam Trade Union was held in Hanoi, and was attended by 946 delegates, representing officers, union members, civil servants and workers from across the country. The Congress adopted a resolution, setting key targets for the period 2018–2023. Among those, the following are relevant to the project:

- Expand the membership of the Trade Union by an additional two million members;
- Establish grassroots unions in all (100 percent) enterprises with 25 workers or more;
- Strive to have union structures in enterprises with 10 workers or more;
- Every year, at least 60 percent of non-state enterprises will organise a workers' conference, and more than 70 percent of non-state enterprises will organise workplace dialogues;
- More than 70 percent of enterprises with union structures will sign CBAs, and at least 45 percent of those CBAs will be assessed with B and upward categories<sup>10</sup>.

Those targets show that the strategic objectives of the TU are; developing TU structures and a membership base, promoting dialogues between workers and company managers, and CBAs. By setting a hard target, for establishing grassroots unions in enterprises with more workers (25 and more), the TU demonstrates that it views them as 'low hanging fruits', to be harvested first. The softer target "Strive to have union structures in enterprises with 10 workers or more" indicates that those enterprises are the

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<sup>10</sup> <https://laodong.vn/cong-doan/toan-van-nghi-quyet-dai-hoi-cong-doan-viet-nam-lan-thu-xii-632949.lido>, accessed on 29 January 2019.

next priority. Enterprises with less than 10 workers are not on the radar of the TU, for at least the next five years.

A second observation is that although the Labour Code and implementing decrees make it mandatory for employers to organise workplace dialogues and workers' conferences, a large proportion of non-state enterprises have yet to adhere to the regulations. Even if all of the relevant targets of the TU are achieved by 2023, dialogues and workers' conferences still would not have been organised in about one third of the non-state enterprises. This aspect of IR will be discussed more in the subsequent sections of the report.

The Vietnam Trade Union is one of six organisations that are categorised as socio-political organisations, within Vietnam's political system. As such, the VGCL and the local FOLs are directly impacted by state-wide personnel and restructuring policies. In October 2017, the Central Committee of the Communist Party of Vietnam adopted a resolution on the continuing renovation and reorganisation of the apparatus of the political system, to enhance effectiveness and efficiency (Resolution 18/NQ-TW). The resolution set a goal of reducing the (2015-level) workforce, by at least ten percent, in all of the party, state and socio-political organisations by 2021. The resolution also compels organisations, under the umbrella of the Vietnam Fatherland Front, to reorganise in such a way that they eliminate ineffective divisions and define clearer roles and responsibilities for the remaining ones. This Party determination affects the VGCL in a profound way; forcing it to achieve more with fewer personnel and, thus, making efficiency a more important issue than ever before.

In November 2016, the Prime Minister approved a new charter of the VCCI, which – for the first time – lists promoting the development of harmonious labour relations as one of its mandates<sup>11</sup>. The VCCI brings employers' voices into tripartite dialogues with the VGCL and government agencies, in the National Wage Council, and other policy making processes, through its Bureau of Employers' Activities (BEA), which was established in 2005. The bureau's responsibilities include helping employers resolve conflicts and disputes, through negotiation and mediation; promoting employers' adherence to labour regulations; and enhancing their knowledge of, and capacity for, labour and human resources' management. As the Government places an increasing focus on improving the business environment and the country's competitiveness, the VCCI is gaining a greater hearing on business policy matters. In 2018, the Chamber actively participated in drafting committees of 16 important policy documents; organised nearly 320 conferences and workshops, to provide inputs to laws and policies; and solicited comments from the business community on 128 draft legal documents<sup>12</sup>.

## 2.3 Goals and Objectives of the Project

This project was part of a broader program, promoting the ILO's FPRW Declaration. This included:

- A project funded by the European Union (EU), concerning the implementation of the Trade and Sustainable Development Chapter of EU Vietnam FTA. Under this agreement, Vietnam made a

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<sup>11</sup> Decision 2177/QĐ-TTg of the Prime Minister dated 11 November 2016 Approving the Charter of the Vietnam Chamber of Commerce and Industry.

<sup>12</sup> <http://vcci.com.vn/vcci-da-hoan-thanh-tot-nhiem-vu-chinh-tri-duoc-dang-va-nha-nuoc-giao-pho-trong-nam-2018> accessed on 29 January 2019.

commitment, in accordance with its obligations deriving from its membership of the ILO and the ILO's FPRW Declaration, to respect, promote and effectively implement the principles concerning fundamental rights at work.

- A project funded by Canada, to establish an industrial relations' data and information system for evidence-based industrial relations' policy development.

The Project's overall goal was to build the legal and institutional foundations for a new industrial relations' framework, based on the ILO's FPRW Declaration, with a special focus on C.87 and 98, and in full consideration of national contexts that have effectively been established in Vietnam

The overall goal was pursued through the achievement of the following interlinked Medium-Term Objectives, supported by Short-Term Objectives (the current evaluation is targeted on MTO 4):

**Medium-Term Objective (MTO) 1:** National labour laws and legal instruments are consistent with the ILO's Declaration on Fundamental Principles and Rights at Work

Short Term Objective 1.1: Increased awareness of effective industrial relations and the ILO's FPRW, among tripartite constituents and the general public

Short Term Objective 1.2: Drafted revised/new legal instruments by MOLISA made Vietnam's labour laws consistent with the ILO's FPRW

**Medium-Term Objective 2:** Labour administration system effectively administers new industrial relations framework

Short-term Objective 2.1: Tripartite partners coordination framework for effective industrial relations established and strengthened

Short-term Objective 2.2: Legal instruments and law guidance for the national labour law are strengthened, in full respect of the ILO's Declaration on Fundamental Principles and Rights at Work (FPRW) 1998

Short-term Objective 2.3: Industrial relations development services enhanced at different levels of labour administration system

**Medium-Term Objective 3:** Labour inspectorate effectively enforces and promotes compliance with national labour laws in employment and industrial relations

Short-term Objective 3.1: Increased capacity of labour inspection system to enforce effectively and promote compliance with national laws in line with FPRW

Short-term Objective 3.2: Improved effectiveness and efficiency of labour inspection system through introduction of information management system

**Medium-Term Objective 4:** Workers and Employers' representative functions reinforced under the new IR framework

Short-term Objective 4.1: Bipartite/tripartite social dialogue strengthened to improve industrial relations through sharing experiences and lessons learned

Short-term Objective 4.2: VGCL increased engagement in law reform and activated renovations of trade unions' organisational and operational structure, for better performance

Short-term Objective 4.3: Trade unions at all levels enhanced their capacity for organising, collective bargaining and social dialogue through pilot initiatives

Short-term Objective 4.4: VCCI and business associations increased engagement in labour law reform and renovation plans

Short-term Objective 4.5: Cooperation mechanism enhanced between business and employers' community, and workplace IR improved in pilot localities

The project combined:

- a) The adoption of new legal instruments to improve consistency with the FPRW (MTO 1);
- b) The effective development and implementation of industrial relations' policies by labour administration, to promote sound industrial relations, in full consideration of the FPRW (MTO 2)
- c) Effective labour law enforcement, with a focus on industrial relations' challenges, in full consideration of the FPRW (MTO 3)
- d) Workers and employers' effective participation in and contribution to promoting effective collective bargaining and social dialogue, in full consideration of the FPRW (MTO 4)

USDOLs contributed to the Project through MTO 1, 2 and 3, while Japan's contribution was mainly through MTO 4. There are some areas where both donors cross-supported the government and social partners, to ensure linkage and synergy.

There was some intersection between the projects' outputs and activities, which aimed to enable a greater coherency and reinforcement of the key outputs. This was a deliberate feature of the design, and it permitted work with both particular constituents and joint work between the constituents, in a continuous iterative process. In other words, different project activities were designed to intersect in multiple ways.

A key element of the Project's strategy was the use of pilot initiatives, in different settings. Piloting new approaches to implement practice change has an important demonstration effect and provides an important source of results-based learning for stakeholders. This is particularly the case where stakeholders are adapting to a new operating environment. Pilot initiatives can also provide a platform for a further upscaling of actions, when successful results emerge, and can, ultimately, inform policy change. Two kinds of pilots were carried out in this Project:

- Pilots in the provinces tested new labour inspection practices and tools and, as necessary, these were adapted, to be rolled out more widely for future use. (MTO 3)
- Pilots of new industrial relations' approaches were carried out, in collaboration with local authorities, trade unions and sectoral business/employers' associations, in a selected number of localities and economic sectors at district- and industrial-zone levels. This included facilitating pilots in selected localities that focused on: innovative ways of organising and collective bargaining at the enterprise and sectoral level; experimenting with modes of democratic



governance of grassroots unions; exploring new modalities for upper-level unions to support the empowerment of workers at the enterprise level; and providing legal advisory services to assist and empower workers (with an emphasis on gender inclusion). (MTO 4)

It was planned that the pilot localities, for inspection and innovative industrial relations' approaches, would be selected in the same or in neighbouring provinces, in order to maximise synergy. The pilot localities would work as a centre of innovation, lessons and experiences – which would be shared and disseminated with the surrounding provinces within the same region. The project should facilitate the sharing of experience, to create a tipping point for new industrial relations' practices, within those areas with the highest concentration of industrial activities in each region.

### 2.3.1 Alignment

The Government of Vietnam expressed its strong political commitment for institutional and legal reforms in its socio-economic development tasks for 2016-2020, which were approved at the recent Communist Party Congress. These included:

- *“Reforming wage policies, based on market principles, and in line with the growth of labour productivity.*
- *Making adjustments to base salaries and the minimum wage on an appropriate road map, to ensure workers’ minimum living standards.*
- *Implementing [a] social dialogue mechanism, to conclude collective labour agreement[s] on wages among the parties [and] to build harmonious and progressive labour relations.*
- *There should be mechanisms for trade unions and employers’ organisations to supervise the implementation of the collective bargaining agreement[s].*
- *Conducting research studies to readjust [the] appropriate retirement age.*
- *Strengthening [the] management of foreign workers in Vietnam.*
- *Continuing to improve wage policies for the state-owned enterprises.*
- *Building [a] standardised system of human resource management and assessment indicators of labour productivity”.*<sup>13</sup>

The Government has been tasked with accelerating the implementation of these objectives, in accordance with its five national priorities, which were identified by MOLISA in order to manage the following<sup>14</sup> :

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<sup>13</sup> Chapter IV, section 5, para. 3 of the Party Congress report on socio-economic development directions and tasks for 2016-2020. [http://daihoi12.dangcongsan.vn/Modules/News/NewsDetail.aspx?co\\_id=28340743&cn\\_id=405104](http://daihoi12.dangcongsan.vn/Modules/News/NewsDetail.aspx?co_id=28340743&cn_id=405104)

<sup>14</sup> Minister of MOLISA approval no: 745/QĐ-LĐTĐ on promulgation of the MOLISA action plan to implement the SEDS 2011-2020. <http://www.molisa.gov.vn/vi/Pages/ChiTietVanBan.aspx?viID=29386>

- a) *consolidate the market economy mechanism (institutional reform, reform of policies and management mechanisms); labour market development and facilitation of the free movement of labour;*
- b) *harmoniously link economic development with social progress and social equity; enhance living standards for people and strengthen the social protection system;*
- c) *enhance the quality of human resources and focus on the development of high-quality human resources;*
- d) *reform of wage policies based on a market mechanism; complete a social dialogue mechanism; collective bargaining and develop sound industrial relations; and*
- e) *implement international commitments, firstly to focus on the FTAs that have been signed; Conventions that have been ratified (ILO Conventions; UN Conventions); and high level Agendas where Vietnam is one of the participating parties (the 2030 Sustainable Development Agenda COP 21 Agenda).*

The project played a key role in realising the Programme & Budget (P&B) outcomes in one of the three pillars of the ILO and Vietnam Decent Work Country Programme (DWCP) for 2017-2021: Country Priority 3 on “Building effective labour market governance compliant with fundamental principles and rights and at work” and the following DWCP outcomes:

Outcome 3.1 Effective industrial relations systems built in line with international labour standards and fundamental principles and rights at work.

Outcome 3.3 Decent work opportunities increased through integrated approaches to compliance and workplace innovation applied at sectoral and workplace level.

Outcome 3.4 Deepened commitment to ratify and apply international labour standards.

This project supported the UN’s One Strategic Plan, which is being appraised by the Government, and which aims to contribute to assisting development for 2017–2021, primarily under Outcome 3.2: *“Inclusive labour markets and expansion of opportunities for all - which expresses that by “2021, a fairer, inclusive labour market ensures decent work and opportunities for all, particularly for excluded groups and disadvantaged geographic areas.”*

The project made contributions to the following Sustainable Development Goals (SDGs) at the country level in particular, within the following SDG indicator:

- SDG Indicator 8.8.2: Increase in national compliance of labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status

### **2.3.2 Project Management Arrangements**

The Government of Vietnam assigned the **Ministry of Labour, Invalids and Social Affairs** to work with the ILO on the execution of the project, under the overarching framework of the New Industrial Relations’ Framework (NIRF) project.

A **National Project Steering Committee (NPSC)** was foreseen, to be a joint steering body, composed of a high-level leadership representative from each implementing and co-implementing agency (i.e. of MOLISA, the Social Affairs Department of the National Assembly, the VCCI and the VGCL), the Director of the ILO's Vietnam CO and the Project Manager. It was foreseen that the committee would ensure coordination among the implementing partners, including the non-government partners.

Other ministries and organisations were invited to participate in and contribute to the NPSC's meetings, if a need arose and if all regular members agreed. The NPSC should provide guidance to the ILO's project team, reviewed and approved the work plan, monitored progress, and ensured an effective implementation of the project, by providing necessary support.

The NPSC met every six months, to review progress and the work plan and to offer advice to the Project Team. The Project Manager consulted with, and reported to, the NPSC on the project implementation. The NPSC was chaired by a Vice Minister of MOLISA. A technical advisory committee (TAC) was established at the VGCL. Key persons from VGCL's technical departments joined this group.

MOLISA, in consultation with the VGCL, the VCCI and the ILO, established a **Project Management Unit (PMU)**. The PMU assisted MOLISA to facilitate the execution of the project, in line with the national agenda and provided organisational support to the ILO project team, by mobilising its administrative and organisational means.

### **2.3.3 Donor Coordination**

The ILO Country Office for Vietnam, MOLISA and USDOL<sup>15</sup> formed a tri-lateral committee, which had regular discussions (every three months during the lifetime of the project), to discuss the project's overall progress. These covered the first three MTO, but no such mechanism was in place for MTO 4. However, a multi-donor coordination committee, with representatives from the donor countries, co-implementing Agencies, and the ILO Country Office for Vietnam, held annual meetings, to share information relating to donor co-ordination across areas of common interest.

The Project was carried out by the ILO Country Office for Vietnam. The ILO Office provided overall coordination and support, with technical backstopping provided by the ILO's Decent Work Team for East and South East Asia and the Pacific in Bangkok (ILO DWT-Bangkok).

Although ILO DWT-Bangkok was the lead technical unit for all components of the project, units at the ILO's headquarters provided technical support. These units included; the Labour Relations and Working Conditions Branch (INWORK) of the International Labour Standards Department (NORMES), Labour Law and Reform Unit (LABOURLAW); the Bureau for Workers' Activities (ACTRAV); the Bureau for Employers' Activities (ACTEMP); and the Gender, Equality and Diversity Unit (GED).

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<sup>15</sup> The NIRF Project has other projects, which are funded by Japan, Canada and European Union. Subject to the agreement of MOLISA and USDOL, the NIRF Project may develop multi-donor coordination mechanism which will also include Japan, Canada and EU.

### 2.3.4 Project Staff

*Chief Technical Advisor:* The international Chief Technical Advisor (CTA) had the overall managerial responsibility for the NIRF programme implementation, including ensuring the timely and quality delivery of outputs, managing project staff, and managing the relationships with the partners and donors. The CTA also had the **technical** responsibility of providing advice and technical inputs for the reform of labour laws (MTO 1), including those related to the ratification of C. 87, 98 and 105, under the EU project on Fundamental Principles and Rights at Work<sup>16</sup>. The CTA left in early 2018 and was not replaced. The CTA post was designed for the whole NIRF program. When the structure of the NIRF was changed, the different components of NIRF operate as individual Projects. The Coordinator of the NIRF/Japan has been assigned to take more responsibilities of the Project Manager. The Project received support from ILO Country Director, who is also IR Specialist with deep understanding about Vietnam IR context, and also technical inputs from DW team of specialist from Bangkok.

*Communications Officer* was responsible for planning, coordinating and implementing the project's advocacy and communication strategies, under the guidance of the CTA and the Director of the ILO Country Office for Vietnam

*National Coordinators (NC):* were responsible for providing technical and coordination assistance in the planning and implementing of the project's activities, in collaboration with the implementation partners. The project had three NCs in the fields of:

- a) Labour inspection,
- b) Industrial relations policy and social dialogue – focus on Government,
- c) Ensuring timely and scientific M&E across all project activities
- d) Social dialogue/ promotion of sound industrial relations – focus on social partners VCCI-VGCL

*Programme/Research Assistants:* responsible for clerical support, translation of day-to-day project correspondence, interpretation, scheduling of the project activities and, if required, research support.

*Finance Assistants:* responsible for the overall supervision and management of the project's financial resources.

Due to the close links between the different projects, under the NIRF's umbrella, it was inevitable that there would be some inter-locking staff structure, which served more than one project, in order to ensure cost-effectiveness, coordination and synergy. Each project under the NIRF<sup>17</sup> allocated a proportional salary contribution to the Project's staff<sup>18</sup>. All staff members were expected to cooperate in all projects under the NIRF, in order to ensure coherence between the different components of the NIRF's projects. The project staff, who were supported by USDOL funding, registered their actual time allocation through

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<sup>16</sup> Managerial responsibilities of EU FPRW project will be taken by a national coordinator hired under the EU project.

<sup>17</sup> USDOL, Government of Japan, EU-FPRW, Canadian Government

<sup>18</sup> The sensitive information on salaries and the detailed overview of donor contributions to staff is shared directly with the Grant Office Representative (GOR) and not included in this project evaluation report.

a timesheet management system that was outlined in the MPG. Such a mechanism was not in place for the Japanese-funded part of the NIRF project.

### **2.3.5 National Implementing Partners:**

The *Implementation Partners* (IP) were various units of the implementing and co-implementing agencies, which were designated to undertake project activities throughout the Project. These were as follows:

- a) The new Industrial Relations and Wage Bureau, the Legal Department, the Institute of Labour Science and Social Affairs (ILSSA), and the International Cooperation Department of MOLISA;
- b) The Organising Department of the Industrial Relations Department, the Institute of Worker and Trade Union and the International Cooperation Department (ICD) of the VGCL;
- c) Bureau for Employer Activities of the VCCI;

The Project was designed to support the implementing partners to become capable and effective industrial relations actors in an improved industrial relations environment in the course of carrying out the activities set out in the Project. By becoming effective actors, they contributed to the building of sound industrial relations, and became constituent dimensions of new industrial relations.

### **2.3.6 Direct beneficiaries of the Project:**

- Officials in the labour administrations (MOLISA and DOLISA) at a central and provincial level, who were responsible for developing and implementing industrial relations policies, and enforcing labour laws
- Lawmakers in the National Assembly, responsible for the Labour Code, social affairs, Trade Union Law and other related laws
- Social partner organisations (the VGCL and the VCCI)
- Trade Union leaders and activists at the grassroots and upper levels
- Employers and business representatives in various segments of the global supply chain
- Workers in the enterprises, participating in the pilots

### **2.3.7 Indirect beneficiaries of the Project:**

- Employers and business stakeholders in the global supply chain, who will have more stable and predictable workplace relations

### **2.3.8 Geographical and sectoral coverage**

The Project targeted: three leading provinces in the southern economic hub (Ho Chi Minh City, Dong Nai and Binh Duong); two provinces in the central tourist triangle (Da Nang and Quang Nam); and one important industry centre in the north (Hai Phong). The Project secured political commitment from the local authorities to implement the pilots. In these provinces, the project targeted major export industries (Ho Chi Minh City – garment, Dong Nai, Binh Duong – furniture, and Hai Phong – electronics), which are integrated into global supply chains. In Da Nang and Quang Nam, the project targeted the tourism sector

and workers in the informal economy. The selection of the provinces and sectors was based on an explicit commitment made to the principles and objectives of the Project by the People's Committees of the provinces and also by representatives of the social partners' organisations.

The geographical coverage of the evaluation's field visits included Hanoi and selected provinces, where the project activities were implemented. These were:

- a) Hanoi
- b) Hai Phong city (north)
- c) Da Nang and Quang Nam (central)
- d) Ho Chi Minh City, Dong Nai, Binh Duong (south)

### **3. Purpose, Scope and Clients of the Final Evaluation**

#### **3.1 Introduction and Rationale for the Evaluation**

The evaluation, reported herein, is the final evaluation of the project on “Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work” (NIRF) which will end on the 31<sup>st</sup> of December 2020, after a no-cost extension. Originally it should have ended by the 29th of February 2020, but the COVID-19 pandemic delayed its implementation and evaluation. This current evaluation covers the Japanese-funded project linked to MTO 4 only.

As stated in the project documents and according to its own regulations, the ILO is obliged to conduct a final evaluation, when a project’s budget is above USD 1 million. It must also assess the project’s effectiveness, impact and sustainability and identify any lessons learned. As concerns the monitoring and evaluation of the progress of the project, a mid-term evaluation was conducted after 24 months of the project’s planned 43-month duration, had elapsed.

Therefore, this report contains the findings of the final independent evaluation that was conducted during July–August 2020.

This evaluation was conducted for the purposes of accountability, learning, and planning and building knowledge. It was conducted under the criteria and approaches for international development assistance that were established by: the OECD/DAC Evaluation Quality Standard and the UNEG Evaluation Norms, Standards and Ethical Safeguard and Code of Conduct for Evaluation in the UN System.

In particular, this evaluation followed the ILO’s policy guidelines for results-based evaluations; and the ILO’s EVAL Policy Guidelines: Checklist 4 “Validating methodologies”; and Checklist 5 “Preparing the evaluation report”. The evaluation team also followed the recommendations found in the “Implications of COVID-19 on evaluations in the ILO” guidelines.

A Mid-term Evaluation (MTE) was conducted in 2018. The Final Evaluation makes reference to the MTE’s findings and assesses the management response to the MTE’s recommendations.

This final evaluation applies the key criteria of relevance, validity of design, effectiveness, efficiency, impact, sustainability and cross-cutting issues – including gender equality – as well as monitoring and evaluation, in order to determine the achievements made, lessons learned, and challenges faced and opportunities presented.

#### **3.2 Purpose and Objectives of the Evaluation**

The independent final evaluation’s main purpose is to ensure learning and accountability for the ILO and the implementing partners. The evaluation also gives an independent assessment of the project’s progress. It ascertains which of the stated objectives the project has or has not achieved; what were the results of the project’s interventions, on targeted stakeholders and institutions; which strategies and implementation modalities were chosen that show how activities were implemented; and how the project was perceived and valued by targeted groups and stakeholders.

This evaluation promotes the partnership mechanism and enhanced learning culture of both the ILO and the social partners. The evaluation also intends to identify any effective practices and to assess the prospect of sustaining them beyond the life of the project. Overall, the evaluation provides recommendations use the successes of the current project to inform the future design of possible NIRF projects, covering the components funded by Japan.

The evaluation addressed the following ILO evaluation concerns for the project's:

- Relevance;
- Design and strategic fit;
- Effectiveness and progress;
- Effectiveness of management arrangements;
- Efficiency and Resource Use;
- Impact;
- Sustainability;
- Cross-Cutting Issues

Specifically, the evaluation examined the following seven criteria:

1. Project's design, implementation strategy, institutional arrangements and partnerships, as well as project's set up within the broad multi-project context of the NIRF
2. Relevance of project's interventions, within any relevant recent or current development circumstances in Vietnam
3. Project's progress made towards achieving its planned medium- and short-term objectives
4. Effectiveness of the project's implementation and management, which includes the following:
  - a) The coordination mechanisms, among the partners, and the effectiveness and efficiency of the project's implementation in general
  - b) The identification and analysis of factors that hindered or facilitated the project's delivery
  - c) How the recommendations of the earlier mid-term evaluation were followed up and implemented by the project
5. Good practices and lessons learned, as well as replicability; including what worked and what did not work. Where activities have been particularly successful, the reasons for successful implementation. This includes any approaches or implementation practices that had an important demonstration effect and provided an important source of results-based learning
6. Likelihood of sustainability of the results achieved
7. Follow ups for future IR related work, to be implemented by partners and/or by a future ILO project



### 3.3 Scope of the Evaluation

The final evaluation was conducted as per the ILO evaluation policy requirements.

The evaluation was conducted during July and August 2020 (with field work between 20 July and 13 August 2020). Due to the COVID-19 pandemic, field work was conducted by the National Consultant (NC) alone with the Team Leader (TL) joining virtually via Zoom or Skype when possible. During the field visits, sudden changes in the COVID-19 regime forced the team to conduct more interviews remotely than were originally planned. This made it complicated for the international consultant to join, when interviews were conducted in Vietnamese. Similarly, all of the focus group discussions (FGDs) could not be conducted as planned. These sudden changes had a certain negative impact on the data collection, even though the evaluation team did its utmost to mitigate this and to show flexibility.

This evaluation considers gender equality and non-discrimination, the promotion of international labour standards, social dialogue, tripartite processes and constituent capacity development. The evaluation integrates gender equality as a cross-cutting concern throughout the project's methodology and deliverables. The subject was addressed in line with the ILO's EVAL guidance notes n° 4 and n° 7.

Moreover, the evaluators reviewed data and information that was disaggregated by sex and gender and which assessed the relevance and effectiveness of gender-related strategies and outcomes to improving the lives of women and men.

The evaluation addresses the ILO's overall evaluation concerns, such as relevance, effectiveness, efficiency, sustainability and impact, and as defined in the ILO's 2017 Policy Guidelines for results-based evaluation.

The evaluation focused on the NIRF Japan Project's component, which covered Medium-term objective 4 and its five Short-term objectives, reiterated as follows:

**Medium-Term Objective 4:** Workers and Employers' representative functions reinforced under the new IR framework

Short-term Objective 4.1: Bipartite/tripartite social dialogue strengthened to improve industrial relations through sharing experiences and lessons learned

Short-term Objective 4.2: VGCL increased engagement in law reform and activated renovations of trade unions' organisational and operational structure, for better performance

Short-term Objective 4.3: Trade unions at all levels enhanced their capacity for organising, collective bargaining and social dialogue through pilot initiatives

Short-term Objective 4.4: VCCI and business associations increased engagement in labour law reform and renovation plans

Short-term Objective 4.5: Cooperation mechanism enhanced between business and employers' community, and workplace IR improved in pilot localities

The timeframe of the evaluated project is from December 2016 until 31 December 2020.

The planned geographical coverage of the evaluation's intended field visits was to have included Hanoi and the specific provinces, where the project's activities were implemented. These were as follows:

- a) Hanoi
- b) Hai Phong city (north)
- c) Da Nang and Quang Nam (central)
- d) Ho Chi Minh City, Dong Nai, Binh Duong (south)

However, because of the COVID-19 pandemic regime, the field visits to Da Nang, Quang Nam and Dong Nai were cancelled and all of the face-to-face meetings, which had been scheduled for those provinces, were conducted remotely.

The final evaluation contains a consideration of whether the means of action contributed to achieving relevant Decent Work Country (DWCP) outcomes. It also examines the strengths and weaknesses, opportunities and challenges and any external factors that might have affected the achievement of the project's immediate objectives and the delivery of its outputs. The final evaluation also assessed the extent to which the project responded to the recommendations of the Mid-Term Evaluation, 2019.

### **3.4 Key Evaluation Questions**

#### **A. Relevance**

- To what extent were the project's immediate objectives consistent with the needs and expectations of the beneficiaries, partners, and key stakeholders, at both the national and local levels? How relevant are they to the needs of government, workers and employers' organisations and to the ILO? How does the project align and support the national development plans with the strategic priorities of the key partners? Was a review of needs or a gap analysis or validation process carried out at the beginning? Are the issues or needs still relevant? Have new, more relevant needs emerged that the project should have addressed?
- To what extent have stakeholders taken ownership of the project's concept and approach?

#### **B. Design and strategic fit**

- To what extent is the design of the project relevant to the strategy, in meeting the Programme & Budget outcomes of the ILO's Strategic Framework, Country Priority Outcomes (CPO) and SDG, which it aims to support? Is it relevant to national, regional and international development frameworks?
- How well does the project complement and fit with the constituents' programmes and priorities as concerns the promotion of sound industrial relations? Describe the extent of synergies and interlinkages between the NIRF's interventions and other interventions carried out by the ILO Hanoi, the government and the social partners. Did the project complement, enhance, and build upon the partners' existing activities and programmes? Describe the extent to which other interventions and policies support or undermine the NIRF's interventions, and vice versa.

- Have new intervening factors/actors (e.g. other donor assisted programmes) emerged, since the inception of the NIRF, which may have impaired or enhanced the project's performance or future ILO development assistance in these strategic areas?
- Were the principles of Results Based Management applied?

#### C. Effectiveness and progress

- Was the project on track to achieving the indicator targets, as per the schedule of Medium-Term Objective 4 and all of its sub-objectives and outputs? Was the quantity and quality of these outputs satisfactory? What factors influenced the effectiveness of the project's capacity building and other activities?
- In which sub-objective has the project shown the greatest achievements? Why, and what were the supporting factors? What were the good practices and lessons learned from the pilot initiatives? What were the obstacles to achievement, both in terms of factors that the project was able to influence and the external factors that were beyond its control?
- Have there been any additional project achievements, over and above what was foreseen in the project document?
- Has the nature of industrial relations changed among the project partners because of the implementation of the project's activities? If yes, to what extent?
- How have the stakeholders been involved in project implementation? Has the project effectively and efficiently succeeded in mainstreaming industrial relations in its areas of work (outputs) and its processes?
- Is there any evidence that the trainees have effectively applied gained knowledge that can be applied in their daily work? Were the provided training services relevant? What are the areas for improvement? Thus far, how has the training addressed the identified key gaps, in compliance with international labour standards?

#### D. Effectiveness of management arrangements

- Were the management capacities adequate and do they facilitate good results and efficient delivery? Do all of the parties involved have a clear understanding of the roles and responsibilities?
- Did the IR project receive sufficient political, technical and administrative support from its national partners, the ILO, and the donor?
- Did the project's performance measures and monitoring systems provide an objective and gender sensitive assessment of program performance? Is information being regularly analysed to feed into management decisions?
- Was cooperation with the project's implementing partners efficient? Was a participatory/consultative approach applied? Were efforts made to ensure an equal participation of women and men?

- How strategic were the implementing partners in terms of their mandates, influence, capacities and commitment?

#### E. Efficiency and Resource Use

- Were resources (funds, human resources, time, expertise, etc.) allocated strategically and efficiently to achieve outcomes?
- Did budget expenditure progress as expected (i.e. expenditure rate)? Were project funds and activities delivered in a timely manner?
- Were resources used efficiently? Were the activities that supported the strategy cost effective? In general, do the results justify the cost? Could the same results have been attained with fewer resources?
- Have efforts been duplicated in other projects related to NIRF? Were there ways the project and partners could have improved efficiencies? To what extent was the project able to build on other ILO initiatives and to create synergies that allowed for a more efficient use of resources?
- Did/does the project have monitoring systems in place to ensure an efficient use of time and resources?
- How effective was the ILO's backstopping support throughout the project's implementation? Did the project maximise the specialists' expertise and leverage other existing relevant projects, to help push forward the expected results?

#### F. Impact

- How was the project able to contribute to the establishment of legal and institutional foundations for a new industrial relations' framework? Are the results consistent with, or do they support, the application of ILO's conventions C.87 and 98?
- To what extent did the project contribute to changes in the attitudes, policies, laws, capacities, and institutions that relate to the new industrial relations framework? Identify the social, environmental, and economic effects of the intervention.
- What are the impacts of gender mainstreaming at the policy and institutional levels? To what extent did the pilots address the different needs of women and men, in policies and practices on organising, social dialogue and collective bargaining? Were women given opportunities in organising? Were gender concerns integrated into pilots for social dialogue and collective bargaining?
- To what extent have the pilots been institutionalised?
- Can/should the project/pilots be scaled up?
- Were the innovative approaches and methodologies piloted?

#### G. Sustainability

- Did the project's designs include an integrated and appropriate strategy for sustainability?

- How effective and realistic was the IR project's exit strategy? Is the project gradually being handed over to the national partners?
- Will the national institutions and key implementing partners be likely to continue the project or to carry its results forward, once the external funding ends? (What is the nature of the commitment from stakeholders? Are they willing to maintain the results? What results were achieved, including via developed tools and research papers, to assist the implementing partners ensure and maintain ongoing operations? ) Does the project have a strategy in place to maintain these elements?
- Which strategies can be taken forward by partners and which strategies should be incorporated into any future ILO project(s)?
- What follow-up actions are required to maintain the project's initiatives?
- How much of a significant contribution is the project making to broader and longer-term developmental impact?

#### H. Cross-Cutting Issues

Gender equality, international labour standards, and social dialogue, including tripartism, environmental sustainability, and development, were identified by the ILO as crosscutting issues in the strategic objectives of its global agenda of Decent Work. Constituent capacity development should also be considered in this evaluation.

Data collection and analysis will be disaggregated by gender as much as possible, as described in the ILO's Evaluation Policy Guidelines and relevant Guidance Notes.

## 4. Evaluation Methodology

This independent final evaluation complied with all evaluation norms and standards and followed all ethical safeguards, as specified in the ILO's evaluation procedures. The ILO adheres to the United Nations Development Group's (UNDG) evaluation norms and standards, as well as their Evaluation Quality Standards.

The evaluation engaged with the project's key stakeholders at all levels, during the design and field work, and the validation and reporting stages. The evaluation was implemented, using a consultative and transparent approach. In order to collect data for the analysis, the evaluation used the methods, tools and techniques listed below:

- i) a desk review of the project's documentation, (Technical Progress Reports (TPRs), Mid-term Evaluation (MTE) report, research/studies and other relevant literature (see Annex 6)
- ii) a staff and partner workshop was planned for the beginning of the evaluation, but it had to be cancelled because of time constraints and the unavailability of staff
- iii) Twenty-nine individual, semi-structured interviews with key informants and stakeholders, virtually, partly virtually and (where possible) face-to-face
- iv) One focus group discussion with workers and trade union representatives
- v) Fourteen semi-structured group interviews
- vi) Informants totalled 76 (34 women and 42 men)
- vii) Direct observations made during field visits
- viii) A validation workshop with key stakeholders on the findings, conclusions and recommendations, conducted on 30 September 2020.

The data from these sources were triangulated to increase the validity and rigor of the evaluation's findings.

### 4.1 Identifying and Analysing the Expected/Unexpected Outcomes

Expected and unexpected outcomes may be achieved through the establishment and optimisation of social dialogue structures and modern industrial relations. However, they may also be changes, which are actually preconditions to achieving the intervention's desired results, but at a later stage. Examples of such changes are; workers and employers' attitudes towards compliance with laws and regulations, changes in trade unions' ability to represent workers, and employers' organisations' ability to represent employers/their members.

To this end, the evaluation team planned to conduct an outcome harvesting workshop with the ILO's project staff, on the first day of the field mission. However, this was not realised.

The evaluation's methodology included examining the interventions' Theory of Change (ToC); specifically, in light of the logical connection between the levels of results, and its coherence with external factors.

However, the intervention did not establish a ToC from the starting point. Notwithstanding, the evaluation showed that the project was built on the implicit rationale that:

- if employers' associations are reformed and new trade union structures developed;
- if trade unions and employers' organisations are capacitated;
- if industrial relations reach out to SME and micro enterprises;
- if institutions for social dialogue and sound industrial relations are in place;
- if women and men workers are empowered; and
- if decent work for male and female workers is promoted.

Then the benefits of constructive social dialogue and modern industrial relations will be maximised, and decent working and employment conditions will develop.

The evaluation team worked in close cooperation with project staff to identify informants among the intervention's stakeholders, including government officials, workers, trade union representatives, employers and employers' associations. In line with the proposed methodology, and to ensure that the evaluation contributed to a more in-depth understanding of the factors (in design and operations) that contributed to or impeded the achievement of results, the sample of informants included:

- Interviews with 11 current and former ILO (project) staff, including the heads of other parts of the project. The purpose of this was to explore how, or under which circumstances, the intervention contributed to the desired changes.
- Interviews with governmental officials, who deal with industrial relations at local/regional and national levels. The purpose was to understand to what extent governmental institutions were ready to continue the initiatives, beyond the project.
- Interviews with 47 trade union leaders and workers and 17 representatives from employers and employers' associations. The purpose was to understand the level of engagement and the perspectives for developing social dialogue.

The above samples are not statistically representative, because the methodology of this evaluation mainly used a qualitative approach for data collection. Time and resource constraints did not allow for a full sample.

The methodology of the evaluation was mainly qualitative. In addition, the selected methods drew on both subjective and objective data sources. Objective data were gathered, especially from written documents and databases (including financial ones). Subjective data included, for example, the opinions of the individual stakeholders interviewed. These different types of data were subsequently cross-checked against each other, as well as the impressions gathered by the evaluators when interviewing stakeholders and visiting field locations (observation). All the collected data were then triangulated and discussed among the evaluators. The findings and conclusions are included in the present report.

The evaluation consisted of three phases. The first, preparatory phase conducted a desk review of the key documents (see Annex 6). This first phase also included correspondence and discussions with the evaluation manager and the project team in Hanoi, as well as the drafting and finalising of the Inception Report.

The analysis began with the teams' going through the project's documentation and identifying the original outcomes, indicators of outcomes, outputs and activities and sub-activities that had been planned for the project (Stage 1 of the evaluation). This information was obtained, primarily, from the project documentation and the Logframe that was developed for the project, at its inception, as well as surveys that were conducted within the project's framework.

The analysis of the findings began with each activity, which had either a quantitative or a qualitative indicator, or a combination of both, as its measurement of achievement. The evaluator looked for quantitative evidence in the secondary data, which was substantiated – when necessary – by the qualitative data, gathered from the fieldwork that was carried out in FGDs and face-to-face interviews. Both the qualitative and quantitative data were analysed, to gauge the level of completion/achievement of each output, which was then linked to the relevant indicators and outcomes of the project (Stage 2 of the evaluation).

The second stage comprised a field mission, to consult with the relevant ministries, the tripartite constituents, the implementing partners, and the beneficiaries and other key stakeholders. A full mission program can be found in Annex 4.

The third stage comprised the writing of the draft evaluation report, which was shared with all of the relevant stakeholders by the ILO. The consultants evaluated any feedback and comments and considered them for inclusion in the final report.

## **4.2 Limitations**

The COVID-19 pandemic regime had a strong impact on the evaluation's data collection. Initially, it was not possible for the international consultant to join the field mission and later, during the data collection which was carried out by the national consultant, new travel regulations were implemented that made it impossible to conduct all of the planned visits. The interviews were conducted virtually; however, it was too complicated to use distance interpretation. Thus, all interviews, in Vietnamese, were conducted by the national consultant, except for those where an interpreter was physically present with the interviewee.

Additionally, sudden changes occurred in the COVID-19 pandemic regime that was in place in certain provinces and field visits could not be conducted. This had a partially negative impact on the possibilities for conducting the planned FGDs.



## 5. Overall Findings

The final evaluation is based on the OECD/DAC evaluation criteria. The seven evaluation criteria were identified, in the previous chapter, and will be discussed in depth in this chapter.

As much as possible, the evaluation addresses all of the key questions, as laid out in the ToR, in detail, in the following subsections.

### 5.1 Relevance

- *To what extent were the project's immediate objectives consistent with the needs and expectations of the beneficiaries, partners, and key stakeholders, at both the national and local levels? How relevant are they to the needs of government, workers and employers' organisations and to the ILO? How does the project align and support the national development plans with the strategic priorities of the key partners? Was a review of needs or a gap analysis or validation process carried out at the beginning? Are the issues or needs still relevant? Have new, more relevant needs emerged that the project should have addressed?*

The evaluation understands that the NIRF is mainly a consequence of the trade agreements, into which Vietnam entered. It has however also some home-grown elements caused by the need to meet the challenges of macro economical changes as result of the introduction of a capitalistic method of production, within a socialistic society, would require initiatives in the field of labour rights protection to minimise exploitation.

A design mission conducted early 2016 a survey in tentative provinces in order to prepare the design of the NIRF project. The mission was conducted by 3 independent international IR experts together with the representatives of Vietnamese counterparts in different provinces nationwide. The project's immediate objectives met some of the partners' key needs, especially at the local level. The project contributed to strengthening the partners' ongoing activities, especially the VGCL's pilots into the direct election of local trade union presidents and establishment of METUs. The project also launched new initiatives, e.g., promoting the establishment of Trade Union champion network, Trade Union Legal expert network. The project also contributed to a strengthening of social dialogue and collective bargaining in enterprises which were not covered by pilot projects.

Some partners especially on the employer's side expressed disappointment concerning the project's technical inputs. They felt that there was a need for a higher level of quality in the technical expertise provided by the ILO.

The intervention was well aligned with the strategy that the VGCL adopted at its 12<sup>th</sup> Congress. The VCCI had a less elaborate strategy and work plan. They reported planning from intervention to intervention. As mentioned elsewhere, a link is missing, in MOLISA, between the different departments working with the ILO.

The project provided support to VGCL on strengthening the Legal Expert Network in 7 pilot provinces through capacity building activities the network was strengthened. The members of the network gained

knowledge and skills that enable them to provide quality support to workers. Even these efforts there is still a need for further strengthening of the legal capacity on IR issues, in both employers and workers' organisations. The new labour code (LC) will pose huge challenges, especially to the unions, which reported that they did not feel fully prepared for these new challenges. Legal advisory service needs to be significantly expanded and the same is true for the employers, even though the challenges may be fewer for them.

- *To what extent have stakeholders taken ownership of the project concept and approach?*

The VGCL took good ownership to the project, especially at the FOL and IZTU level. The support given to the METU, MECBA and direct elections was well received, as it largely contributed to already ongoing VGCL activities.

The VCCI did not feel greatly involved with the project at the national level and, consequently, felt a limited sense of ownership. This even many projects activities were implemented at the local level with strong involvement of the VCCI branches and local Business Associations.

Some partners felt that they were not consulted, when the project was designed, and were only invited to join the discussion after the project had already been approved by the donor. The employers especially felt that their possibilities for influencing the project design were limited. They felt they could only influence the concrete activities to be implemented to a limited extent. This even efforts from the project and an ILO design mission was conducted prior to developing the project and the project was developed on the basis of the findings of the mission.

## **5.2 Project design and strategic fit**

- *To what extent is the design of the project relevant to the strategy, in meeting the Programme & Budget outcomes of the ILO's Strategic Framework, Country Priority Outcomes (CPO) and SDG, which it aims to support? Is it relevant to national, regional and international development frameworks?*

The current project is intended to be viewed in connection with the other three pillars of the NIRF program. When viewed thus, the project was highly relevant, as it builds on the bi- and tripartite elements of the overall reform. Without this important pillar, the reform would unlikely meet its objectives. Furthermore, the project builds on the achievements gained in the two previous phases of IR projects.

The project was relevant to the ILO's P&B Outcomes 1, 2 and 7 and Output 10, because of its support, implemented under the NIRF, of the Vietnamese labour market's very important reform process. It also delivered on DWCP Outcomes 3.1, 3.2, 3.3 and 3.4. and SDG Indicators 8.8.2 (Labour rights).

The ILO's governmental counterpart for developing the DWCP is the Department of Employment, under MOLISA, and its counterpart for implementing the project is the Department of Industrial Relations and Wages, under MOLISA. There are no direct links between these departments and therefore the alignment is not ensured through institutional links.

### Recommendation 1:

Addressed to	Priority	Time frame	Resources
GoV	Medium	Medium	Low

The evaluation recommends that the GoV establish an institutional link between the different departments working with the ILO's CO and that projects that are being implemented with the support of the ILO, in order to ensure alignment between all initiatives.

- *How well did the project complement and fit with the constituents' programmes and priorities as concerns the promotion of sound industrial relations? Describe the extent of synergies and interlinkages between the NIRF's interventions and other interventions carried out by the ILO Hanoi, the government and the social partners. Did the project complement, enhance, and build upon the partners' existing activities and programmes? Describe the extent to which other interventions and policies support or undermine the NIRF's interventions, and vice versa.*

The project was an integrated part of the overall NIRF program. As described in detail above in this report, a strong cooperation and synergy between the four pillars was foreseen in the Project Document, however this did not materialise. Some sharing of resources and informal contacts occurred, but no strategic cooperation was developed. Likewise, the interaction with other projects and units, for example Better Work was very limited.

The Project coordinated with the ILO SCORE program to promote MECBA in Binh Duong. Joint activities to facilitate social dialogue and build capacity on collective bargaining for trade union officers as well as on conflict solution and labour dispute settlement for HR managers in enterprises under the SCORE program which joined a MECBA were implemented.

The project did follow up the decisions of the VGCL's 12<sup>th</sup> Congress on promoting sound industrial relations. The project contributed to the development of multi-employer social dialogue leading to the signing of MECBAs. However, there is still some way to go before solid and modern industrial relations are broadly established in Vietnam. The evaluation understands that, to date, the initiatives have been introduced among employers which were already relatively open to social dialogue and/or where there was a certain involvement from the authorities, to convince employers of the benefits of having good industrial relations. The VCCI was not consulted in the selection of the pilot enterprises this is to be seen as a consequence of the project set-up where the project worked closely with the FOLs and the local business associations in project implementation. A stronger involvement of the VCCI at the national level would possibly have created a stronger ownership.

It was reported that the trade unions in some cases lowered their demands, even before initiating collective bargaining, so as not to scare employers away, before they came to dialogue. The success of this is demonstrated in the numbers, as more establishments have joined the social dialogue initiatives. However, it was reported to the evaluation that the quality of the signed CBAs is relatively low.

The evaluation did not find any reports on failed negotiations or conflicts of interest, leading to a need for formal mitigation efforts. It was however reported that the Hai Phong EZTU and a grass root union planned

to go on strike if the employer did not enter into good faith negotiation. The evaluation understands that normally the Federation of Labour (FoL) can intervene and help parties find a solution, on an informal basis. The evaluation finds that potential future projects should investigate the possibilities of activating the existing mitigation mechanism or of supporting the development of new, modern and efficient conflict and dispute resolution institutions.

The project had a lower institutional importance for the VCCI and naturally they felt less of a sense of ownership. However, at the city and local level, the employers who were involved with the pilot projects generally expressed satisfaction with the initiatives taken and the achievements reached.

- *Have new intervening factors/actors (e.g. other donor assisted programmes) emerged, since the inception of the NIRF, which may have impaired or enhanced the project's performance or future ILO development assistance in these strategic areas?*

No new ILO projects were reported to have been initiated in the field of IR, social partnership or social dialogue during the implementation of the current project. However, other donors, e.g., CNV and FES, are implementing industrial relations-related projects in Vietnam. The project did not establish cooperation with CNV, but established regular information sharing with FES.

### 5.3 Effectiveness and Progress

- *Did the project achieve the indicator targets, as per the schedule of Medium-Term Objective 4 and all of its sub-objectives and outputs? Was the quantity and quality of these outputs satisfactory? What factors influenced the effectiveness of the project's capacity building and other activities?*

#### **Medium-Term Objective 4:** *Workers and Employers' representative functions reinforced under the new IR framework*

The project contributed positively to the preparation for scaling some of the new approaches, which were requested as a consequence of the changes in legislation and political framework. The evaluation finds that it is too early to report that "reinforcement" has taken place. The evaluation finds it questionable to discuss "reinforcement", as this would require that the representative functions were in place earlier. However, the new legislation is creating a new environment for the work of workers and employers' organisations and the function of their representativeness will develop under new circumstances. It can be expected that it will take some years before the mindset, practices and culture both at the workers and employers' side has changed in full.

The rules and regulations for the implementation of the new Labour Code have not been gazetted yet, and only when this happens will the partners know exactly what their capacity building needs are to be able to ensure a constructive implementation of the new legal framework.

It is too early to expect that the objectives set out for the current project would have been met in full. The evaluation finds that some lessons have been learned through the pilot projects, which will help the ILO

to develop possible new projects, in close cooperation with its constituents, which will support the social partners playing an active role in transforming the new IR framework into practice.

*Short-term Objective 4.1: Bipartite/tripartite social dialogue strengthened to improve industrial relations through sharing experiences and lessons learned*

Pilots were launched within the project to support the initiatives that were taken, mainly by the VGCL, in new forms of social dialogue. The pilot projects, e.g., on Multi-Employer CBAs, had already been launched in 2010, in the electronics sector in Dong Nai, but failed. A study was conducted on experiences with the MECBAs within the project and new initiatives were taken, based on lessons learned, in different sectors and industrial environments, e.g., pre-school day care, tourism and industrial zones. The number of such agreements has increased over recent years in- and outside the project. However, the workers' representatives reported rather different experiences from their work with the MECBAs. Some felt that they had some minor gains whereas others felt limited by the agreements and believed that these agreements had a negative impact on their negotiation position, in front of employers, at the factory level.

In most cases, employers were reluctant to enter into legally binding agreements and some of them still question the extent to which the MECBAs are legally binding. However, they understand that they can use the platform created by the MECBA for coordinating an avoidance of unfair competition among the employers, who have signed the agreement and also for blacklisting what they call "troublemakers".

The trade unions reported that the establishments, where bipartite social dialogue and CBAs had been encouraged, felt strengthened and had more self-confidence when negotiating with employers. However, many informants questioned the quality of the CBAs, as – in most cases – these only repeated what is already prescribed by law, and no additional benefits were foreseen.

## **Recommendation 2:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO, VCCI and VGCL	Medium	Medium-term	High

The evaluation recommends that joint training should be rolled out for employers and employees (trade union leaders) on social dialogue (SD) and collective bargaining agreement (CBA), and on an as much as possible large-scale, to pave the way for good faith bargaining and dispute resolution in the establishments.

*Short-term Objective 4.2: VGCL increased engagement in law reform and activated renovations of trade unions' organisational and operational structure, for better performance*

Historically, the VGCL has been actively involved in policy development, either directly or through the Party. Naturally this engagement has increased with the ongoing reforms and the development of new legislation, rules and regulations. The project contributed among others with two principal policy papers, which were appreciated by the VGCL. The project likewise supported the social partners in providing input to the law-making process through workshops, seminars and others.

An involvement in bipartite social dialogue under the new economic regime is new in its present form. Therefore, it is natural that the parties are searching for ways to enter into this dialogue in a constructive manner.

Over recent years the VGCL has launched pilots, to test ways to renovate the unions' organisational and operational structures, to fit the new economic and social reality. One pilot that was supported by the project targeted the establishment of multi-employer trade unions. Its flagship was the METU, for the teachers in pre-school day care institutions in Tam Ky City. This union was established top-down on the initiative of the FoL supported by the project and with active support from the owners and the President of the union was also suggested by the employer. This union deals mainly with issues that are intrinsically traditional to the old types of trade unionism; such as cultural events, celebrations and professional skills up-grades. They did nothing concerning the protection of workers' rights, except from signing an MECBA, with some smaller improvements that was greatly supported politically by the local education authorities. The President of the METU was not even fully aware of the content of the MECBA that she had signed. The workers felt uncomfortable raising demands in front of employers, even though they knew what improvements they would like to see made. The METU has made a limited contribution to the renovation of trade union work, apart from reaching out to a new group of potential members in the private sector.

The tourist boat owners, in Hoi An, established a syndicate, with the support of the project, in order to improve their services and to be covered by insurance schemes. This initiative, of organising the self-employed, has shown good success and all of the stakeholders praised the initiative. However, organising the self-employed will require new initiatives when it comes to services provided by the union, as this group will frequently have different needs compared to wage earners. In Hoi An, a rickshaw pullers syndicate was also established some years ago, and this was revitalised with the support of the project.

### **Recommendation 3:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the ILO provide technical assistance to the VGCL so it can organise in micro establishments and the informal economy, in order to prepare for mid- and long-term interventions. The VGCL is further recommended to conduct an assessment of the resources needed to organise in micro establishments and the informal economy, to estimate whether it is timely to scale organising in this segment.

A network of IZTUS' leaders, which was created by active local leaders before the project started, was supported by the project to become more structured, it has now achieved official status as a committee within the VGCL and the networks' activities were highlighted on the VGCL's website. As this structure is free from a number of political and social tasks, they would have the resources to concentrate on protecting members' rights. The support for these structures has been the project's strongest contribution to renovating the VGCL.

*Short-term Objective 4.3: Trade unions at all levels enhanced their capacity for organising, collective bargaining and social dialogue through pilot initiatives*

The Objective cannot be met, by virtue of the nature of trade union structures, which are not involved in organising (enterprise level) and collective bargaining (enterprise and industrial sector) at “all levels”.

Nevertheless, the training, which was conducted, within the framework of the project pilots, increased the targeted unions’ capacity. However, there is a need for large interventions to ensure that this is scaled-up nationwide. The VGCL has its own training facilities, but these were not upgraded to take the training activities further within the framework of the project. Instead, the project chose to build up capacity at the zone and enterprise levels.

The projects contribution to enhancing capacity in organising was limited and mainly focused on micro-enterprises. The evaluation finds that this strategy should be reviewed, given the challenges coming from the new legislative framework, which will confront the trade unions, in the short term.

The training on collective bargaining reached out to many groups; among them structures negotiating factory level CBAs and those negotiating multi-employer and group CBAs. However, the quality of both types of CBA was reported to be rather low. VGCL would like to see the MECBAs to transform into sector CBAs over time. The evaluation finds that it will be extremely difficult to establish a national sectoral CBA based on dozens of MECBAs it would at least require some streamlining of the MECBAs and that both the employers and trade unions have adequate structures in place at the sectoral level. A possible future project could consider contributing to a strengthening of the sectoral structures. This would be particularly important, as Vietnam becomes more and more integrated into the global economy and also contributes to critical global supply chains. Here an engagement of the VGCL’s sectoral structures, with the Global Union Federation and the Global Framework Agreements, could be of mutual benefit.

The new Labour Code opens the way for the establishment of Workers’ Representative Organisations. It is to be expected that the VGCL will continue to be the dominant organisation in the short- and mid-term, at least. However, if employees in a private establishment want to create an organisation of their own – i.e. an organisation where they themselves decide its nature, function and leadership – the new Labour Code permits them to do so and the subsequent union can be registered. Other countries experiences show that employers often use this opportunity to establish their own ‘pocket’ unions. These so-called ‘yellow’ unions can present a major challenge to real trade unions in representing workers and protecting their rights.

Some informants reported that they foresaw that a large number of ‘new trade unions’ – i.e. Workers’ Representative Organisations (WRO) – would be established in 2021, when the new Labour Code comes into force. If this new situation materialises, it will be a big challenge for the VGCL to accommodate. It will also challenge employers on how they deal with these new structures. The IZTUs and the FoL will face challenge in cooperating or co-exist with these structures, in one way or the other.

The Project facilitated discussions during the consultation process for the Labour Code revision for VGCL and other partners to discuss about how VGCL should be restructured to adapt with new context when the non-VGCL WRO could emerge. During these activities ILO specialists introduced different models of trade union structures in other countries, core tasks of trade unions, recommendations on how VGCL organisational and operational structure should be revised. VGCL has taken note of these recommendations but still no clear approach is in place. A number of strategic questions need to be answered in the short term: i.e. the affiliation of the WRO to the IZTU, the WRO and any existing CBAs

and MECBAs, collection of dues, representation in various consultative bodies, VGCL legal service to WRO members and many others. These issues were discussed between ILO and VGCL during the revision of the Trade Union Law. The project has been providing technical support for these activities. It will be important that clear national guidelines are developed by VGCL so that it is not left to the local and FoL levels to decide. The ILO is recommended to support the VGCL in determining clear guidelines on all issues related to an eventual cooperation with the WROs.

#### **Recommendation 4:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the VGCL develop clear strategic and practical guidelines for its interaction with the WROs and the ILO is recommended to provide technical assistance to this activity.

The project's staff reported that the project facilitated the strengthening trade union activists, "who want to run the trade union in a new way". The Project facilitated knowledge sharing from/ and among trade union activists to other trade unions and localities through VGCL activities including IZTU network, local pilot activities, legal expert network as well as many other activities nation-wide. Trade union officers who have experience in collective bargaining, social dialogue, organising, establishment of unions, dealing with labour disputes have been supported by the project to participate in workshops/ seminars/ conferences of VGCL (and also VCCI) for sharing and exchanging information with other trade union officers (and HR managers). This practice helped to disseminate their skills/experiences to the larger scale. The ILO should give high priority to working through the trade unions and facilitate the strengthening of the capacities of their institutions through capacity building.

#### *Short-term Objective 4.4: VCCI and business associations increased engagement in labour law reform and renovation plans*

The VCCI increased its engagement in the development of labour legislation and contributed to discussions about the new Labour Code. However, the fact that the VCCI does not have a legal department specialized on labour issues has been a challenge in this regard. The VCCI recognises that there is a huge demand from its members for training and information on the interpretation of the new labour legislation.

The VCCI was not particularly involved with the project at the national level, and the evaluation finds that the technical expertise that was provided by the ILO should have been of a higher technical value.

The project worked directly with the provincial structures of the VCCI and the Chambers but there was little involvement with the national level, which consequently, felt bypassed.

#### *Short-term Objective 4.5: Cooperation mechanism enhanced between business and employers' community, and workplace IR improved in pilot localities*

The establishment of HR Clubs with a new approach based on sectoral/industrial structures (wood processing, tourism.) was a positive experience in enhancing cooperation between business and employers' communities. Earlier HR Clubs were gathering HR Managers from different industries in one



Club. Although, it is still in its pilot phase, it has the potential to play a positive role in strengthening informal cooperation, which can in turn impact future formal cooperation in the industry. The HR Clubs are well used for the professional growth of HR Managers and for coordination among them, e.g., informal agreements on not ‘stealing’ each other’s cadres. The HR Clubs have also been used to increase managers’ knowledge about IR and the provisions of the labour legislation.

The pilots under the current project were implemented in same localities where activities with VCCI were implemented - VGCL (Quang Nam, Da Nang and Binh Duong). There was a good engagement of HR members in pilot activities on MECBA and social dialogue development.

The capacity building activities of HR Club members included a broad spectrum of topics including on SD/CB with speakers/trainers from trade unions as well as Club members who have good practice in enterprises. During COVID-19 outbreak, the project provided timely support to the HR Club in connecting with local government.

#### **Recommendation 5:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
VCCI	Medium	Short-term	Low

The evaluation recommends that the VCCI develop a strategy for scaling the HR Clubs, as both a membership service and a tool, for increasing an organisation’s outreach.

The VCCI has a huge task ahead of it, to convince employers to buy into the sound industrial relations as foreseen would be developed. The project did not contribute to a strategical discussion in the VCCI on how the institutional set-up could be optimised to meet the new demands and challenges.

As a whole, the achievements under MTO 4 were satisfactory, taking into account the time frame and resources available.

For the achievements against Outputs see Annex 7

- *In which sub-objective has the project shown the greatest achievements? Why, and what were the supporting factors? What were the good practices and lessons learned from the pilot initiatives? What were the obstacles to achievement, both in terms of factors that the project was able to influence and the external factors that were beyond its control?*

The strengthening of the IZTU (STO 4.3) will be important in the short- and mid-terms. The network that was established between the leaders and activists has great potential to play an important role, when the new legislation comes in place, and there will be a drive for trade unions with a greater focus on workers’ rights. The IZTUs will very much depend on the active members in the network, until a critical mass of trade union leaders, who are modern and committed to workers’ rights, is in place. Therefore, it is essential that the VGCL also continue to support the network beyond the lifetime of the project.

The establishment of HR Clubs (STO 4.5) could have a positive impact on the development of social dialogue and respect for sound industrial relations. They could also be an entry point for the creation of a stronger outreach for the VCCI. However, this will require the VCCI to develop a strategy for scaling the HR Club idea.

The lessons from pilots have been documented and shared widely during the process of discussion Labour Code revision. Trade union leaders involved with pilot projects and with experiences in negotiating CB (include negotiating MECBA), social dialogue and establishment of unions have been invited to expert meetings/ consultation workshops on Labour Code revision which were organised by MOLISA and VGCL. The practices from pilot implementation provided many references for MOLISA and social partners during the process of revision of the Labour Code.

The evaluation does not find that the MECBAs – in their current form – have the possibility to be the game changers that they were foreseen to be (STO 4.1). Firstly, a successful MECBA requires an extremely homogeneous group of establishments, in order to cover all interests, and the number of such establishments that would be covered by one agreement would be limited. Secondly different views exist concerning the agreement’s legal statutes. Thirdly many unions, which have an enterprise CBA, do not see the benefit of an MECBA. Additionally, employers are reported to use the platform for other purposes. Among them, avoiding unfair competition, setting internal standards, including clauses that prohibit one signature enterprise to hire from another signature enterprise (a six months quarantine is in place) and for blacklisting active workers. The general position among the informants, whom the evaluation interviewed, was that MECBAs could not work on a large scale, but possibly for some niches.

- *Have there been any additional project achievements, over and above what was foreseen in the project document?*

The IZTU network was not foreseen to play a prominent role in the original log frame; however, with the project’s support, it developed into a major success that was very much appreciated by all of the participants.

One of the problems of the VCCI is its lack of outreach. The HR Clubs may have the potential to improve this as they can help to promote the VCCI at the local level. A number of relevant services could be provided to the VCCI’s members, via HR Clubs, at the least until the VCCI establishes more formal structures, nationwide.

In the long-term, the HR Clubs could develop into white collar trade unions for employees in managerial positions. Typically, people employed in such positions have a lot of issues with contracts and unlawful dismissals. In many countries quite strong unions exist for this group of employees.

The project supported the establishment of a METU for homestay workers, in cooperation with the Hoi An FoL; but, after much effort this failed, and it was decided to shift to tourist boat owners. A syndicate of these was established and registered, and all 140 tourist boat owners in the city joined. This success led to the successful reactivation of a rickshaw pullers’ syndicate, which had been established ten years earlier. This shift to self-employed was not foreseen in the project document but was successful and could open an interesting pathway for organising self-employed, with the added potential of achieving a higher level of formalisation for them. It remains a strategical decision of the VGCL as to whether further efforts should be made in this direction.

## Recommendation 6:

Addressed to	Priority	Time frame	Resources
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ILO	High	Short-term	Low
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The evaluation recommends that, when a pilot approach is applied, a clear target should exist as to which strategy it feeds into. A pilot does not have any meaning in its own right. It should bring a new element into an intervention. It should also be time-bound, with an exit strategy, as if the pilot is unsuccessful it leaves disappointment behind.

- *Has the nature of industrial relations changed among the project partners because of the implementation of the project's activities? If yes, to what extent?*

In the form in which they were launched, the MECBAs are a relatively new institution in the Vietnamese labour market, even though they have already been in place, for some years and with mixed success. The child day-care CBA that the current project supported covers a very small number of workers (37) and its focus has a more professional character. In practice, it has created no new industrial relations between employer and employees in micro establishments

The difference is minor, for bigger establishments, the unions therein rely more on their own enterprise CBAs. Here the employers use the MECBA more as a platform, to avoid unfair competition and to blacklist troublemakers.

The evaluation finds that MECBAs only can function in establishments, which are extremely homogeneous in size, culture (owners/investors from one country) and sector.

According to some employers, there is also a lack of clarity on how to enforce the MECBAs, and they view them as just guides, whereas union leaders see them as legally binding. However, even they are unclear about how, and by whom, they can be enforced. As a temporary measure, MOLISA has taken it upon itself to ensure their enforcement. However, they would not have the capacity available if larger up-scaling were to be decided upon. Before this initiative can have any significant impact on IR, MECBAs would have to be scaled; before this could happen the institutional and legal set-up would have to be in place in full and the stakeholders would need to understand the benefits of these agreements.

It cannot be said that the implementation of the project's activities has changed industrial relations between the partners on a larger scale. However, it is notable that in the first round of talks on the MECBAs, it was the HR managers who participated and later it was the CEOs who took over. This could be a sign of a better buy-in and of managers' giving a higher priority to this initiative.

- *How have the stakeholders been involved in project implementation? Has the project effectively and efficiently succeeded in mainstreaming industrial relations in its areas of work (outputs) and its processes?*

The implementation was very much oriented towards the local and provincial levels; whereas, for example, at the employers' side, the national level was more or less bypassed, they reported. MOLISA also did not feel fully involved in the implementation. Government officers were according to project staff invited and participated in most relevant project activities. The VGCL felt that it was well involved at all stages of the implementation.

The national level of both social partners were however supported and strongly involved in the law-making process when the new Labour Code was developed.

The evaluation finds that the stakeholders were well involved in the project implementation at the local level, and that Most pilot activities were implemented by the constituents' provincial and city structures with supports of regional or national constituents (IZTU/ FOLs/ VGCL Departments) or VCCI at regional level.

In light of the above, the evaluation finds that it is premature to speak about a mainstreaming of the new industrial relations.

- *Is there any evidence that the trainees have effectively applied gained knowledge that can be applied in their daily work? Were the provided training services relevant? What are the areas for improvement? Thus far, how has the training addressed the identified key gaps, in compliance with international labour standards?*

The CBA-related capacity building was reported to have been successful. The union leaders and activists interviewed, felt strengthened and had gained better skills, to enter into negotiations with their employers.

The childcare teachers and their employers felt that the trade union training had helped them professionally.

A pilot project was launched concerning the direct election of presidents of enterprise-level trade unions. Local trade union leaders were trained in how to conduct such elections, and how to understand the guidelines provided by the VGCL. The training on direct elections was well received by the participants, but the practises that followed the training did not meet the standards for free and fair elections.

It was reported that the technical level of the training in many cases was too basics.

#### **5.4 Effectiveness of management arrangements**

- *Were the management capacities adequate and do they facilitate good results and efficient delivery? Do all of the parties involved have a clear understanding of the roles and responsibilities?*

It was foreseen that a CTA should have overall responsibility for the NIRF program. However, this only occurred in the first months of the project, and after the CTA left the position was not filled. The evaluation finds that the project would have benefitted from having a CTA to oversee and secure synergy between all pillars of the NIRF Program.

The constituents were involved with the project via the National Program Steering Committee (NPSC), which covered all four pillars and the TAC which was responsible for the technical implementation of the current project.

PIUs were established locally, to ensure a smooth implementation of project activities.

- *Did the IR project receive sufficient political, technical and administrative support from its national partners, the ILO, and the donor?*

This evaluation finds that the project received technical support on industrial relations of a high quality. The support is reported to have been provided in a timely manner and with a good understanding of the local context.

However, on the workers and employers' side, technical support was not provided in full, even though it is highly critical in a project that deals with the deep ongoing reform (the VGCL even called it 'renovation') of the institutional set-up and of highly political internal trade union matters. The evaluation was informed that the insufficient technical support was due to vacancies in technical specialists' posts with ACTRAV and ACTEMP which were not filled.

MOLISA, the ILO's key governmental partner, did not feel well informed about the project. They were only kept up to date during meetings every six months, and the project's implementation was handled directly by social partners and local institutions. MOLISA felt bypassed in the implementation, e.g., they were also not informed about any possible scaling of the pilot projects. This problem might be due to insufficient communication channels between different departments within the Ministry.

The VGCL is reported to have provided the project with support of a good quality, and the legal and statistical input was especially appreciated.

- *Did the project's performance measure and monitoring systems provide an objective and gender sensitive assessment of program performance? Is information being regularly analysed to feed into management decisions?*

Both the involved partners and project staff reported progress and concrete contributions in meeting the prescribed targets to the project management.

For monitoring purposes, the project staff members were present during almost all activities, "to ensure that the events were conducted within ILO policy framework", and this included some regular HR Club meetings and other events, for example election in the pilot factory.

Gender disaggregated data were made available to some extent, but this issue was not given a high priority as there is normally a good representation of women in various activities.

- *Was cooperation with the project's implementing partners efficient? Was a participatory/consultative approach applied? Were efforts made to ensure an equal participation of women and men?*

There was close cooperation between the partners at the local and provincial levels and efforts were made to ensure a participatory approach. The cooperation with MOLISA and the VCCI at the national level was not instituted at a level that would be expected from a project of this nature. Whereas there was a much closer cooperation with VGCL.

There was no requirement for women's participation in the steering and advisory bodies that were established. The partners did not establish gender quotas for participation in the project's activities.

- *How strategic were the implementing partners in terms of their mandates, influence, capacities and commitment?*

The implementing partners were, by nature, key to the project's successful implementation; this because the reforms were taking place inside and in the close environment around the partners themselves. They had the full mandate, in each respective field, and influenced all levels of the project's implementation, from the governmental to the local enterprise levels. The capacity and resources available with the VGCL were relatively high, whereas the VCCI had fewer resources directly available, but was able to mobilise some resources from chambers and member enterprises. The GoV gave the implementation of the reform a high priority and adequate resources were allocated or could be mobilised.

## 5.5 Efficiency of Resource Use

- *Were resources (funds, human resources, time, expertise, etc.) allocated strategically and efficiently to achieve outcomes?*

The evaluation finds that, in general, the allocated resources were spent in a sound and efficient manner. The budget goals were met and the delivery timing was very much in line with the implementation plan. The project allocation was linked to an outcome-based budget, which is highly appreciated by the evaluation.

- *Did budget expenditure progress as expected (i.e. expenditure rate)? Were project funds and activities delivered in a timely manner?*

The financial reports and work plan showed that the project was delivered in timely manner, with few exceptions. Likewise, the funding was made available by the donor in a timely manner. The partners did face some challenges with the disbursement of funds, as only 30 percent was allocated as an advance payment, meaning that the implementing structures – for example, the FoL – had to mobilise their own funds to implement an activity and then wait for reimbursement. In some cases, officials even had to advance their private money as insufficient resources were available within the organisation. The ILO should consider whether procedures could be optimised. The evaluation understands that the rules and regulations for financial transactions are beyond the competency of the project management. It is therefore recommended that administrative solutions are found at a higher level to avoid that staff of implementing organizations have to forward private money to ensure the implementation of ILO funded activities this is to be seen as an unhealthy practise.

Even the good pace of implementation a non-cost extension was agreed in the middle of 2019 to secure a stable implementation of the ambitious number of project activities. This extension at an early stage can be seen as a good example of due diligence.

- *Were resources used efficiently? Were the activities that supported the strategy cost effective? In general, do the results justify the cost? Could the same results have been attained with fewer resources?*

Many training activities were implemented in relation to the trade unions. The project management decided to go directly to the field, rather than using the existing VGCL training and education structures. If capacity had been built up in these institutions, there would have been a long-term impact and many more participants could potentially have benefitted from the investment. This is so because the VGCL

capacity building institutions will be in place beyond the projects lifetime and have a much larger outreach than the project.

The development of METUs and MECBAs are relatively resource demanding activities and the evaluation finds it questionable to invest in activities that are highly unlikely to be sustained, if external funding is not available. Experiences from other countries shows that organising of the employees in micro establishments is resource demanding and it is not likely that this will be financially sustainable. The evaluation recommends that other types of outreach to these people are investigated.

In general, the project's spending was justified. However, the evaluation question whether project staff's being present in very many project activities was a rational use of the available resources. The ILO should consider if less resource demanding monitoring methods could be introduced in possible future projects.

- *Have efforts been duplicated in other projects related to NIRF? Were there ways the project and partners could have improved efficiencies? To what extent was the project able to build on other ILO initiatives and to create synergies that allowed for a more efficient use of resources?*

No duplication of activities in other projects was reported to the evaluation and also no synergies with other projects were reported.

- *Did/does the project have monitoring systems in place to ensure an efficient use of time and resources?*

The M&E officer, at the ILO CO Hanoi monitored the implementation of the project. In addition, and as mentioned above, the project staff closely monitored the implementation of activities.

- *How effective was the ILO's backstopping support throughout the project's implementation? Did the project maximise the specialists' expertise and leverage other existing relevant projects, to help push forward the expected results?*

The project team highlighted especially the support they received from the IR specialist, who has a deep insight into the Vietnamese context. His support throughout the lifetime of the project was highly appreciated.

The evaluation finds that the support from ACTEMP was timely and adequate, however the project would have benefitted from stronger technical backstopping from the ACTRAV.

The Vietnamese partners reported that the technical expertise provided by ILO CO for among others the HR Clubs and local employers did not fully meet the expected technical level.

## **5.6 Impact:**

- *How was the project able to contribute to the establishment of legal and institutional foundations for a new industrial relations' framework? Are the results consistent with, or do they support, the application of ILO's conventions C.87 and 98?*

The evaluation finds that the project has contributed to establishing an institutional foundation for the new industrial relations' framework.

The decision on the ratification of C.98 is a major milestone in aligning the Vietnamese labour market's legislation and practise with ILS. The project contributed well to the process that led to this decision.

However, the evaluation finds that the pilot on direct election did not provide the needed input, in full, to have an impact in line with C.98. The ILO should consider whether the quality of the pilots' work in the METU lives up the expectations of modern trade unions defending workers' rights, in all aspects.

- *To what extent did the project contribute to changes in the attitudes, policies, laws, capacities, and institutions that relate to the new industrial relations framework? Identify the social, environmental, and economic effects of the intervention.*

The evaluation does not find any immediate environmental effects of the project.

The social effect of the project could eventually be seen a mid-term one, if a number of – to-date – informally employed women and men could organise and work under a CBA, with legally binding benefits to the employees. Stronger workplace trade unions, which are able to negotiate better working and employment conditions, could mean an improved social situation for workers. This could eventually be of special benefit for women workers, as they could gain benefits that would improve their work-family balance, which is often a challenge for them.

A modernisation of industrial relations could have a positive impact on the formal sector enterprises' profit margins. The foreseen changes would eventually minimise wildcat strikes and work stoppages, which are very costly for enterprises. Likewise, if more enterprises were formalised this would minimise the unfair competition from informal economy enterprises. Experience from other countries demonstrates that improved working conditions, with special attention to occupational health and safety, have a positive effect on productivity.

There might be a positive impact, for the country and its economy, if workers had higher incomes, where productivity and companies' profits would increase.

#### **Recommendation 7:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO, VCCI and VGCL	High	Short-term	Medium

The evaluation recommends that the ILO provide high-level expertise to both the VCCI and the VGCL to build up the legal capacity of both organisations. This would enable them to provide better services to their members in labour legislation issues and, in particular, interpretation of the new rules and regulations and ILS.

#### **Recommendation 8:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO and constituents	High	Short-term	Low

The evaluation suggests that the new developments in the Vietnamese labour market may lead to an increased need for mitigation. The evaluation recommends that the ILO provide technical support to the



constituents to build up capacity, so that they can react quickly and effectively to conflicts and disputes at the enterprise level.

- *What are the impacts of gender mainstreaming at the policy and institutional levels? To what extent did the pilots address the different needs of women and men, in policies and practices on organising, social dialogue and collective bargaining? Were women given opportunities in organising? Were gender concerns integrated into pilots for social dialogue and collective bargaining?*

The evaluation finds that the project that was implemented in Tam Ky City with kindergarten and pre-school institutions had a clear gender profile, as the majority of employees were women. However the trade Union strategy did not show a clear direction on how to promote women workers' rights in a particular way.

- *To what extent have the pilots been institutionalised?*

The VGCL's 2018 Congress amended the Statutes, to accommodate the role of IZTU. This could be important for the development of trade union structures that are able to defend workers' rights. The evaluation's findings point to the IZTU as a possible cornerstone around which these structures could be built.

The METU, which was also institutionalised, could have its right in certain economic sectors, although targeting micro enterprises and the informal sector might not be the most efficient approach, strategically, right now, when so many institutional and structural changes are under way. Organising is very expensive in this segment and may delay the strengthening of other more strategic sectors. It is recommended that the unions in medium and larger establishments are strengthened first, that the strength and solidarity of these be used as a point, from which to move on to the small and micro enterprises. The informal economy requires a specific strategy and a political decision, to avoid any risk that organising the informal sector leads to keeping the workers in these enterprises in an informal work relationship rather than pushing them towards formalisation.

The provision on MECBA has been added in the newly revised Labour Code. Some of the evaluation's informants questioned the MECBAs, as their quality was low. Local unions preferred to rely on their own factory agreements, it would probably be the stronger unions which would take this position. The danger for the strong unions would be that the MECBA would lower the general level of benefits, making it more difficult for stronger unions to gain better results. There were also reports that employers used the platform for blacklisting troublemakers, which is a cause for concern. There is already a provision for signing MECBAs in the current LC – these fall under the category 'others' – however, it was never used. In the new LC the MECBA will gain a more prominent status, but questions remain concerning their enforcement. A question concerning ownership of the MECBAs will arise when the new workers' representative organisations are established.

- *Can/should the project/pilots be scaled up?*

There are different opinions among trade union leaders about the scaling of the pilots, which depend greatly on their experiences and the types of establishment in which they work.

The evaluation finds that the direct election pilot – in its current format – should not be continued, as even though formally it is free, it is not fair. The direct election pilot should be further developed to give fairer opportunities for all candidates. It was reported that it was extremely rarely that a ‘direct election’ set-up led to more candidates coming forward. The evaluation was informed that, in most cases, an election process was not conducted, as such. Rather, the individual, who received the highest number of expressions of confidence during the campaign to find potential candidates, would be elected automatically. Such a procedure is not in line with the democratic standards to which a modern trade union should adhere.

The VGCL has already scaled this initiative to many provinces. However, the evaluation recommends rethinking the initiative and ensuring that real free and fair elections are introduced.

It was reported that there was a huge need for capacity building on collective bargaining not only on the trade union side but also among employers. The ILO is recommended to scale up capacity building in this field. It should be considered as comprising both separate and joint training activities. Many countries have had positive experiences of conducting joint employer-trade union training.

- *Were the innovative approaches and methodologies piloted?*

Most of the initiatives subjects for the pilots were already initiated before the current project, and some experience was already gained, both positive and negative. The current project developed on the basis of these experiences’ new approaches (ex. on HR Clubs and IZTU leaders) and expanded the initiatives to new localities.

The HR Clubs is a new idea and an innovative approach for the VCCI to reach out to members and potential members. The skills’ upgrading that took place in the clubs was very attractive to both individual HR managers and for the companies for which they were working.

Even though the network of IZTU leaders and activists was already in place, before the start of the project, it should be credited for supporting its institutionalisation and formalisation. The IZTU is an innovative approach, for Vietnam. It has good prospects of having a positive impact on the protection of workers’ rights at the mid-term. This if the drivers of the network can use it constructively and promote unity among the different levels of the trade union structure and can function as agents of change within the trade union movement.

## **5.7 Sustainability**

- *Did the project’s designs include an integrated and appropriate strategy for sustainability?*

No exit strategy was foreseen as such. It was expected that, if successful, the pilot projects could be scaled by the Vietnamese partners. The legislation will only come into place from 2021 and the social partners will be confronted by the challenges of the reforms then. The pilot projects that were implemented within the current project’s framework have respectively good prospects of being maintained beyond the lifetime of the project, as they are promoted by the VGCL and the VCCI.

However, the evaluation recommends reviewing certain aspects of the pilots, to ensure that they bring real and positive change.

- *How effective and realistic was the IR project's exit strategy? Is the project gradually being handed over to the national partners?*

It was hoped that successful pilots would be continued by partners, but no handover, as such, was in place at the time of the evaluation.

- *Will the national institutions and key implementing partners be likely to continue the project or to carry its results forward, once the external funding ends? (What is the nature of the commitment from stakeholders? Are they willing to maintain the results? What results were achieved, including via developed tools and research papers, to assist the implementing partners ensure and maintain on-going operations?) Does the project have a strategy in place to maintain these elements?*

The activities which the VGCL already began, before the current project, were institutionalised by political decisions at the VGCL's Congress and are very likely to be continued beyond the project lifetime.

The signed MECBAs will continue, at least until they expire: Whether they will be renewed will depend on the signing parties and this in turn will depend on any benefit(s) they feel they may gain from such an agreement. For example, it may be expected that employers in some industrial zones will be interested in an agreement that covers the factories in that specific zone. The fact that the MECBAs have a more prominent place in the LC will also help to ensure the sustainability of this initiative.

The METU will be continued, and their status – as real and functioning trade unions that defend members' rights – may have long-term prospects. The tourist boat owners' and rickshaw pullers' syndicate could be a door opener for organising the self-employed and the VGCL will have to decide whether they will put effort into organising this group. If yes, this will create the prospect of organising many self-employed individuals who are currently working in the informal sector.

- *Which strategies can be taken forward by partners and which strategies should be incorporated into any future ILO project(s)?*

The context is very specific, as only one trade union exists, and this organisation is written into the country's Constitution and functions as the trade union wing of the Party. This makes it extremely difficult to introduce reforms. Notwithstanding, reforms are very much needed, in order to fit the macroeconomic capitalistic method of production and the confronting changes it brings to the working classes – including its elements of exploitation – within the socialistic state.

When a capitalistic production method is introduced, it requires trade unions that are able to protect workers' rights, to balance interests. The evaluation finds that within the current trade union structure, the IZTU has the structure that best fits the fulfilment of this mission. The project has contributed to strengthening the leaders of these structures, to building new cadres. It has also contributed to the establishment of a network among the most active leaders and activists, all of which have also been formally embraced by the VGCL's leadership, as a committee with the organisation's structure. The openness that the VGCL's leadership has shown towards this real grassroots-grown initiative is remarkable and very seldom seen in the trade union movement, globally. The VGCL should be congratulated for this openness.

The pilot project, which introduced the direct elections of presidents of company-level trade unions, should not be included in any future ILO projects in its current format. Firstly, the election process, as it is currently practised, is not meeting best international practises. Secondly the election of the Executive Committee is not free and fair. Thirdly it can be argued that the direct election may not be any more democratic than an indirect election. The direct election risks creating a situation where the elected president would be in the minority, in the ExCo, thus making the union's work very complicated. The election of a leader for a five-year term will not stimulate dynamic development in the trade unions. Rather, the elections should take place every year, or every second year, keeping in mind the high turnover of staff.

#### **Recommendation 9:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the direct election of local trade union presidents (and ExCos) should be further developed, so that the elections become not only free but also fair. The ILO should provide the VGCL with technical expertise.

- *What follow-up actions are required to maintain the project's initiatives?*

On the workers' side, there is a need for high level expertise to support the VGCL in a discussion of further reforms, as well as the new challenges with which they will be confronted, from next year, when the new workers' representative organisations will be promoted.

If social dialogue were to develop at all levels, there would be a need for the VCCI to build up its structures to match the unions and governmental structures.

- *How much of a significant contribution is the project making to broader and longer-term developmental impact?*

The three elements: social dialogue, direct elections and MECBAs have different prospects of being sustainable.

The current system, where a social dialogue is something that you have every three months, should be developed further, although it would be fine to have regular meetings every three months. There is a need to change the mindset and to arrive at the point where the social partners understand that social dialogue is a naturally integrated part of the everyday work, for both management and the trade unions.

The ILO SCORE program could eventually be a bridge to interesting the employers in joining social dialogue. The ILO should consider implementing SCORE and social dialogue capacity building in parallel, in order to achieve a "1 + 1 = 3" effect.

#### **Recommendation 10:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
ILO	High	Short-term	High

The evaluation recommends that the ILO pilot the SCORE program and social dialogue capacity building in parallel, within the same enterprises, in order to achieve a “1 + 1 = 3” effect.

The workers’ representative organisations will represent a challenge to all stakeholders, as their role, rights and functions are still unclear in many aspects.

The current system of electing the ExCo might be free but it is not fair. This is so because all candidates are not treated equally. Those, who are suggested by the outgoing ExCo, have their name (and sometimes their picture and biodata) on the pre-printed voting ballot, whereas voters have to write the names of the alternative candidates in by hand, in a free space on the ballot form. This procedure allows hardly any opportunity for alternative candidates to be elected. All candidates should be listed in equal terms and either alphabetically or by a draw. It is recommended that in larger factories, candidates are given the opportunity to present themselves, in three to five lines of text on the ballot paper, where they briefly provide their biodata.

When it comes to the direct election of a president, in principle it should be free for every person to run for election. Some limitations are practised in various countries; e.g., an employment minimum of one year in the establishment or ten recommendations/expression of confidence from union members. All of those, who meet these criteria, should be on the ballot list and should be presented in the same manner as for ExCo election. If the election is conducted during a general assembly or delegates meeting only those who have the right to vote should be present and if one single voter request secret ballot a such should be conducted.

The ILO should promote a further development of the discussion on democratic elections within the VGCL.

The HR Clubs has a potential to develop in different ways, but they can in anyway contribute positively to the further development and modernisation of the industrial relations in Vietnam.

The role of the IZTU leaders and their network has the potential to become a cornerstone in the development of modern trade unionism in Vietnam, but there are still many questions to be answered and the workers outside the zones should not be forgotten in the process.

The experiences with the MECBAs was mixed; from harmful to creating a solid foundation for local negotiations. The experience shows that the more homogeneous the group of employers, the bigger the role that the MECBA can have.

## **5.8 Cross-cutting issues:**

- *Gender equality, international labour standards, and social dialogue, including tripartism, environmental sustainability, and development, were identified by the ILO as crosscutting issues in the strategic objectives of its global agenda of Decent Work.*

During the implementation of the project, the constituent’s capacity in ILS and social dialogue has increased. The discussions and training, linked to trade agreements, the new labour code and ratification of C. 98, all contributed to an increased understanding of ILS among the constituents’ leaders.

In general, the social partners had a high level of awareness of gender-related issues and the participation of women in activities was relatively high (the VGCL has a general policy that there must be equal

representation wherever possible). This occurred even though no request for gender balancing was tabled before the partners.

Vietnam has a tradition for tripartism, which has to be transformed to fit to the new capitalistic method of production, wherein bipartite dialogue takes a more prominent place. During the implementation of the current project, it was noted that the governmental institution was very much involved in the development of the MECBA, even though these should be signed by the employers and workers' representatives without the formal involvement of the authorities.

The project conducted training and awareness raising activities in Hoi An, for the Executive Committee members of the rickshaw pullers syndicate, on environmental protection: "Say no to cigarettes and single-use plastic bags". The evaluation is not convinced about the rationale of this training except from the fact that it is a way for the FOL to mobilize resources from the Government and social partners for the syndicate and to collaborate and make joint efforts between government and social partners in promoting sustainable development.

## 6. Conclusions and Recommendations

### 6.1 Conclusion

The project under evaluation, “Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work” (NIRF) and its Medium-Term Objective 4: “Workers and Employers representative functions reinforced under the new IR framework” was implemented with success and it fits well into the national agenda for reforming industrial relations.

The GoV is determined to develop industrial relations so that they fit the economic and social reality of the country. The employer’s organisations show increasing interest in industrial relations issues. However, the VCCI’s outreach remains limited and there is a requirement to ensure a better representation at the provincial, city and industrial/export-zone levels, if employers are to be equal players in social dialogue at all levels. The trade union structures are well in place and could lift the challenges at all levels; however, the trade union organisations are burdened with many social and political tasks that limit their resources for representing workers in front of employers and protecting their rights.

The aim of the current project was to strengthen the employers and workers’ organisation to help them prepare for the challenges ahead, when the new legislation comes into force in 2021.

Most of the assistance within the project was provided to the trade unions. It was concentrated on capacity building, analyses and scaling of pilot projects that were initiated by the VGCL. The pilot projects aimed to strengthen trade unions’ democracy, organise new groups of workers and to develop new types of CBAs: multi-employer CBAs and, linked to these, multi-employer trade union branches. The pilot projects helped the VGCL gain experience and they will have to decide what to scale and what to let go. The ILO will have to consider whether new projects, in the existing fields of intervention, should be continued.

The VCCI was also involved in a pilot project, where HR Clubs were developed in selected areas. These were very well received by local HR managers, who received an opportunity to increase their professional skills and to share experiences. The employers also appreciated this initiative. This successful intervention offers the VCCI a good opportunity to increase its outreach.

The project supported the capacity building of local union leaders, especially in the field of collective bargaining. However, if the mindset of employers is not changed, it will be difficult for union leaders to drive social dialogue forward. Therefore, training on social dialogue is also very much needed on the employer’s side. Even though they have been trained, the union leaders are still reluctant to come forward with their evidence-based demands, fearing they will scare the employers away from the negotiation table. This results in CBAs with a rather low quality.

In the zones, trade union structures were developed which were less engaged in social and political work. These IZTUs have the potential to become cornerstones in the reformation of the way trade unions work in Vietnam; however, this will require a lot of training and coaching to ensure that this potential is used in a constructive manner.

## 6.2 Recommendations

### Recommendation 1:

Addressed to	Priority	Time frame	Resources
GoV	Medium	Medium	Low

The evaluation recommends that the GoV establish an institutional link between the different departments working with the ILO's CO and that projects that are being implemented with the support of the ILO, in order to ensure alignment between all initiatives.

### Recommendation 2:

Addressed to	Priority	Time frame	Resources
ILO, VCCI and VGCL	Medium	Medium-term	High

The evaluation recommends that joint training should be rolled out for employers and employees (trade union leaders) on social dialogue (SD) and collective bargaining agreement (CBA), and on an as much as possible large-scale, to pave the way for good faith bargaining and dispute resolution in the establishments.

### Recommendation 3:

Addressed to	Priority	Time frame	Resources
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the ILO provide technical assistance to the VGCL so it can organise in micro establishments and the informal economy, in order to prepare for mid- and long-term interventions. The VGCL is further recommended to conduct an assessment of the resources needed to organise in micro establishments and the informal economy, to estimate whether it is timely to scale organising in this segment.

### Recommendation 4:

Addressed to	Priority	Time frame	Resources
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the VGCL develop clear strategic and practical guidelines for its interaction with the WROs and the ILO is recommended to provide technical assistance to this activity.



**Recommendation 5:**

Addressed to	Priority	Time frame	Resources
VCCI	Medium	Short-term	Low

The evaluation recommends that the VCCI develop a strategy for scaling the HR Clubs, as both a membership service and a tool, for increasing an organisation's outreach.

**Recommendation 6:**

Addressed to	Priority	Time frame	Resources
ILO	High	Short-term	Low

The evaluation recommends that, when a pilot approach is applied, a clear target should exist as to which strategy it feeds into. A pilot does not have any meaning in its own right. It should bring a new element into an intervention. It should also be time-bound, with an exit strategy, as if the pilot is unsuccessful it leaves disappointment behind.

**Recommendation 7:**

Addressed to	Priority	Time frame	Resources
ILO, VCCI and VGCL	High	Short-term	Medium

The evaluation recommends that the ILO provide high-level expertise to both the VCCI and the VGCL (partly joined) to build up the legal capacity of both organisations. This would enable them to provide better services to their members in labour legislation issues and, in particular, interpretation of the new rules and regulations and ILS.

**Recommendation 8:**

Addressed to	Priority	Time frame	Resources
ILO and constituents	High	Short-term	Low

The evaluation suggests that the new developments in the Vietnamese labour market may lead to an increased need for mitigation. The evaluation recommends that the ILO provide technical support to the constituents to build up capacity, so that they can react quickly and effectively to conflicts and disputes at the enterprise level.

**Recommendation 9:**

Addressed to	Priority	Time frame	Resources
ILO and VGCL	High	Short-term	Low

The evaluation recommends that the direct election of local trade union presidents (and ExCos) should be further developed, so that the elections become not only free but also fair. The ILO should provide the VGCL with technical expertise.

**Recommendation 10:**

<b>Addressed to</b>	<b>Priority</b>	<b>Time frame</b>	<b>Resources</b>
<b>ILO</b>	<b>High</b>	<b>Short-term</b>	<b>High</b>

The evaluation recommends that the ILO pilot the SCORE program and social dialogue capacity building in parallel, within the same enterprises, in order to achieve a “1 + 1 = 3” effect.

## Appendix1 ToR

### TERMS OF REFERENCE FINAL INDEPENDENT PROJECT EVALUATION

Title of project being evaluated	Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF Project)
Project TC Code	VNM/16/06/JPN (IRIS No – 106044; Award No. 501947)
Donor	Government of Japan
Dates of Project Implementation	20 Dec 2016 – 30 June 2020, based on PARDEV Approval Minute
Administrative unit:	ILO Country Office for Viet Nam (CO-Hanoi)
ILO Responsible Official:	Mr. Chang-Hee Lee, Country Director
Technical Backstopping Unit:	Decent Work Team, ILO Regional Office for Asia and the Pacific
Collaborating ILO Units:	Labour Law and Reform Unit (LABOURLAW); NORMES; INWORK  Others: Bureau for Employers' Activities (ACTEMP); Bureau for Workers' Activities (ACTRAV); Social Protection Department (SOCPRO).
Timing of evaluation	Final, end of project evaluation
Evaluation Dates	1 March – 31 May 2020
Type of evaluation	Independent final evaluation
Preparation period of TOR	January 2020
Total Project Funds	US\$ 2,181,976.68
Evaluation Manager	Diane Lynn C. Respal

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## I- Introduction and Rationale

The Project funded by Japan entitled *Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work* (heretofore referred to as *NIRF Japan Project*) is part of a broader group of projects, designed to support Vietnam's goal for global integration, where observance of ILO's Fundamental Principles and Rights At Work is one of the main requirements.

**The Project's overall goal** is to build the legal and institutional foundations for a new industrial relations framework based on ILO FPRW Declaration, with a special focus on Convention 87 on Freedom of Association and Protection of the Right to Organise and Convention 98 on Right to Organise and Collective Bargaining, and in full consideration of national contexts effectively established in Viet Nam

NIRF Project has four medium-term objectives (MTO) as follows:

- **MTO 1:** National labour laws and legal instruments are consistent with the ILO Declaration on Fundamental Principles and Rights at Work
- **MTO 2:** Labour administration system effectively administers new industrial relations framework
- **MTO 3:** Labour inspectorate effectively enforces and promotes compliance with national labour laws in employment and industrial relations
- **MTO 4:** Workers and Employers representative functions reinforced under the new IR framework

Through a multi-pronged approach, this programme aims to establish mutually reinforcing outputs leading to system-wide changes (in law, policy and practice) by adopting a full policy cycle approach which can generate long term systems level practice change.

The **MTO 4 is funded by the Government of Japan** covering the mid-term objective : "Workers' and employers' representative functions reinforced under the new industrial relations framework".

Based on the Project Approval Minute, the component supported by the Government of Japan started in 20 December 2016 covering a total amount of USD 2,181,976.68.

Since the project is ending on 30 June 2020 and consistent with ILO evaluation policy on projects involving above 1 million US dollars, the NIRF Japan project will undergo an independent final evaluation, which will be conducted within the period February to May 2020, inclusive of preparations. Ms. Diane Respall, a Programme Officer of CO-Manila who has no prior involvement in the NIRF Japan Project, will serve as the evaluation manager with the guidance of Ms. Pamornat Prinsulaka as the Regional Evaluation Officer of Asia and the Pacific.

The NIRF Japan project underwent a midterm internal evaluation conducted in February 2019.

Key stakeholders, including tripartite constituents, donors, key partners and the ILO CO-Hanoi in Vietnam will be consulted throughout the evaluation process. The evaluation process and report will follow ILO guidelines and the ILO Evaluation Office will approve the final evaluation report. The evaluation will comply with the United National Evaluation Group (UNEG)'s Evaluation Norms and Standards.

## II- PURPOSE AND OBJECTIVES OF THE EVALUATION

Main purpose of independent evaluation is for accountability of the ILO and the local implementing partners. The **independent final evaluation** will also give an independent assessment of the progress of project, ascertain what stated objectives which the project has or has not achieved; what the results of project interventions have been on target stakeholders and institutions; the strategies and implementation modalities chosen which show how activities have been implemented; how it is perceived and valued by targeted groups and stakeholders; the appropriateness of the project design, project constraints and opportunities; and the effectiveness of the project's management structure.

The evaluation will promote the partnership mechanism, and enhance learning culture of both the ILO and social partners. The evaluation also intends to identify effective practices and assess the prospects for sustaining

them beyond the life of the project. Overall, the evaluation will also provide recommendations to inherit of the successes of current phase to the future design of NIRF project covering the components funded by Japan.

The evaluation will cover project relevance, effectiveness, efficiency, impact and sustainability. Specifically, the evaluation will examine:

- (i) Project's design, implementation strategy, institutional arrangements and partnerships, as well as project set ups within the broad multi-project context of NIRF
- (ii) Relevance of project's interventions within any recent or current development circumstances in Vietnam;
- (iii) Progress made towards achieving its planned medium- and short term objectives
- (iv) Effectiveness of project implementation and management, which include the following:
  - a. Coordination mechanisms among the partners and the effectiveness and efficiency of programme implementation in general,
  - b. Identification and analysis of factors that hinder or facilitate the project delivery.
  - c. How the recommendations of the previous mid-term evaluation have been followed up and implemented by the project.
- (v) Good practices and lessons learnt, as well as replicability, including what worked and what did not work. Where activities have been particularly successful, the reasons for successful implementation. This includes the approaches or implementation practices that have important demonstration effect and provide an important source of results based learning.
- (vi) Follow ups for future IR related work to be implemented by partners and by a future ILO project.

The evaluation will assess the positive and negative changes produced by the project – intended and unintended, direct and indirect – as reported by respondents and reflected in the project's performance data. The final report should provide recommendations for possible changes that could be made to the implementation arrangements of the project or to be included in the design of a similar project that may be implemented in the future

### III- Scope of the Evaluation

1. The evaluation will focus on the NIRF Japan Project component covering the Medium-term objective 4 and its 5 Short-term objectives reiterated as follows
  - a. **Medium-Term Objective 4: Workers and Employers representative functions reinforced under the new IR framework**
    - i. **Short-term Objective 4.1:** Bi-partite/tripartite social dialogue strengthened to improve industrial relations through sharing experiences and lessons learnt
    - ii. **Short-term Objective 4.2:** VGCL increased engagement in law reform and activated renovations of trade unions organizational and operational structure for better performance
    - iii. **Short-term Objective 4.3:** Trade unions at all levels enhanced their capacity in organizing, collective bargaining and social dialogue through pilot initiatives
    - iv. **Short-term Objective 4.4:** VCCI and business associations increased engagement in labour law reform and renovation plans
    - v. **Short-term Objective 4.5:** Cooperation mechanism enhanced between business and employers' community, and workplace IR improved in pilot localities
2. The timeframe of the project for this evaluation is from 20 December 2016 until **30 June 2020**.
3. The gender dimension should be considered as a cross-cutting concern throughout the methodology, deliverables and final report. In terms of this evaluation, this implies involving both men and women in the consultation, evaluation analysis and evaluation team. Moreover the evaluators should review data and information that is disaggregated by sex and gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve the lives of women and men. All this information should be accurately included in the inception report and evaluation report.

4. Taking into account section *F. Project Locations* identified above, the geographical coverage for the field visits for the evaluation may include Hanoi and selected provinces where the pilot activities have been implemented. These are as follows:
  - a. Hanoi
  - b. Hai Phong city (North)
  - c. Da Nang and Quang Nam (Central)
  - d. Dong Nai, Binh Duong (South)
  
5. **Reference to Previous Evaluations and Reviews.** The review identified immediate and long-term recommendations, as follows: (Please refer to this link to find the evaluation report - <https://www.ilo.org/DevelopmentCooperationDashboard/#bpus93v> )
  - a. **Immediate actions:**
    - Accelerate the planning and approval of activities for their implementation in the second and third quarter of the year. Avoid as much as possible the last quarter (the project practice up to now).
    - Support Binh Duong PIU to complete the social dialogue pilot among furniture companies.
    - Build organizational capacity and collective bargaining capacity of the METU in Quang Nam province.
    - Enhance cooperation between the project two components (VGCL and VCCI) to achieve greater efficiency. For example, FOLs are engaging VCCI, business associations and HR Clubs in the process of persuading companies to join MECBA or MESD.
    - Strengthen the enforcement of labour regulations related to SD and CBA by labour inspection work. This could be done by working with the USDOL component on labour inspection (MTO 3).
    - Cooperate with the Better Work project to recognise MESD/MECBA as of equal value as enterprise SD/CBA.
    - Cooperate with the Score project to link compliance with labour standards to productivity issue to gain greater interest from employers.
    - Transfer all training contents done by international trainers to national trainers.
    - Strengthen capacity of PIUs in reporting to meet ILO standards
    - Support VGCL to advocate for MESD/MECBA in the revised Labour Code as an equal option to enterprise SD/CBA that employers can choose to do.
    - Integrate gender equality and non-discrimination principles into project training and contents for HR Clubs.
    - Revise the project's outcome indicators to reflect the qualitative contributions of the project in the field of IRs. Examples of such indicators include:
      - Evidence of adoption of piloted approaches in the revised labour legal framework.
      - Evidence of adoption of piloted approaches in renovation plans of VGCL and VCCI.
      - Evidence of linkages between advocacy issues promoted by VGCL and VCCI and the pilots supported by the project.
  
  - b. **Long-term actions:**
    - Conduct a research on direct election to find a cost-effective way to replicate the approach.
    - Advocate for VGCL to recognise workers in micro enterprises as a special group of concern, so that separate organisational and membership development targets can be put in place for this group.
    - SD and CBA in the context of multiple workers' organisations.

## IV- Stakeholders and Users of the Evaluation



The primary users of the evaluation are the ILO CO Hanoi, ILO's NIRF Japan project team, VGCL, VCCI and NIRF National Project Steering Committee (NPSC)

The users of the evaluation findings, conclusions and recommendations clients are as follows:

- The project management (ILO Office for Vietnam) and ILO NIRF Japan who will be able draw lesson and adapt the strategy for future IR interventions;
- Other projects of the NIRF programme who establish synergies with NIRF Japan and may draw lessons on the strategy and implementation particularly involving common partners;
- Other projects of the ILO who can gain experiences, good practices and lessons learnt from evaluation for their partnership mechanism and activities implementation;
- The ILO constituents in Vietnam (trade unions and employers together with their branches/members at localities);
- MoLISA as well as all the project's implementation partners (IPs) who will be actively involved in the evaluation;
- The ILO Decent Work Team for East Asia and the Pacific and any relevant ILO technical backstopping units
- Government of Japan.
- Possible users of this evaluation, besides its clients, are all the direct beneficiaries of the project.

## **V- Evaluation Questions**

### **A. Project's design, relevance and strategic fit**

- To what extent is the design of the project relevant to the strategy, in meeting the Programme & Budget outcomes in the ILO Strategic Framework, Country Priority Outcomes (CPO) and SDG which aims to support? Is it relevant to national, regional and international development frameworks?
- To what extent are the project's immediate objectives consistent with the needs of and expectations beneficiaries, partners, key stakeholders at both national and local levels and relevant to the needs of the government, workers and employers' organizations and the ILO? How does the project align with and support national development plans/ with strategic priorities of key partners? Was there a review of needs or gap analysis or validation process carried out at the beginning? Were the issues or needs still relevant? Have new, more relevant needs emerged that the project should have addressed?
- To what extent have stakeholders taken ownership of the project concept and approach?
- How well does the project complement and fit with programmes and priorities of the constituents related promotion of sound industrial relations? Describe the extent of synergies and interlinkages between the NIRF interventions and other interventions carried out by ILO Hanoi, Government and social partners. Did the project complement, enhance, and build upon existing activities and programmes of the partners? Describe the extent to which other interventions and policies support or undermine the NIRF interventions, and vice versa.
- Have there been new intervening factors/actors (e.g. other donor assisted programmes) that have emerged since the inception of the NIRF which may have impaired or enhanced project performance or future ILO development assistance in these strategic areas?
- Were principles of Results Based Management applied?

### **B. Effectiveness and progress**

- Is the project on track to achieve the indicator targets according to schedule of Medium-Term Objective 4 and all of its Sub-objectives and outputs? Is the quantity and quality of these outputs satisfactory? What factors influenced the effectiveness of the project capacity building and other activities?
- Which sub-objective has the project shown the greatest achievements? Why and what have been the supporting factors? What were the good practices and lessons learned from the pilot initiatives? What have been the obstacles to achievement both in terms of factors that project is enable to influence and external factors beyond its control?
- Have there been any additional achievements of the project over and above what was foreseen in the project document?
- Has the nature of industrial relations among the project partners changed because of the implementation of the project activities? To what extent?

- How have stakeholders been involved in project implementation? Has the project effectively and efficiently succeeded in mainstreaming industrial relations in its areas of work (outputs) and its processes?
- Is there any evidence that the trainees have effectively applied gained knowledge into their daily work? Were the training services provided relevant? What are the areas for improvement? How has the training thus far addressed the key gaps identified in compliance with international labor standards?

### **C. Effectiveness of management arrangements**

- Are management capacities adequate and facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities by all parties involved?
- Did the IR project receive sufficient political, technical and administrative support from its national partners, the ILO, and the donor?
- Do the programs' performance measures and monitoring systems provide an objective and gender sensitive assessment of program performance? Is information being regularly analysed to feed into management decisions?
- Has cooperation with the project's implementing partners been efficient? Has a participatory/consultative approach been applied? Were there effort to ensure equal participation of women and men?
- How strategic are the implementing partners in terms of mandate, influence, capacities and commitment?

### **D. Efficiency and Resource Use**

- Are resources (funds, human resources, time, expertise, etc.) allocated strategically and efficiently to achieve outcomes?
- Is budget expenditure progressing as expected (i.e. expenditure rate)? Have project funds and activities been delivered in a timely manner?
- Have resources been used efficiently? Have activities supporting the strategy been cost effective? In general, do the results justify the costs? Could same results be attained with fewer resources?
- Have efforts been duplicated in other projects related to NIRF? Are there ways the project and partners can improve efficiencies? To what extent have the Project been able to build on other ILO initiatives and create synergies that allowed for more efficient use of resources?
- Does the project have monitoring system to ensure efficient use of time and resources?
- How effective is the backstopping support provided by ILO throughout the project implementation? Did the project maximize the specialists' expertise and leveraging other existing other relevant project to help push forwarded the expected results?

### **E. Impact**

- How was the project able to contribute to the establishment of the legal and institutional foundations for a new industrial relations framework? Are the results consistent with or support the application of ILO convention C.87 and 98?
- To what extent has the project contributed changes in attitudes, policies, laws, capacities, institutions that relate to the new industrial relations framework? Identify the social, environmental, and economic effects of the intervention
- What are the impacts of gender mainstreaming at policy and institutional levels? To what extent have the pilots addressed the different needs of women and men, in policies and practices on organizing, social dialogue and collective bargaining? Have women been given opportunity in organizing? Were gender concerns integrated in pilots for social dialogue and collective bargaining?
- To what extent have the pilots been institutionalized?
- Can/should the project/pilots be scaled up?
- The innovative approaches and methodologies piloted?

### **F. Sustainability**

- Did the project designs include an integrated and appropriate strategy for sustainability? How effective and realistic is the exit strategy of the IR project?
- How effective and realistic is the exit strategy of the IR project? Is the project gradually being handed over to the national partners?
- Once external funding ends, will national institutions and key implementing partners be likely to continue the project or carry forward its results? (What is the nature of the commitment from stakeholders? Are they willing to sustain the results? What results have been achieved, including through tools and research papers developed, to assist implementing partners secure and sustain on-going operations? ) Does the project have a strategy in place to sustain these elements?
- Which strategies can be taken forward by partners and which strategies should be incorporated into any future ILO project?
- What are the follow-up actions required to sustain the project's initiatives?  
In how far is the project making a significant contribution to broader and longer-term development impact?

## G. Cross-Cutting Issues

Gender equality, international labour standards, social dialogue including tripartism, environmental sustainability, along with development, has been identified by the ILO as a crosscutting issue of the strategic objectives of its global agenda of Decent Work. Constituent capacity development should also be considered in this evaluation.

To the extent possible, data collection and analysis will be disaggregated by gender as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes.

## VI- Roles and Responsibilities

An **evaluator** (independent consultant) together with the national consultant as part of the team will be selected according to ILO procedures to implement. The evaluator will be responsible for the task and outputs set out in this TOR. The choice of the external collaborator will be approved by the ILO's Evaluation Unit along with the Terms of Reference for the evaluation.

Responsibilities and profile of Evaluator is provided in the table below.

Responsibility	Profile
<ul style="list-style-type: none"> <li>• The Evaluator will draft a brief inception report, a draft report and a final report. evaluation tools,</li> <li>• Elaborating and refining any technical and methodological approaches necessary for this evaluation.</li> <li>• Ensuring the quality of data (validity, reliability, consistency and accuracy) throughout the analytical and reporting phases.</li> <li>• Ensuring the evaluation is conducted per TORs, including following the ILO EVAL guidelines methodology and formatting requirements.</li> <li>• Coordinate and guide the work of the national consultant/national team member during evaluation process</li> </ul>	<ul style="list-style-type: none"> <li>• No previous involvement in the delivery of the project</li> <li>• Adequate contextual knowledge of the UN, ILO and Vietnam, especially on topics relevant to industrial relations, social dialogue and collective bargaining.</li> <li>• Adequate technical specialization, demonstrated knowledge and expertise on international labour standards, industrial relations, social dialogue and collective bargaining.</li> <li>• At least 10 years' experience in evaluation policies, strategies and organizational effectiveness.</li> <li>• Experience in conducting evaluations for ILO projects.</li> <li>• Expertise in qualitative and quantitative evaluation methods and an understanding of issues related to validity and reliability.</li> <li>• Fluency in spoken and written English and an understanding of the ILO crosscutting issues.</li> </ul>

	<ul style="list-style-type: none"> <li>Working knowledge of Vietnamese is an advantage or can engage an interpreter or translator.</li> </ul>
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The evaluator maintains over-all responsibility for the outputs, including that of a national consultant who also serves as evaluation team member and the translator/interpreter as well. The national team member will provide translation;/interpretation throughout process and will translate of the outputs in Vietnamese.

**National Team Member , Desired skills and competencies:**

- No previous involvement in the delivery of the NIRF project;
- Master Degree with minimum 7 years of strong and substantial professional experience working on social dialogue and industrial relations issues in Vietnam;
- S/He should be knowledgeable in gender sensitive program evaluation methodologies, programming and organizational and institutional capacity building;
- Experience in conducting evaluations for ILO projects (preferable)
- Excellent analytical skills and interview skills;
- Excellent command of oral and written English;

It is estimated that the scope of effort required by the evaluation will be approximately **25 days**. The work of the **national consultant** will cover **20 workdays**. The successful Evaluator will be remunerated on an output based total fee. Travel and DSA at the prevailing UN Common Systems rate will be provided. The evaluator will be required to book his/her own travel, in consultation with the ILO.

The suggested timeline and work plan is provided **below**.

The **evaluation manager** will manage and participate in the evaluation process under the oversight and guidance of both the **Senior Evaluation Officer and the Regional Evaluation Officer**. Inputs from **EVAL** may be sought through the evaluation process. The evaluation manager's responsibilities include managing the contract with the Evaluator, consulting on methodological issues and facilitating access to primary and secondary data.

**The ILO NIRF Japan Project staff based in ILO CO-Hanoi** will provide the overall coordination, administrative and logistics support. These include the following:

- Ensure access to relevant project information.
- Providing additional information and comments to the evaluation manager and external Evaluator.
- Providing input to ToRs.
- The ILO Evaluation Management Handbook, 2nd edition
- Coordinating logistics of the evaluation team with the partners during the evaluation, particularly during the field mission.
- Ensure access to/Provide required data
- Arranging meetings and coordinate exchanges between the evaluation team and partners and participating in evaluation workshops.
- Providing inputs to the evaluation manager on the draft report.
- Co-ordinating follow-up plans.

## VII- Evaluation Methodology

The evaluation will be carried out in accordance with ILO standard policies and procedures comply with evaluation norms and follow ethical safeguards. The evaluation will address the overall ILO evaluation criteria as defined in the ILO Policy Guidelines for results-based evaluation: principles, rationale, planning and managing for evaluations (3rd ed. 2017). The evaluation will also take into account the gender issues into the evaluation process as guided by the ILO guidelines on Integrating gender equality in monitoring and evaluation of projects (2014). The ILO adheres to the United Nations system evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

The evaluation will use mix of approaches and ensure triangulation of information. It will, in part, use a results-based approach to examine the achievements. In will, in part, use a case study approach to examine the pilots under review.

The evaluation shall include the following methods:

- **Desk review including review of operating and financial data**
- **Key informant interviews (KIIs).** Interviews are to be conducted with key program stakeholder (by phone or in-person) including (but not limited to):
  - Relevant ILO project staff and representatives , ILO CO Vietnam representatives, including Director and Programme backstopping official, Social Dialogue specialist from DW Team in Bangkok or Geneva; ACTRAV/ACTEMP specialists in Bangkok and/or Geneva. Other ILO representatives may include those from Geneva and the ILO DWT in Thailand,
  - Ministry of Labour- Invalid and Social Affairs IR Bureau of MOLISA and DOLISA
  - Members of the VGCL and Federations of Labour who have been involved in or are familiar with program implementation
  - VCCI and Officials of related employer organizations that were involved with or interacted with the projects
    - Embassy of Japan and Other donor representatives who have been involved with the projects
- **Focus group discussions (FGDs).** The team conducted three FGDs, one each with government, union representatives, and employer informants.
- **Field visit to Vietnam (Hanoi and provincial visits) and field interviews.** The exact itinerary will be determined later based on scheduling and availability of interviewees in coordination with the NIRF Japan Project team, in accordance with the evaluator's requests and consistent with these terms of reference. The evaluator should conduct meetings without the participation of any project staff.
- **Stakeholders debriefing workshop in Vietnam.** Presentation of preliminary findings at the end of the mission.
- **End of mission debriefing with ILO CO-Hanoi** the evaluation team to present preliminary findings and recommendations virtually for reactions and recommendations.

ILO's Evaluation Handbook provides the basic framework, the evaluation will be carried out in accordance with ILO standard policies and procedures. The ILO adheres to the United Nations system evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

The evaluation is an independent evaluation and the final methodology and evaluation questions will be determined by the Evaluator in consultation with the Evaluation Manager.

The details of the methodology will be elaborated by the evaluator based on the TORs and documented in the Inception Report, which is subject to approval by the Evaluation Manager.

At the completion of the field mission, a stakeholder workshop will be organized by the ILO in Hanoi to present the preliminary findings and proposed recommendations. Draft evaluation TORs and report will be shared with relevant stakeholders for their comments and inputs.

All data should be sex-disaggregated and different needs of women and men and those marginalized groups should be considered throughout the evaluation process.

## VIII- Evaluation Milestones and Timelines

Task Name	Responsible	Start	Finish	Work days	Outputs
Develop Evaluation Work plan	Evaluation Manager	10-Jan-20	13-Jan-20		

Task Name	Responsible	Start	Finish	Work days	Outputs
Formulation and Finalization of TOR	Evaluation Manager	13-Jan-20	03-Feb-20		
Recruit consultant (advertisement)	Evaluation Manager, Regional Evaluation Officer	03-Feb-20	20-Feb-20		
Contact stakeholders to schedule meetings with the evaluator	Project Team	03-Feb-20	28-Feb-20		
Signing contract with consultant	Project Team	24 Feb-20	28-Feb-20		
Briefing of evaluator by Evaluation Manager, subsequently with Project Staff and CO-Hanoi	Evaluation Manager	29-Feb-20	03-Mar -20		
Data Collection, desk review and initial analysis	Evaluator	03 Mar 20	05 Mar 20	4	Inception report: Final eval. questions -Methodology section -Instruments
Draft Inception report	Evaluator				
Approve Inception report	Evaluation Manager, Regional Evaluation Officer	06-Mar-20	12-Mar-20		
Meetings with Project and partners, Field visit, follow up interviews,  Drafting and Presentation of initial findings at the end of the mission,  End of mission	Evaluator	16-Mar-20	31-Mar-20	11	Stakeholder presentation  Debriefing with NIRF Japan Project Team and CO-Hanoi
Draft evaluation report completed and delivered, based on desk review and consultations from field visits	Evaluator	01-Apr-20	10-Apr-20	4	

Task Name	Responsible	Start	Finish	Work days	Outputs
Draft evaluation report submitted to Evaluation Manager	Evaluator	10-Apr-20	10-Apr-20		Draft report 1
Share evaluation report to Project Team, for any necessary corrections to prepare draft for circulation	Evaluation Manager	11-Apr-20	13-Apr-20		
Circulate draft evaluation report to key stakeholders	Project Team	13-Apr-20	24-Apr-20		
Send draft evaluation report to Regional Evaluation Officer	Evaluation Manager	13-Apr-20	24-Apr-20		
Convey comments to the consultant for possible inclusion	Evaluation Manager	27-Apr-20	27-Apr-20		
Report writing, comments consolidation & finalization including explanations on why comments were not include	Evaluator	27-Apr-20	30-Apr-20	6	Draft Report 2 and Final Report
Submit draft to evaluation manager (Evaluation Manager)	Evaluator	30-Apr-20	30-Apr-20	0	
Review Report for quality control	Evaluation Manager	03-May-20	06-May-20		
Submit Report to Regional Evaluation Officer for EVAL for Approval	Evaluation Manager	06-May-20	06-May-20		
Review Report Approval	Regional Evaluation Officer, EVAL	06-May-20	20-May-20		
Dissemination to national partners	Project Team	20-May-20	31-May-20		
Follow-up to recommendations	Project Team, CO-Hanoi	31-May-20	Onwards		
TOTAL Workdays				25	
<b>NOTE: Total workdays allocated for the <u>national</u> consultant is 20 workdays.</b>					



## IX- Evaluation Report and deliverables

The evaluation process will yield the following outputs, **in both English and Vietnamese**

1. **Brief inception report** (maximum 5 pages, excluding Annexes if any) upon the review of the available documents and an initial discussion with the project's management, including the following elements.
  - Refined evaluation questions
  - Describe the conceptual framework that will be used to undertake the evaluation.
  - Sets out in some detail the approach for data collection, the evaluation methodology; i.e. how evaluation questions will be answered by way of data collection methods, data sources, sampling and selection criteria, and indicators.
  - Sets out the work plan for the evaluation, which indicates the phases in the evaluation.
  - Sets out a plan for data collection, interviews or Focus Group Discussions (FGD).
  - Sets out the list of key stakeholders to be interviewed.

This inception report should set out any changes proposed to the methodology or any other issues of importance in the further conduct of the evaluation.

2. **Stakeholders workshop.** The evaluator will conduct a stakeholders' workshop. The stakeholders' workshop will be organized to validate information and data collected through various methods and share the preliminary findings with the ILO and local stakeholders at the end of evaluation mission. The stakeholders' workshops will be organized by the project team. Powerpoint presentation should be prepared and presented at the workshop and shared with Evaluation Manager.
3. **Draft evaluation report and its timing.**
  - Evaluator to submit a complete and readable draft report to the evaluation manager.
  - Draft report should reflect the evaluative reasoning and critical thinking that were used to draw values-based conclusions following the evidence.

Evaluation report should include action-oriented, practical and specific recommendations assigning or designating audiences /implementers /users. The draft evaluation report should be prepared as per the ILO Checklist 5: Preparing the Evaluation Report (see Annex D).

The first draft evaluation report will be improved and commented by the evaluation manager who is responsible for checking the quality of the draft report in terms of adequacy and readability. The evaluation manager circulates the report among the stakeholders for comments.

4. **Final Independent Evaluation report** (with Title Page, Executive Summary and Annexes, including lesson learned and emerging good practices in the ILO Template).

The report should not be longer than 30 pages, excluding annexes.

Evaluation manager will compile the comments received and forwards them in a single communication to the evaluator. The evaluator will incorporate comments as they deem appropriate and show how they have or have not addressed each comment using a comment matrix and submit the final report and comment matrix to the evaluation manager, who will disseminate these simultaneously to the donor and immediate project stakeholders.

The quality of the report will be assessed against the EVAL checklist 5, 6 and 7 (see Annex D).

The final version is subjected to final approval by EVAL (after initial approval by the Evaluation manager/Regional evaluation officer)

5. **Evaluation Summary** (EVAL checklist 8 see Annex D), lessons learnt and good practices must be developed using ILO standard format.

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with MS WORD for Windows.

The copyright of the report from the evaluation rests exclusively with the ILO. Use of the data for publication and other presentation can only be made with the agreement of the ILO.

Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgment.

The main deliverable of this evaluation is the **Independent Final Evaluation** report to be written in accordance with the **ILO House Style Manual** (5th edition). The content of the report should include:

- Cover page with key project data (project title, project number, donor, project start and completion dates, budget, technical area, managing ILO unit, geographical coverage); and evaluation data (type of evaluation, managing ILO unit, start and completion dates of the evaluation mission, name(s) of evaluator(s), date of submission of evaluation report).
- Table of contents
- Executive summary
- Acronyms
- Background and project description and its intervention logic
- Purpose, scope and clients of evaluation
- Evaluation methodology, evaluation questions and limitations
- Review of project results including high level achievements by outcome against plan
- Presentation of findings by evaluation criteria
- Conclusions and recommendations ((including to whom they are addressed, resources required, priority and timing))
- Impacts, lessons learnt and potential good practices and models of interventions – to provide standard annex templates as per EVAL guidelines.
- Annexes (study tools, list of interviews, overview of meetings, proceedings stakeholder meetings, other relevant information).

The Evaluation Manager will assess it against the EVAL checklist 8 (see Annexes) and will finalise the evaluation summary.

## **X- Legal and Ethical Matters**

The ILO Code of Conduct for independent evaluators applies to all evaluation consultants. The principles behind the code of Conduct are fully consistent with the Standards of Conduct for the International civil Services to which all UN staff is bound. UN staff is also subject to any UNEG member specific staff rules and procedures for the procurement services. The selected evaluator shall sign and return a copy of the code of conduct with the contract.

## **XI- Annex**

### **H. List of documents**

- Project document
- Baseline reports and related data
- Monitoring reports conducted during the project
  - Progress and status reports, Extensions and budget revisions
- Previous phase or related evaluation reports of the project
- Project outputs: national and international case studies, training modules, other relevant studies and research undertaken by the project

- Project beneficiary documentation, Project documentation: workshop reports, PSC meeting reports, consultation meeting reports, concept notes, minutes of monthly calls/meetings with the Donor, and relevant correspondence
- Project staff directory
- Directory of (implementing) partners
- ILO or National documentation -
  - National development framework ○ One UN Plan
    - ILO Decent Work Country Programme Documents
    - ILO Strategic Programme Framework and Programme and Budget

## I. Annex 2: All relevant ILO evaluation guidelines and standard templates

- ILO Policy Guidelines for results-based evaluation, 2012  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_176814/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_176814/lang--en/index.htm)
- Code of conduct form (To be signed by the evaluators)  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206205/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206205/lang--en/index.htm)
- Checklist No. 3 [Writing the inception report](#)  
[https://www.ilo.org/eval/Evaluationguidance/WCMS\\_165972/lang--en/index.htm](https://www.ilo.org/eval/Evaluationguidance/WCMS_165972/lang--en/index.htm)
- Checklist 5 preparing the evaluation report  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165967/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165967/lang--en/index.htm)
- Checklist 6 rating the quality of evaluation report  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165968/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165968/lang--en/index.htm)
- Checklist No. 7 [Filling in the title page](#) with link to template  
[https://www.ilo.org/eval/Evaluationguidance/WCMS\\_166363/lang--en/index.htm](https://www.ilo.org/eval/Evaluationguidance/WCMS_166363/lang--en/index.htm)
- Template for lessons learnt and Emerging Good Practices  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206158/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206158/lang--en/index.htm)  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206159/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206159/lang--en/index.htm)
- Guidance note 7 Stakeholders participation in the ILO evaluation  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165986/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm)
- Guidance note 4 Integrating gender equality in M&E of projects  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165986/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm)
- Template for evaluation title page  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_166357/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_166357/lang--en/index.htm)
- Template for evaluation summary  
<http://www.ilo.org/legacy/english/edmas/eval/template-summary-en.doc>  
<http://www.unevaluation.org/document/detail/1914>

## Appendix 2.1 Lessons Learned and emerging good practise

ILO Lesson Learned Template	
<p>Project Title: Final Evaluation: Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF) project</p> <p>Project TC/SYMBOL: VNM/16/06/JPN</p> <p>Name of Evaluator: Sten Toft Petersen (International Consultant), Nam Pham Quang (National Consultant)</p> <p>Date: September 2020</p> <p>The following lesson learned was identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.</p>	
LL Element	Text
Brief description of lesson learned (link to specific action or task)	The evaluation finds that one lesson learned from the current project is that it is very complicated and expensive to establish multi-employer trade unions (METUs). The attempts to establish METUs, based on micro-enterprises, had limited success. If compare the investment with the results the METU concept has till now not proven right. (The establishment of syndicates of self-employed is not seen as a METU.)
Context and any related preconditions	The pilot projects were searching for new ways to increase outreach
Targeted users / Beneficiaries	The target group was employees in Micro- and Small Establishments
Challenges /negative lessons - Causal factors	Top down creation of METUs and high demand for human and financial resources. In a situation where VGCL is confronted with huge challenges coming from the reform process it might not be timely to enter into large investments in organizing among employees in micro and informal establishments as the available resources would be taken from other strategic interventions
Success / Positive Issues - Causal factors	N/A

ILO Administrative Issues (staff, resources, design, implementation)	ILO to discuss with the VGCL about way forward.
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## Appendix 2.2 Lessons Learned and emerging good practise

ILO Lesson Learned Template	
Project Title: Final Evaluation: Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF) project	
Project TC/SYMBOL: VNM/16/06/JPN	
Name of Evaluator: Sten Toft Petersen (International Consultant), Nam Pham Quang (National Consultant)	
Date: September 2020	
The following lesson learned was identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.	
LL Element	Text
Brief description of lesson learned (link to specific action or task)	The evaluation finds a lesson learned from the current project is that if it is the aim to develop a national sector/industry-based CBA system then there is a need for a more hierarchical structure especially on the employer's side. The current attempts for short cuts via MECBAs will not create this basis as these do not build up the capacity of the sectoral structures at the national level. The MECBAs were met with different opinions, depending on the trade union leaders' personal experiences. Employers also found the approach complicated and some employers did not enter into good faith dialogue. There is a need to create a culture of social dialogue and on the basis of this reach a point where sectoral CBAs are signed as a basis for the lower level CBAs.
Context and any related preconditions	The pilot project on MECBAs has had some limited local impact on improving working and employment conditions and their role is interpreted differently among employers and trade unions. All stakeholders agree that the MECBA concept has a number of limitations.
Targeted users / Beneficiaries	The target group was Micro-, Small- and Medium size establishments.
Challenges /negative lessons - Causal factors	High costs and long-term perspective for success – minimum 8-10 years.

Success / Positive Issues - Causal factors	The workers in some enterprises have had some minor improvements in working conditions.
ILO Administrative Issues (staff, resources, design, implementation)	ILO to discuss with the constituents about way forward.

## Appendix 2.3 Lessons Learned and emerging good practise

ILO Lesson Learned Template	
<p>Project Title: Final Evaluation: Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF) project</p> <p>Project TC/SYMBOL: VNM/16/06/JPN</p> <p>Name of Evaluator: Sten Toft Petersen (International Consultant), Nam Pham Quang (National Consultant)</p> <p>Date: September 2020</p> <p>The following lesson learned was identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.</p>	
LL Element	Text
Brief description of lesson learned (link to specific action or task)	The evaluation finds a lesson learned from the current project is that if it is the aim to develop a system of free and fair elections to the governing bodies of the local trade union structures including direct election of the trade union President there is a need to change the mindset of trade union office bearers. Changes in bylaws and internal regulations creates the formal fundament only. The FOL and local union officials have to learn that with new regulations also comes new practises. The direct elections have not in practise till now opened for more candidates to come forward this very much is due to the fact that the mindset has not changed yet, and old traditions are still prevailing. The current practise does not encourage workers to promote candidates of their own choice.
Context and any related preconditions	The pilot project on direct election of local trade union Presidents has been scaled by VGCL. The practise how this pilot is being implemented still to a large extend makes the election a formal procedure rather than a democratic process. Very seldom alternative candidates are tabled and often is a voting not conducted because only one candidate has come forward.
Targeted users / Beneficiaries	The target group was trade union members in selected pilot establishments.



Challenges /negative lessons - Causal factors	A timeframe till next trade union congresses in factories where congresses already have been held in others the time frame would be shorter.
Success / Positive Issues - Causal factors	There is an understanding in the VGCL leadership that reforms are needed to meet the new challenges.
ILO Administrative Issues (staff, resources, design, implementation)	ILO to discuss with the VGCL about development a procedure for truly democratic election procedure in establishments nationwide.

## Appendix 2.4 Lessons Learned and emerging good practise

### ILO Emerging Good Practice Template

**Project Title:** Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF) project

**Project TC/SYMBOL:** VNM/16/06/JPN

**Name of Evaluator:** Sten Toft Petersen (Team Leader), Nam Pham Quang (National Consultant)

**Date:** September 2020

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
<b>Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)</b>	An Emerging good practice developed within the project is the establishment of HR Clubs these has a great potential for both helping the members professional skills and by that also being a benefit for their employers. They can also if trained functioning as agent of change when it comes to changing the mindset of many employers in relation to industrial relations and dialogue with workers and their organisations. The improved professional skills will allow the managers to avoid many conflict situations with staff. The HR Clubs is also a possibility for VCCI to increase its outreach.
<b>Relevant conditions and Context: limitations or advice in terms of applicability and replicability</b>	The development of the concept will require that it is fully embraced by VCCI and that a business model is established. It is the understanding that the HR Clubs can be self-financed. The members are already now ready to pay for their participation.
<b>Establish a clear cause-effect relationship</b>	<p>The capacity build up will positively impact on the environment for social dialogue in the enterprises and the staff turnover is likely to minimise.</p> <p>With increased outreach the VCCI can play a more prominent role in social dialogue nation wide.</p>

<b>Indicate measurable impact and targeted beneficiaries</b>	VCCI can increase its membership on medium- and long-term.
<b>Potential for replication and by whom</b>	VCCI to replicate nationwide.
<b>Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)</b>	Strengthening of the employers' associations.
<b>Other documents or relevant comments</b>	N/A

## Appendix 3 Recommendations

Evaluation Criteria	Recommendations	Relevant Stakeholders (Recommendation made to whom)	Priority of importance	Time frame for the implementation	Resource implications to implement the recommendations
Project's design, relevance and strategic fit	<u>Recommendation 1:</u> The GoV is recommended to establish an institutional link between different departments working with ILO CO and projects being implemented with the support of the ILO this to secure alignments between all initiatives.	GoV	Medium	Medium-term	Low
Effectiveness and progress	<u>Recommendation 2:</u> Joint training should be rolled out for employers and employees (trade union leaders) on social dialogue (SD) and collective bargaining agreement (CBA), and on an as much as possible large-scale, to pave the way for good faith bargaining and dispute resolution in the establishments.	ILO, VCCI and VGCL	Medium	Medium-term	High
	<u>Recommendation 3:</u> ILO should provide technical assistance to VGCL on organising in micro establishments and informal sector to prepare for mid- and long-term interventions. VGCL is recommended to conduct an assessment of the resources needed for organizing in micro establishments and informal sector to estimate if it is	ILO and VGCL	High	Short-term	Low

Evaluation Criteria	Recommendations	Relevant Stakeholders (Recommendation made to whom)	Priority of importance	Time frame for the implementation	Resource implications to implement the recommendations
	timely to scale organizing in this segment.				
	<u>Recommendation 4:</u> The VGCL is recommended to develop clear strategic and practical guidelines for the interaction with the WROs and ILO is recommended to provide technical assistance for this activity.	ILO and VGCL	High	Short-term	Low
	<u>Recommendation 5:</u> The VCCI is recommended to develop a strategy for scaling the HR Clubs as both a membership service and a tool to increase the organizations outreach.	VCCI	Medium	Short-term	Low
	<u>Recommendation 6:</u> When applying a pilot approach, there should be a clear target for the strategy it should feed in to. A pilot does not have any meaning in its own right it should bring new element into an intervention. It should be timebound with an exit strategy also if the pilot is unsuccessful as it leaves disappointment behind.	ILO	High	Short-term	Low
Impact	<u>Recommendation 7:</u> ILO is recommended to provide high level expertise to both VCCI and VGCL in building up the legal capacity in both organization enabling to provide better services to members on labour legislation issues in particular interpretation of the new rules and regulations as well as on ILS.	ILO, VCCI and VGCL	High	Short-term	Medium

Evaluation Criteria	Recommendations	Relevant Stakeholders (Recommendation made to whom)	Priority of importance	Time frame for the implementation	Resource implications to implement the recommendations
	<u>Recommendation 8:</u> The evaluation suggests that the new developments in the Vietnamese labour market may lead to an increased need for mitigation. The evaluation recommends that the ILO provide technical support to the constituents to build up capacity, so that they can react quickly and effectively to conflicts and disputes at the enterprise level.	ILO and constituents	High	Short-term	Low
Sustainability	<u>Recommendation 9:</u> The direct election of local trade union presidents (and ExCos) needs to be further developed so that the elections become not only free but also fair. The ILO should provide VGCL with technical expertise.	ILO and VGCL	High	Short-term	Low
	<u>Recommendation 10:</u> The ILO is recommended to pilot SCORE program and social dialogue capacity building in parallel in the same enterprises to achieve a “1 + 1 = 3” effect.	ILO	High	Short-term	High

## Appendix 4 Field Mission Schedule

### Developing a New Industrial Relations Framework in respect of the ILO Declaration on Fundamental Principles and Rights at Work (NIRF Project - Japanese Component )

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### TENTATIVE ITINERARY FINAL INDEPENDENT PROJECT EVALUATION VNM/16/06/JPN (IRIS No – 106044; Award No. 501947) 20 July – 10 August 2020

Evaluation manager: Diane Lynn C. Respall

Evaluator: Mr. Sten Petersen

Team member: Mr. Pham Quang Nam

Date	Activity	Address	Remark	Method
I	The virtual meetings which can be arranged through Skype/Zoom and the meetings with partners at central level (with interpreter)  These interviews could be started from 20 <sup>th</sup> July based on informants availabilities			
20 July 2020 (Monday)				
13:30 – 14:30	Meeting with ILO Country Director-  - Mr. Lee Chang-Hee  - Program Unit focal point (Mr. Nguyen Ngoc Trieu)	Green One UN House 304 Kim Ma street, Hanoi  <b>Contact person:</b>  Ms. Nguyen Thi Thanh Thao	Confirmed  Room TBC	NAM will be at the meeting venue  STEN via Skype  Interview in English
16:30 – 17:30	Meeting with former ILO-NIRF-USDOL National Project Coordinator  Ms. Vu Kim Hue - Former National Project Coordinator		Confirmed  Skype ID: vukimhue	Interview in English through Skype
21 July 2020 (Tuesday)				
9:00 – 11:30	Meeting with Project Holder, Department of Industrial Relations and Wage, Ministry of Labour-Invalids and Social Affairs (MoLISA)  - Mr. Nguyen Huy Hung – Director	UN GOUHN 304 Kim Ma  <b>Contact person</b>  Ms. Nguyen Thi Thuy Linh	Confirmed	NAM will be at the meeting venue  STEN via Skype  Interview in VN and EN with interpretation

	- Ms. Nguyen Thi Thuy Linh – Chief of General division			Interpreter available
	Lunch			
13:30 – 14:30	Meeting with ACTRAV specialist - Mr. Young-Mo Yoon		Confirmed ID: whymwhy-ymy	Interview in English through Skype
15:00 – 16:00	Meeting with ACTEMP specialist - Mr. Lee Dong Eung		Confirmed ID: DOOLIN LEE	Interview in English through Skype
<b>22 July 2020 (Wednesday)</b>				
9:00 – 10:00	Meeting with VCCI Focal point Ms. Lan Anh- Director General of VCCI BEA		Confirmed	NAM will be at the meeting venue STEN via Skype  Interview in VN and EN with interpretation
10:30 – 11:45	Meeting with VCCI - Mr. Hoang Quang Phong – VCCI Vice President - Ms. Lan Anh- Director of VCCI BEA - Ms. Mai Hong Ngoc – VCCI BEA	VCCI office No. 9 Dao Duy Anh street, Hanoi  <b>Contact person:</b> Ms. Lan Anh:	Confirmed  Combined with Lan Anh’s meeting	
	Lunch			
14:00 – 15:00	Meeting with an independent researcher – Dr. Do Quynh Chi		Confirmed ID:	Interview in English through Skype
<b>23 July 2020 (Thursday)</b>				
14:30 – 15:30	Meeting with VCCI HCM - Ms. Bui Thi Ninh – Director of VCCI HCM/BEA		Confirmed ID:	Interview in English through Skype
<b>28 July 2020 (Friday)</b>				
9:30 – 10:30	Meeting with Project team - Ms. Tran Ngoc Diep – former National Project Coordinator - Ms. Nguyen Thi Thanh Thao – Program Assistant		Confirmed	Interview in English through Skype
11:00 – 12:00	Meeting with Better Work Vietnam - Mrs. Pham Hoang Lien, Program Manager		Confirmed	Interview in English through Skype



			ID: chuoatbach0 01	
<b>29 July 2020 (Wednesday)</b>				
10:00 - 11:30	Meeting with VGCL focal point Ms. Ha Thi Phuong Thao – International Department of VGCL		Confirmed ID:	Interview in English through Skype
	<b>Lunch</b>			
13:30 – 17:00	<b>Meeting with VGCL Departments</b> <b>2<sup>nd</sup> meeting (01 hour)</b> <ul style="list-style-type: none"> <li>- VGCL IR Department (Ms. Ha, Mr. Quang – Vice Directors, Mr. Quang – Chief of IR division)</li> <li>- VGCL ICD (focal point of Technical Advisory Committee)</li> </ul> <b>3<sup>rd</sup> meeting (01 hour)</b> <ul style="list-style-type: none"> <li>- VGCL Organising Department (Mr. Vu, Mr. Son)</li> <li>- VGCL ICD (focal point of Technical Advisory Committee)</li> </ul>	VGCL office No. 65 Quan Su street, Hanoi  <b>Contact person</b> Ms. Ha Thi Phuong Thao	Room tbc  Confirmed	NAM will be at the meeting venue STEN via Skype  Interview in EN and VN with interpretation  Interpreter available
<b>IV</b>	<b>Field mission to local partners</b>			
<b>30 July 2020 (Thursday)</b>				
08:30 – 10:00	Meeting with Quang Nam FOL and Tam Ky FOL <ul style="list-style-type: none"> <li>- Mr. Phan Minh A – Vice President of Quang Nam FOL</li> <li>- Mr. Trần Văn Tĩnh - Head of Organising Department</li> <li>- Mr. Phan Dương Nhứt – Vice President of Tam Ky FOL</li> </ul>	Quang Nam FOL No. 10 Trần Phú, Phường Tân Thành, Tam Kỳ, Quảng Nam  Mr. Phan Minh A – Ms. Ha -	<b>Confirmed</b>	Virtual interview in VN conducted by Nam

	<ul style="list-style-type: none"> <li>- Phung Huu – Vice President of Hoi An FOL</li> <li>- Ms. Nguyen Thi Thanh Ha – Vice head of Finance Department</li> <li>- Ms. Le Thi My Linh- Vice head of Policy and Legal Department</li> </ul>			
10:15-11:00	Meeting with representative from Childcare groups 1 <sup>st</sup> meeting with the Trade Union representative of Private Childcare Groups	Mr. Phan Dương Nhứt, Vice President of Tam Ky FOL -	<b>Confirmed</b> Ms. Dieu – Chairwoman of the childcare group union in An My Ward, Tam Ky, Quang Nam	Virtual interview in VN conducted by Nam
11:00-11:45	2 <sup>nd</sup> meeting with an owner of Private Childcare Group (employer)	Mr. Phan Dương Nhứt, Vice President of Tam Ky FOL -	<b>Confirmed</b> Ms. Ha – Employer:	
	LUNCH			
14:00 – 15:00	Meeting with Hoi An FOL	Hoi An FOL, 485 Hai Ba Trung <b>Contact person</b> Mr. Phùng Hữu	<b>Confirmed</b>	Virtual interview in VN conducted by Nam
<b>31 July 2020 (Friday)</b>				
08:30 – 11:00	Meeting with Da Nang FOL and PIU <ul style="list-style-type: none"> <li>- Mr. Hoang Huu Nghi – Vice President of Da Nang FOL</li> <li>- Mr. Pham Thanh Hien – Vice Director of IR-Policy &amp; Law Department</li> <li>- Members from Da Nang PIU</li> <li>- Representatives from GTUs</li> </ul>	Da Nang FOL 48 Pasteur, Hải Châu 1, Đà Nẵng <b>Contact person</b> Mr. Pham Thanh Hien	<b>Confirmed</b>	Interview via Zoom Nam will interpret
<b>3 August 2020 (Monday)</b>				
07:00 - 09:00	Moving from Ha Noi to Hai phong	Etoco -		

8:30 - 11:30	<p>Meeting with Hai Phong Pilot Implementing Unit FOL/EZU</p> <ul style="list-style-type: none"> <li>- Mr. Hoang Dinh Long, Head of PIU, Vice President of Hai Phong Federation of Labour</li> <li>- Ms. Pham Thi Hang, Former President of Economic Zone Trade Union</li> <li>- Other members of Pilot implementing unit (including Hai Phong FOL and Hai Phong EZTU)</li> </ul>	<p>88 Dien Bien Phu, Hai Phong</p> <p><b>Contact person:</b> Ms. Hoang Dinh Long</p>	<b>Confirmed</b>	<p>NAM will be at the meeting venue STEN via Skype</p> <p>Nam will interpret</p>
	<b>LUNCH</b>			
14:00 – 15:00	Meeting with representative of Korean Business Association	Confirmed		<p>NAM will be at the meeting venue STEN via Skype</p> <p>Nam will interpret</p>
15:15 – 17:00	<p>Visit 01 enterprise of MECBA pilot</p> <p>1<sup>st</sup> meeting with Employer(s)</p> <p>2<sup>nd</sup> meeting with:</p> <ul style="list-style-type: none"> <li>- Trade Union representative</li> <li>- Meeting with 5 workers or 5 TU activists</li> </ul>	Confirmed		<p>NAM will be at the meeting venue STEN via Skype</p> <p>Nam will interpret</p>
	Travel back to Ha Noi	Etoco -		
<b>4 August 2020: PM (Tuesday) Flight from Ha Noi to HCM city (VN 215, 15:00-17:15)</b> <b>Stay in HCM city</b>				
<b>5 August 2020 (Wednesday)</b>				
08:30 – 11:30	<p><b>Meeting with HCM FOL/ Linh Trung IZTU</b></p> <p><b>1<sup>st</sup> meeting with HCM FOL</b></p> <ul style="list-style-type: none"> <li>- Mr. Kieu Ngoc Vu – Vice President of HCM FOL</li> <li>- Mr. Nguyen Phi Ho - Vice head of Policy and Legal Department</li> </ul> <p><b>2<sup>nd</sup> meeting with HCM Legal Advisory Center</b></p>	<p>Office for Party – Trade Unions, hamlet 4, Linh Trung EPZ 1, Linh Trung ward, Thu Duc district, HCM city</p> <p><b>Contact person:</b> Mr. Pham Van Hien –Mr. Nguyen Phi Ho -</p>	<b>Confirmed</b>	<p>NAM will be at the meeting venue STEN via Skype</p> <p>Interview in EN with interpretation</p> <p><b>Nam will interpret</b></p>

	<ul style="list-style-type: none"> <li>- Mr. Tran Van Trieu - Director</li> <li>- Mr. Pham Van Hien – Vice President of HCM EPZ Union</li> <li>- 04 Representatives of GTU leaders and workers in Linh Trung EPZ</li> </ul>			
	LUNCH			
13:30–15:30	<b>3<sup>rd</sup> meeting:</b> Focus group discussion with workers in garment factories <ul style="list-style-type: none"> <li>- 5-8 workers from textile and garment factories</li> </ul>			
15:30 – 17:00	<b>4<sup>th</sup> meeting:</b> HCM EPZ Union <ul style="list-style-type: none"> <li>- Mr. Pham Van Hien – Vice President of HCM EPZ Union</li> <li>- 04 Representatives of GTU leaders in Linh Trung IZ</li> </ul>	Office for Party – Trade Unions, hamlet 4, Linh Trung EPZ 1, Linh Trung ward, Thu Duc district, HCM city  <b>Contact person:</b> Mr. Tran Van Trieu	<b>Confirmed</b>	Face-to-face interview in VN conducted by Nam
18:30 – 19:30	Moving Ho Chi Minh – Binh Duong			
<b>6 August 2020 (Thursday)</b>				
08:30-10:00	Meeting with BIFA <ul style="list-style-type: none"> <li>- Mr. Nguyen Liem – Vice President of BIFA</li> <li>- Ms. Van Son Hoa Nhu – Communication officer</li> </ul>	11 Floor, Becamex Tower, 230 Đại lộ Bình Dương  <b>Contact person:</b> Mr. Nhu	<b>Confirmed</b>	Face-to-face interview in VN conducted by Nam
10:30 – 11:30	Meeting with Representatives of HR Club in Binh Duong <ul style="list-style-type: none"> <li>- Mr. Minh – Vice President of BIFA</li> <li>- Ms. Van Son Hoa Nhu – Communication officer</li> </ul>	11 Floor, Becamex Tower, 230 Đại lộ Bình Dương  <b>Contact person:</b> Mr. Nhu	<b>Confirmed</b>	Online meeting through Zoom
11:30 – 13:30	Travel Binh Duong - Dong Nai Hotel check-in Dong Nai	<b>Contact of travel agency for car rental</b>		Lunch included

14:00 – 17:30	<b>Meeting with Binh Duong FOL and PIU</b>  1 <sup>st</sup> meeting <ul style="list-style-type: none"> <li>- Ms. Truong Thi Bich Hanh – President</li> <li>- Ms. Ong Thi Hoang Mai – Vice President</li> <li>- Mr. Dang Tan Dat – Vice Chief of Policy and Law Department</li> </ul> 2 <sup>nd</sup> meeting <ul style="list-style-type: none"> <li>- Representatives from Tan Uyen FOL &amp; other Upper level unions</li> </ul> 3 <sup>rd</sup> meeting <ul style="list-style-type: none"> <li>- Representatives from GTU</li> </ul>	Binh Duong FOL 13 Yersin, Phú Cường, Thủ Dầu Một, Bình Dương  <b>Contact person:</b> Mr. Dat:	<b>Confirmed</b>	Online meeting through Zalo  Contact number
	Move from Binh Duong to HCM city  Travel from HCM to Hanoi	VN 286M (21:00 23:10)		
<b>7 August 2020 (Friday)</b>				
8:00 – 10:00	Meeting with Dong Nai FOL and Dong Nai PIU  <b>1<sup>st</sup> meeting</b> <ul style="list-style-type: none"> <li>- Ms. Nguyen Thi Nhu Y – President of Dong Nai FOL</li> <li>- Mr. Nguyen Van Sinh- Director of Legal &amp; Policy Affairs Department</li> </ul> 2 <sup>nd</sup> meeting <ul style="list-style-type: none"> <li>- Other PIU members</li> </ul>	Dong Nai Federation of Labour  14 Hoang Minh Chau, Bien Hoa, Dong Nai  <b>Contact person:</b> Mr. Nguyen Van Sinh –	<b>Confirmed</b>	Virtual meeting in Vietnamese through Zalo
10:00 – 11:30	Meeting with Dong Nai Legal Advisory Network (as the focal point of Legal Advisory Network) <ul style="list-style-type: none"> <li>- Mr. Vu Ngoc Ha – Director</li> <li>- Other members</li> </ul>	Dong Nai Federation of Labour  14 Hoang Minh Chau, Bien Hoa, Dong Nai  Contact person: Mr. Vu Ngoc Ha	<b>Confirmed</b>	Virtual meeting in Vietnamese through Zalo

	LUNCH			
13:30 – 15:00	Focus group discussion with workers in furniture factories <ul style="list-style-type: none"> <li>- 04 representatives from GTU and 04 workers</li> <li>1. Worker – Ms. Nguyễn Thị Hải - Cty CP Johnson Wood, ĐT</li> <li>2. President of GTU Ms. Nguyễn Thị Thanh Tin – Wood - processing Company Chien -</li> <li>3. President of GTU Ms. Nguyễn Thị Thanh Xuân - Johnson Wood Company –</li> <li>4. Worker (tbc)</li> </ul>	Tam Phuoc IZ Mr. Nguyen Van Sinh –	<b>Confirmed</b>	Virtual meeting in Vietnamese through Zalo
15:00-17:00	Meeting with Bien Hoa IZTU <ul style="list-style-type: none"> <li>- Ms. Tuyet – President of Bien Hoa IZTU</li> </ul>	<b>Contact person:</b> Mr. Nguyen Van Sinh	<b>Confirmed</b>	Virtual meeting in Vietnamese through Zalo
17:00 – 18:00	Move from Dong Nai to Tan Son Nhat Airport	<b>Contact of travel agency for car rental</b>		
<del>20:00 – 22:15</del>	<del>Travel from HCM to Hanoi</del>	<del>Flight VN-283 (20:00 – 22:15)</del>		
<b>8 August 2020 (Saturday)</b>				
10:00 – 11:30	<b>4<sup>th</sup> Meeting</b> <ul style="list-style-type: none"> <li>- VGCL Institute (Mr. Tien-Director of VGCL Institute)</li> </ul>			Virtual meeting in Vietnamese through Zalo
<b>10 August 2020 (Monday)</b>				
13:30 – 15:00	Meeting with Quang Nam Tourism Association and Representative from HR Club <ul style="list-style-type: none"> <li>- Mr. Phan Xuan Thanh – President of Quang Nam Tourism association</li> <li>- Mr. Pham Vu Dung – Vice president of QN TA</li> </ul>	Quang Nam TA, 118 Trần Hưng Đạo, Phường Cẩm Phố, Hội An  <b>Contact person</b> Ms. Nguyen Thanh Thuy –	<b>Confirmed</b>  <b>Skype link:</b>	Interview through Skype with interpretation  Nam will interpret

	<ul style="list-style-type: none"> <li>- Ms. Duong Thi Minh – President of HR Club in Quang Nam</li> <li>- Ms. Nguyen Thi Thanh Thuy – Director of Administrative Department- QNTA</li> </ul>			
15:00 – 16:30	Skype meeting with Ms. Ta Thi Bich Lien – Project Manager/ National Project Coordinator		<b>Confirmed</b> <b>Skype:</b> <b>tathibichlien</b>	
<b>11 August 2020 (Tuesday)</b>				
8:30 – 10:00	Meeting with VCCI Da Nang <ul style="list-style-type: none"> <li>- Mr. Nguyen Tien Quang – VCCI Da Nang Director</li> <li>- Ms. Tran Thi Hien Dung – Vice Chief of Membership division</li> </ul>	VCCI Da Nang office 26 Hồ Nguyễn Trùng, Hoà Cường Nam, Hải Châu, Đà Nẵng <b>Contact person</b> Ms. Tran Thi Hien Dung -	<b>Confirmed</b>	Interview in EN with interpretation  <b>Nam will interpret</b>
10:15 – 12:00	Meeting with representatives from Da Nang HR Club and an HR manager <ul style="list-style-type: none"> <li>- Ms. Duong Ai Thanh – President of HR Club</li> <li>- Ms. Nguyen Thi Minh Tam – HR Manager Furama resort</li> <li>- Ms. Tran Thi Hien Dung – VCCI Da Nang</li> </ul>		<b>Confirmed</b>	Interview in English through Skype
	<b>LUNCH</b>			
14:00 – 15:30	Meeting with Ms. Nguyen Hai Yen – CNV Country Representative		<b>Confirmed</b>	
<b>12 August 2020 (Wednesday)</b>				
	<b>Meeting with Mr. Pong-Sul Ahn – ACTRAV Specialist</b>		<b>TBC</b>	Interview in English through Skype
17:30 – 18:30	<b>Meeting with VGCL Leader</b> <ul style="list-style-type: none"> <li>- Mr. Ngo Duy Hieu – VGCL Vice President</li> </ul>	VGCL office No. 65 Quan Su street, Hanoi <b>Contact person</b>	<b>Confirmed</b>	NAM and STEN via Skype with interpretation

	- VGCL ICD (focal point of Technical Advisory Committee)	Ms. Ha Thi Phuong Thao		Interpreter will be at the VGCL office
	<b>Field Mission completed</b>			
<b>13 August 2020 (Wednesday)</b>				
14:00 – 16:00	<b>Wrap-up Meeting with NIRF/Japan Project</b>	Green One UN House 304 Kim Ma street, Hanoi  Contact person: Ms. Nguyen Thi Thanh Thao		
16:30-17:10	<b>De-briefing with ILO Hanoi Country Director</b>	<b>Confirmed</b> Green One UN House 304 Kim Ma street, Hanoi  Contact person: Ms. Nguyen Thi Thanh Thao		
30. September	<b>Stakeholders meeting on Initial Findings- draft report of Final Evaluation</b>	<b>TBC</b>		



## Appendix 5 LIST OF PEOPLE / ORGANISATIONS MET

- List of Interviews and Meetings

Date	Name	Position	Organisation	Type	Gender	Mode of interview
July 20	Chang – Hee Lee	ILO Country Director	ILO	ILO	M	F-2-F (NC) Skype (IC)
	Nguyễn Ngọc Triệu	Program Unit Focal Point	ILO	ILO	M	F-2-F (NC) Skype (IC)
July 20	Vũ Kim Huế	Former ILO-NIRF-USDOL National Project Coordinator	ILO	ILO	F	Skype (NC+IC)
July 21	Nguyễn Thị Thuý Linh	Chief of General Division, Department of Industrial Relations and Wage, Ministry of Labour-Invalids and Social Affairs (MoLISA)	MOLISA	State agency	F	F-2-F (NC) Skype (IC)
July 21	Young-Mo Yoon	ACTRAV specialist	ILO	ILO	M	Skype (NC+IC)
July 21	Lee Dong Eung	ACTEMP specialist	ILO	ILO	M	Skype (NC+IC)
July 22	Nguyễn Lan Anh	Director General of VCCI Bureau for Employer's Activities	VCCI	Social partner	F	F-2-F (NC) Skype (IC)
July 22	Đỗ Quỳnh Chi	ILO consultant	ILO	ILO	F	Skype (NC+IC)
July 23	Bùi Thị Ninh	Director of VCCI HCM/BEA	VCCI	Social partner	F	Skype (NC+IC)
July 28	Trần Ngọc Diệp	Former National Project Coordinator	ILO	ILO	F	Skype (NC+IC)
	Nguyễn Thị Thanh Thảo	Program Assistant	ILO	ILO	F	Skype (NC+IC)
July 28	Phạm Hoàng Liên	Program Manager, Better Work Vietnam	ILO	ILO	F	Skype (NC+IC)
July 29	Hà Thị Phương Thảo	International Department	VGCL	Social partner	F	Skype (NC+IC)
July 29	Lê Đình Quảng	Vice-Director, Department of Labour Relations	VGCL	Social partner	M	F-2-F (NC)

						Skype (IC)
	Trần Thị Thanh Hà	Vice-Director, Department of Labour Relations	VGCL	Social partner	F	F-2-F (NC) Skype (IC)
	Nguyễn Quang Vinh	Head of Division of Labour Relations, Department of Labour Relations	VGCL	Social partner	M	F-2-F (NC) Skype (IC)
	Nguyễn Thu Hằng	Expert, Legal Division, Department of Labour Relations	VGCL	Social partner	F	F-2-F (NC) Skype (IC)
July 29	Nguyễn Ngọc Sơn	Vice-Director, Department of Organisation	VGCL	Social partner	M	F-2-F (NC) Skype (IC)
	Nguyễn Duy Vũ	Vice-Director, Department of Organisation	VGCL	Social partner	M	F-2-F (NC) Skype (IC)
July 30	Phan Minh Á	Vice President of Quang Nam FOL	Quang Nam FOL	Social partner	M	Skype (NC)
	Trần Văn Tĩnh	Head of Organising Department	Quang Nam FOL	Social partner	M	Skype (NC)
	Nguyễn Thị Thanh Hà	Vice head of Finance Department	Quang Nam FOL	Social partner	F	Skype (NC)
	Phan Dương Nhật	Vice President	Tam Ky FOL	Social partner	M	Skype (NC)
July 30	Mrs. Hà	Owner	Hà Anh Childcare Centre	Employer	F	Skype (NC)
July 30	Mrs. Diệu	President of the childcare METU in Tam Ky	METU	Grassroots TU	F	Skype (NC)
July 30	Phùng Hữu	Vice President	Hoi An FOL	Social partner	F	Skype (NC)
July 31	Hoàng Hữu Nghị	Vice President	Da Nang FOL	Social partner	M	Skype (NC)
	Phạm Thanh Hiền	Vice Director of IR-Policy & Law Department	Da Nang FOL	Social partner	M	Skype (NC)
August 3	Hoàng Đình Long	Vice President	Hai Phong FOL	Social partner	M	F-2-F (NC) Skype (IC)
	Phạm Thị Hằng	Former President	Hai Phong Economic	Social partner	F	F-2-F (NC)

			Zone Trade Union			Skype (IC)
	Nguyễn Hồng Quang	Vice President	Trang Due Economic Zone Trade Union	Social partner	M	F-2-F (NC) Skype (IC)
	Lâm Văn Đáy	Vice Director of the FOL Office	Hai Phong FOL	Social partner	M	F-2-F (NC) Skype (IC)
August 3	Đỗ Văn Dương	Quality Control Leader, President of the GTU	Heesung company	GTU	M	F-2-F (NC) Skype (IC)
	Lưu Xuân Thanh	HR Team Leader	Heesung company	HR	M	F-2-F (NC) Skype (IC)
	Phạm Minh Thu	Production staff	Heesung company	Worker	F	F-2-F (NC) Skype (IC)
August 3	Xxx	Director President of the Korean Business Association in Trang Due Economic Zone	Heesung company	Employer	M	F-2-F (NC) Skype (IC)
August 3	Trần Văn Tú	President	Bluecom Trade Union	GTU	M	F-2-F (NC) Skype (IC)
	Lê Thị Huệ	Vice President	Bluecom Trade Union	GTU	F	F-2-F (NC) Skype (IC)
August 5	Nguyễn Phi Hồ	Vice Director of the Legal and Policy Department	Ho Chi Minh City FOL	Social partner	M	F-2-F (NC) Skype (IC)
August 5	Trần Văn Triều	Director of the Legal Advisory Centre	Ho Chi Minh City FOL	Social partner	M	F-2-F (NC) Skype (IC)
August 5	Huỳnh Anh Tuấn	President	Ho Chi Minh City IZTU	Social partner	M	F-2-F (NC) Skype (IC)
	Phạm Văn Hiền	Vice President	Ho Chi Minh City IZTU	Social partner	M	F-2-F (NC) Skype (IC)

August 5	Nguyễn Văn Thuận	President	Domex Grassroots TU	GTU	M	F-2-F (NC)
	Đặng Phước Linh Tuyền	Vice President	Domex Grassroots TU	GTU	F	F-2-F (NC)
	Trần Thị Mỹ Phượng	Worker	Domex company	Worker	F	F-2-F (NC)
	Nguyễn Huỳnh Bình	Worker	Domex company	Worker	M	F-2-F (NC)
	Hà Văn Thành	President	Sprinta Grassroots TU	GTU	M	F-2-F (NC)
	Vũ Quốc Dương Duy	Vice President	Sprinta Grassroots TU	GTU	M	F-2-F (NC)
	Lê Thị Hồng Sơn	President	Upgain Grassroots TU	GTU	F	F-2-F (NC)
	Trần Thị Ngọc Yến	Vice President	Upgain Grassroots TU	GTU	F	F-2-F (NC)
	Hoàng Thị Thuý An	Member of the GTU Executive Committee	Upgain	GTU	F	F-2-F (NC)
	Nguyễn Thị Tuyền	Workers' representative in Better Work project	Upgain	Worker	F	F-2-F (NC)
August 5	Nguyễn Đỗ Mai Thảo	HR Manager of Sprinta	Sprinta company	HR	F	F-2-F (NC)
August 6	Nguyễn Liêm	Vice President	Binh Duong Furniture Association (BIFA)	Business Association	M	Skype (NC)
	Văn Sơn Hoa Như	Communication officer	Binh Duong Furniture Association (BIFA)	Business Association	M	F-2-F (NC)

August 6	Lê Minh	Vice President President of the Binh Duong HR Club	Binh Duong Furniture Association (BIFA)	Business Association	M	Skype (NC)
August 6	Đặng Tấn Đạt	Vice Director of the Legal and Policy Department	Binh Duong FOL	Social partner	M	F-2-F (NC)
	Lê Minh Hoàng	President	Tan Uyen district FOL	Social partner	M	F-2-F (NC)
August 7	Nguyễn Văn Sinh	Director of Legal & Policy Affairs Department	Dong Nai FOL	Social partner	M	Skype (NC)
August 7	Như Ý	President	Dong Nai FOL	Social partner	F	Skype (NC)
August 7	Vũ Ngọc Hà	Director of the Legal Advisory Centre	Dong Nai FOL	Social partner	M	Skype (NC)
August 7	Nguyễn Thị Thanh Xuân	President of GTU	Johnson Wood Company	GTU	F	Skype (NC)
August 7	Nguyễn Thị Thanh Tin	President of GTU	Chien Wood Company	GTU	F	Skype (NC)
August 7	Xxx Tuyết	President	Bien Hoa IZTU	Social partner	M	Skype (NC)
August 8	Vũ Minh Tiến	Director	Institute of Worker and Trade Union under VGCL	Social partner	M	Skype (NC)
August 10	Phan Xuân Thanh	President	Quang Nam Tourism Association	Business Association	M	Skype (IC + NC)
	Phạm Vũ Dũng	Vice President	Quang Nam Tourism Association	Business Association	M	Skype (IC + NC)
	Dương Thị Minh	President	HR Club in Quang Nam	HR Club	F	Skype (IC + NC)
	Nguyễn Thị Thanh Thuỷ	Director of Administrative Department	Quang Nam Tourism Association	Business Association	M	Skype (IC + NC)

August 10	Tạ Thị Bích Liên	Project Manager/ National Project Coordinator	ILO	ILO	F	Skype (IC + NC)
August 11	Trần Thị Hiền Dung	Vice Chief of Membership devision	VCCI Da Nang	Social partner	F	Skype (IC + NC)
August 11	Dương Ái Thanh	President	Da Nang HR Club	HR Club	F	Skype (IC + NC)
	Nguyễn Thị Minh Tâm	HR Manager of Furama Resort	Furama Company	HR	F	Skype (IC + NC)
August 11	Nguyễn Hải Yến	Country Representative	CNV	NGO	F	Skype (IC + NC)
August 14	Pong-Sul Ahn	ACTRAV Specialist	ILO	ILO	M	Skype (IC + NC)
August 14	Ngô Duy Hiếu	Vice President	VGCL	Social partner	M	F-2-F (NC) Skype (IC)

1 Focus group discussion

14 group interviews (more than one interviewee)

29 individual interviews

76 people in total:

- 34 women
- 42 men

## Appendix 6 Documents reviewed

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## Appendix 7 Results against Indicators

Objective	Performance Indicator	Target	Final Evaluation Findings
Medium-Term Objective 4: Workers and Employers representative functions reinforced under the new IR framework			
Short-term Objective 4.1: Bi-partite/tripartite social dialogue strengthened to improve industrial relations through sharing experiences and lessons learnt			
Output 4.1.1: Bipartite/ tripartite cooperation improved in pilot localities	<p>Number of coordination working groups established and functioning disaggregated by localities</p> <p>Number of social dialogues on IR supported disaggregated by type, level and localities</p>	<p>3 coordination working groups</p> <p>1 provincial tripartite dialogue 1 bipartite dialogue at IZ level 1 sectoral dialogue</p>	<p>Working groups have been established in 7-8 provinces</p> <p>Social dialogue has been established at provincial and zone level but sectoral national dialogue has not taken off there are however locally in two cases sectoral cooperation (tourism and wood)</p>
Output 4.1.2: Good practices and lessons learnt from pilot localities documented and widely shared for further possible extension	<p>Number of joint sharing information meetings conducted disaggregated by localities</p> <p>Number of review and evaluation workshops conducted disaggregated by year</p> <p>Number of on good practices and lesson learnt prepared disaggregated by pilot</p>	<p>4 joint sharing information meetings</p> <p>6 Review and evaluation Workshops</p> <p>2 reports (1 report for VGCL and 1 report for VCCI)</p>	<p>Planning and review meetings and workshops have been conducted throughout the lifetime of the project.</p> <p>Lessons learned reports have been prepared on MECBA and Direct Election</p>



Short-term Objective 4.2: VGCL increased engagement in law reform and activated renovations of trade unions organizational and operational structure for better performance			
Output 4.2.1: Position papers and recommendations on drafts of labour law documents developed by VGCL	<p>Number of VGCL position papers prepared</p> <p>Number of consultation workshops/exposure visits organized and number TU officials participating in the consultation process</p>	<p>1 position paper</p> <p>3 consultation workshops with participation of 50 TU officials organized 1 exposure visit in 2018 conducted</p>	<p>VGCL has produced 4 position papers on the new Labour Code these were all submitted to MOLISA</p> <p>5 workshops were conducted with participation of 144 union leaders (23 women) together with 1 symposium and a study visit to Australia for 10 leaders (3 women)</p>
Output 4.2.2: Policy proposals for the renovation of and capacity building for trade unions prepared, with a view to strengthening their role in representing workers	<p>Number of policy proposals on renovation of TU developed and finalized</p> <p>Number of TU officials participating in the consultation process</p> <p>Number of researches conducted</p>	<p>1 proposal</p> <p>50 TU officials</p> <p>2 research surveys</p>	<p>An Action Plan and 3 strategic projects for the further development of VGCL were developed and adopted</p> <p>N/A</p> <p>A total of 6 surveys, researches and discussion papers were developed to support the above political decision papers</p>
Short-term Objective 4.3: Trade unions at all levels enhanced their capacity in organizing, collective bargaining and social dialogue through pilot initiatives			

Output 4.3.1: Initiatives to strengthen capacity of trade unions to represent and protect their members implemented in pilot localities	<p>Number of pilots implemented</p> <p>Number of GRTUs presidents selected via direct elections</p> <p>Number of MEGTUs established</p> <p>Number of MECBAs newly formed</p> <p>Number of enterprises additionally participating in current MECBAs</p> <p>Number of social dialogues implemented</p>	<p>4 pilots implemented in 07 provinces</p> <p>2 presidents elected</p> <p>2 MEGTUs</p> <p>1 MECBA developed in one pilot locality</p> <p>10 enterprises in Hai Phong 12 enterprises in Da Nang</p> <p>2 dialogues at IZ level on IR 2 dialogues at provincial level in 2 pilot provinces on IR</p>	<p>The VGCL is implementing the pilots in large scale beyond the project therefore the actual figures are significant more than what was achieved with the support of the project, but it can be reported that the project met its targets.</p> <p>The evaluation finds that social dialogue cannot be measured in one off events it is rather an ongoing process happening every day at the different levels.</p>
Output 4.3.2: Network of union champions established and expanded to promote organizing unions and collective bargaining with bottom-up approach	<p>Number of IZTU networks established</p> <p>Number of training courses conducted, number of champion unionists trained and level of knowledge increase on subject matter</p> <p>Number of roundtables on lessons learned organized and number of stakeholders attended</p>	<p>2 IZTU networks with total 40 members</p> <p>6 training courses</p> <p>4 roundtables</p>	<p>The networks were established and have been institutionalised in VGCL. 60+ leaders representing a wide range of zones have joined the network.</p> <p>7 capacity building events were conducted with the IZTU leaders members of the networks.</p> <p>5 lessons learned workshops were conducted with participation of ILO constituents and local union leaders.</p>

<p>Output 4.3.3: Network of trade union legal experts set up, strengthened and functioning</p>	<p>Number of unfair labour practices with regard to GTUs leaders identified</p> <p>Number of TU legal experts actively participated in the network</p> <p>Number of information sharing sessions organized by the network</p> <p>Number and type of support to the workers provided by the network</p>	<p>At least 5 cases of unfair labour practices identified and supported by legal expert network</p> <p>15 legal experts</p> <p>4 sessions</p> <p>5 type of services provided to at least 100 workers in pilot localities</p>	<p>There is a large number of cases handled by the legal network on disputes and unfair labour practises the evaluation however finds that these cannot all be included as achievements of the project even the project has contributed well in this field.</p> <p>The legal network has a core group of 15-20 participants very much relying on work of a few senior labour lawyers.</p> <p>The network has very frequent virtual sessions and interaction five workshops for capacity building are reported.</p> <p>See above</p>
<p>Short-term Objective 4.4: VCCI and business associations increased engagement in labour law reform and renovation plans</p>			
<p>Output 4.4.1: Recommendations from employers for labour law revision formulated and discussed with relevant partners</p>	<p>Number of position papers on law reform developed by VCCI</p> <p>Number of businesses/employers participating in law reform consultation</p>	<p>1 position paper on topics relating to labour law reform prepared by employers</p> <p>VCCI and 3 branches/20 businesses/5 business associations participated in law reform consultation process</p>	<p>2 position papers were produced and provided to MELISA</p> <p>A large group of employers, chambers and VCCI branches participated actively in consultations on the new labour legislation.</p>

	Number of bi/tripartite consultation sessions having the participation of employers' network	2 consultations	VCCI conducted 4 consultative meetings and workshops.
Output 4.4.2: Renovation plans developed and implemented by VCCI and business sectorial associations to better represent and support their members in target pilot localities	Number of renovation plans developed and implemented  Number of VCCI and business association staff participated in capacity building activities, and their level of knowledge increase in subject matter	2 renovation plans  4 training courses	3 plans for reform were developed by VCCI/BEA for structures involved with pilot projects.  12 staff from employers' organizations were trained on IR and 90 employers representatives participated in capacity building workshops
Short-term Objective 4.5: Cooperation mechanism enhanced between business and employers' community, and workplace IR improved in pilot localities			
Output 4.5.1: Employers' and HR Managers' network improved its capacity to better represent their members in pilot localities	Number of employers' representatives participating in the Employers' network  Number of people reached through media campaign	1 network established and 20 employers' representatives from 10 enterprises  1,000 workers received a leaflet	HR Clubs have been established in three localities with participation of 131 mainly HR Managers.  N/A
Output 4.5.2: Employers and HR Managers' capacity on IR promotion at workplace level improved in a selected number of pilot localities and sectors	Number of improvements plans on workplace IR prepared and approved, and level of their implementation  Type and frequency of dialogues conducted at pilot enterprises	2 improvement plans  3 dialogues held by employers on biannual basis	See above  Informants reported to the evaluation that "social dialogue was conducted once every three months".

## Annex 8 Overview of Stakeholder, Topics and Data Collection Methodologies

Social actors interviewed	Issues to be explored	Proposed activities
<b>Workers</b>	<p>Changes (outcomes) experienced related to the intervention e.g. with respect to working and employment conditions, or workers' own attitude, knowledge, skills, behaviour, relations to TUs, other workers or employers.</p> <p>Relevance and contribution of the intervention to changes identified:</p> <ul style="list-style-type: none"> <li>➤ What would it take to make the governments interventions even more relevant</li> <li>➤ In what way has the situation for workers changed over recent years</li> <li>➤ Reasons to report on working conditions and salary.</li> <li>➤ Barriers and drivers related to the context, workers themselves or the intervention for using information provided through the project</li> <li>➤ Do workers feel change in the way TUs are working</li> <li>➤ Are there any changes in employers' attitude</li> </ul>	<p>Staff and partner workshop</p> <p>Desk review</p> <p>Focus group discussions with workers (women and men)</p>
<b>Governmental Officials</b>	<p>Changes (outcomes) experienced related to the intervention e.g. with respect to implementation of the NIRF.</p> <p>Relevance and contribution of the intervention to changes identified:</p> <ul style="list-style-type: none"> <li>➤ Reasons for engaging with the ILO project</li> <li>➤ Experiences cooperating with the project and its partners</li> <li>➤ Usefulness of tripartite social dialogue in relation to industrial relations</li> <li>➤ Experiences engaging with trade unions and employers' associations</li> <li>➤ Barriers and opportunities for engaging workers and employers and their respective organisations</li> <li>➤ Role in on complaints</li> </ul>	<p>Staff and partner workshop</p> <p>Desk review</p> <p>Semi-structured interviews</p> <p>Focus group discussions with trainees</p>

	<ul style="list-style-type: none"> <li>➤ Role in minimising decent work deficits</li> </ul>	
<b>Trade Union leaders (national)</b>	<p>Changes (outcomes) experienced related to the intervention e.g. with respect to implementation of the NIRF, or TU representatives' capabilities (attitude, knowledge, skills, relations) to handle industrial relations related issues.</p> <p>Relevance and efficiency of the intervention to changes identified:</p> <ul style="list-style-type: none"> <li>➤ Reasons to cooperate with ILO and the social partners</li> <li>➤ Relevance of the project to trade unions</li> <li>➤ What would it take to make the capacity building and information provided even more relevant</li> <li>➤ Barriers and drivers related to the context, workers themselves or the intervention for using information provided</li> <li>➤ Has the project filled skills/knowledge gaps in your organisation</li> <li>➤ Has the employers attitude changed</li> </ul>	<p>Staff and partner workshop</p> <p>Desk review</p> <p>Semi-structured interviews</p>
<b>Trade Union leaders (local)</b>	<p>Changes (outcomes) experienced related to the intervention e.g. with respect to implementation of the NIRF, or TU representatives' capabilities (attitude, knowledge, skills, relations) to handle industrial relations related issues.</p> <ul style="list-style-type: none"> <li>➤ Reasons to joining the project</li> <li>➤ Relevance of the project to local trade unions</li> <li>➤ What would it take to make the capacity building and information provided even more relevant to the grassroots level</li> <li>➤ Barriers and drivers related to the context, workers themselves or the intervention for using information provided</li> <li>➤ Has the project filled skills/knowledge gaps in your organisation and for individuals</li> <li>➤ Has the employers attitude changed</li> </ul>	<p>Staff and partner workshop</p> <p>Desk review</p> <p>Focus group discussions</p> <p>Semi-structured interviews</p>
<b>Employers' associations</b>	<p>Changes (outcomes) experienced related to the intervention e.g. with respect to employers' attitude, knowledge, or relations to make use of skills availed through the intervention:</p>	<p>Staff and partner workshop</p>

	<ul style="list-style-type: none"> <li>➤ Relevance and efficiency of the intervention</li> <li>➤ Reasons to cooperate with ILO</li> <li>➤ Relevance of the project to employers</li> <li>➤ What would it take to make the capacity building and information provided even more relevant</li> <li>➤ Barriers and drivers related to the context, employers themselves or the intervention for using information provided through the project.</li> </ul>	<p>Desk review</p> <p>Semi-structured interviews</p>
<b>Employers</b>	<p>Relevance or contribution of the intervention to changes observed:</p> <ul style="list-style-type: none"> <li>➤ To what extent is the intervention known in the employer's community</li> <li>➤ In what way was the project relevant to your company</li> <li>➤ What would it take to make it even more relevant for small as well as big companies</li> <li>➤ How did the initiative interact with your company/HR department</li> </ul>	<p>Desk review</p> <p>Semi-structured interviews</p> <p>Focus group discussions with trainees</p>
<b>Other stakeholders</b>	<p>Relevance or contribution of the intervention to changes observed by other stakeholders.</p> <ul style="list-style-type: none"> <li>➤ The project's contribution to improving working conditions</li> <li>➤ Interaction with other stakeholders</li> <li>➤ Synergies established with other initiatives</li> <li>➤ Improvements in working and employment conditions</li> </ul>	<p>Desk review</p> <p>Semi-structured interviews</p>

## Annex 9 Key Questions for final evaluation

Evaluation Questions	Indicator	Sources of Data	Method
<b>A) Project design, Relevance, Strategy Fit</b>			
1. To what extent is the design of the project relevant to the strategy, in meeting the Programme & Budget outcomes in the ILO Strategic Framework, Country Priority Outcomes (CPO) and SDG which aims to support? Is it relevant to national, regional and international development frameworks?	The project is referred to as being in alignment	Documents and ILO CO Management	Desk review and interviews
2. To what extent are the project's immediate objectives consistent with the needs of and expectations beneficiaries, partners, key stakeholders at both national and local levels and relevant to the needs of the government, workers and employers' organizations and the ILO? How does the project align with and support national development plans/ with strategic priorities of key partners? Was there a review of needs or gap analysis or validation process carried out at the beginning? Were the issues or needs still relevant? Have new, more relevant needs emerged that the project should have addressed?	The constituents find that the project activities meet their needs	TPRs, ILO staff and constituents	Desk review and interviews
3. To what extent have stakeholders taken ownership of the project concept and approach?	Stakeholders participate actively in project management	ILO staff and constituents	Interviews



4. How well does the project complement and fit with programmes and priorities of the constituents related promotion of sound industrial relations? Describe the extent of synergies and interlinkages between the NIRF interventions and other interventions carried out by ILO Hanoi, Government and social partners. Did the project complement, enhance, and build upon existing activities and programmes of the partners? Describe the extent to which other interventions and policies support or undermine the NIRF interventions, and vice versa.	N/A	TPRs, ILO staff and constituents	Desk review and interviews
5. Have there been new intervening factors/actors (e.g. other donor assisted programmes) that have emerged since the inception of the NIRF which may have impaired or enhanced project performance or future ILO development assistance in these strategic areas?	N/A	Documents and ILO staff	Desk review and interviews
6. Were principles of Results Based Management applied?	M&E Plan in place	TPR	Desk Review
<b>B) Effectiveness and Progress</b>			
7. Is the project on track to achieve the indicator targets according to schedule of Medium-Term Objective 4 and all of its short-term objectives and outputs? Is the quantity and quality of these outputs satisfactory? What factors influenced the effectiveness of the project capacity building and other activities?	The extend to which targets have been met	TPR	Desk Review
8) Which short-term objective has the project shown the greatest achievements? Why and what have been the supporting factors? What were the good practices and lessons learned from the pilot initiatives? What have been the obstacles to achievement both in terms of factors that project is enabled to influence and external factors beyond its control?	Highlighting of STO	TPRs, ILO staff and constituents	Desk review and interviews
9) Have there been any additional achievements of the project over and above what was foreseen in the project document?	Unexpected achievements reported	TPRs, ILO staff and constituents	Desk review and interviews

10. Has the nature of industrial relations among the project partners changed because of the implementation of the project activities? To what extent?	Increased SD and more CBAs	Social partners	Interviews
11. How have stakeholders been involved in project implementation? Has the project effectively and efficiently succeeded in mainstreaming industrial relations in its areas of work (outputs) and its processes?	Social partners with high level of IR awareness	Social partners	Interviews
12. Is there any evidence that the trainees have effectively applied gained knowledge into their daily work? Were the training services provided relevant? What are the areas for improvement? How has the training thus far addressed the key gaps identified in compliance with international labor standards?	More and better CBAs and MECBAs. Improved trade union democracy	Social partners	Interviews
<b>C) Effectiveness of Management Arrangements</b>			
13. Are management capacities adequate and facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities by all parties involved?	Successful and timely project implementation	TPRs, ILO staff and constituents	Desk review and interviews
14. Did the IR project receive sufficient political, technical and administrative support from its national partners, the ILO, and the donor?	Successful and timely project implementation	TPRs, ILO staff and constituents	Desk review and interviews
15. Do the programs' performance measures and monitoring systems provide an objective and gender sensitive assessment of program performance? Is information being regularly analysed to feed into management decisions?	Budget and workplan followed and gender disaggregated data available	PD, TPRs, ILO staff and constituents	Desk review and interviews
16. Has cooperation with the project's implementing partners been efficient? Has a participatory/consultative approach been applied? Were there efforts to ensure equal participation of women and men?	Partners express ownership to project	TPRs and constituents	Desk review and interviews
17. How strategic are the implementing partners in terms of mandate, influence, capacities and commitment?	N/A	PD	Desk review
<b>D) Efficiency and Resource Use</b>			

18. Are resources (funds, human resources, time, expertise, etc.) allocated strategically and efficiently to achieve outcomes?	Budget and implementation plan followed	TPR and financial reports	Desk review
19. Is budget expenditure progressing as expected (i.e. expenditure rate)? Have project funds and activities been delivered in a timely manner?	Budget and implementation plan followed	TPR and financial reports	Desk review
20. Have resources been used efficiently? Have activities supporting the strategy been cost effective? In general, do the results justify the costs? Could same results be attained with fewer resources?	Budget and implementation plan followed	TPR, financial reports, implementing partners	Desk review and interviews
21. Have efforts been duplicated in other projects related to NIRF? Are there ways the project and partners can improve efficiencies? To what extent have the Project been able to build on other ILO initiatives and create synergies that allowed for more efficient use of resources?	Synergies established with other projects	TPR, ILO staff and management of other projects	Desk review and interviews
22. Does the project have monitoring system to ensure efficient use of time and resources?	Time and resource management system in place	Internal management documents	Desk review
23. How effective is the backstopping support provided by ILO throughout the project implementation? Did the project maximize the specialists' expertise and leveraging other existing other relevant project to help push forwarded the expected results?	Level of technical expertise provided and interaction with other projects	ILO staff and constituents	Interviews
<b>D) Impact</b>			
24. How was the project able to contribute to the establishment of the legal and institutional foundations for a new industrial relations framework? Are the results consistent with or support the application of ILO convention C.87 and 98?	Appreciation of policy papers and expert inputs to institutional reforms	Documents and VGCL	Desk review and interviews

25. To what extent has the project contributed changes in attitudes, policies, laws, capacities, institutions that relate to the new industrial relations framework? Identify the social, environmental, and economic effects of the intervention	N/A	Partners and end beneficiaries	Interviews
26. What are the impacts of gender mainstreaming at policy and institutional levels? To what extent have the pilots addressed the different needs of women and men, in policies and practices on organizing, social dialogue and collective bargaining? Have women been given opportunity in organizing? Were gender concerns integrated in pilots for social dialogue and collective bargaining?	Increased attention to gender issues and promotion of women' rights	TPR and partners	Desk review and interviews
27. To what extent have the pilots been institutionalized?	Inclusion of new initiatives in formal structures	TPR and constituents	Desk review and interviews
28. Can/should the project/pilots be scaled up?	Pilots showing positive results	Partners	Interviews
29. The innovative approaches and methodologies piloted?	Innovative initiatives developed	TPR	Desk review
<b>E) Sustainability</b>			
30. Did the project designs include an integrated and appropriate strategy for sustainability? How effective and realistic is the exit strategy of the IR project?	N/A	Project document	Desk review
31. How effective and realistic is the exit strategy of the IR project? Is the project gradually being handed over to the national partners?	N/A	Project document	Desk review
32. Once external funding ends, will national institutions and key implementing partners be likely to continue the project or carry forward its results? (What is the nature of the commitment from stakeholders? Are they willing to sustain the results? What results have been achieved, including through tools and research papers developed, to assist implementing partners secure and sustain on-going operations? ) Does the project have a strategy in place to sustain these elements?	Commitment expressed by constituents	Constituents	Interviews

33. Which strategies can be taken forward by partners and which strategies should be incorporated into any future ILO project?	Commitment expressed by partners and ILO	Partners and ILO CO management	Interviews
34. What are the follow-up actions required to sustain the project's initiatives?	N/A	Constituents	Interviews
35. In how far is the project making a significant contribution to broader and longer-term development impact?	Level of alignment with national and UN strategies	ILO CO management	Interviews
<b>F) Cross cutting issues</b>			
36. Gender equality, international labour standards, social dialogue including tripartism, environmental sustainability, along with development, has been identified by the ILO as a crosscutting issue of the strategic objectives of its global agenda of Decent Work. Constituent capacity development should also be considered in this evaluation.	Level of mainstreaming of crosscutting issues	Documents, partners and female participants	Desk review and interviews
37. To the extent possible, data collection and analysis will be disaggregated by gender as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes.	Gender disaggregated data available	Project documents	Desk review

## **Annex I**

### **Guide for Focus Group Discussions (FGDs) with workers/trainees**

#### **Background information**

- 1) Date of FGD\_\_\_\_\_
- 2) Region\_\_\_\_\_
- 3) Destination countries\_\_\_\_\_
- 4) Number of participants \_\_\_\_\_
- 4a) Union members: \_\_\_\_\_ Not Union members: \_\_\_\_\_
- 4b) Male \_\_\_\_\_ Female\_\_\_\_\_
- 5) Average age (estimate)\_\_\_\_\_
- 6) Month of latest training/information provided by the project \_\_\_\_\_

#### **Relevance and contributions of the project**

- Do you know the ILO project? Do you know the name of it?
- Do you know how you were selected for training within the ILO project?
- What types of trainings and supports did you get from the project?
- What are major focuses of trainings and supports?
- Are the trainings and supports relevant?
- What are limitations of trainings and supports?
- What are main challenges of workers?
- Which challenges have been solved due to the project and which ones are not solved?
- Did the training/project address your gender specific needs?
- Is your union now acting differently?
- Do you have a CBA and if how were you involved in developing/adopting it?

**Handout for participants in FGD (optional)**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly agree</b>	<b>Don't know</b>
1. The training was useful/relevant.					
2. I am now aware of my rights and obligations.					
3. I feel more self-confident after the training.					
4. My salary has increased/will increase thanks to my increased awareness.					
5. The information/training I got inspired me to seek more information.					
6. I have used the information to raise a discussion with other workers about employment and working conditions.					
7. After the trainings by the project, I have participated in discussions with other workers and trade union representatives about working conditions.					
8. The project has stimulated a dialogue in media and in our enterprise about how working conditions can be improved.					
9. The training include how to handle disputes.					
10. Did you encounter protection (abuse etc.) issues in your place of work?					
11. I know the content of my CBA.					

## **Guide for Focus Group Discussions (FGDs) with local trade union leaders**

### **Background information**

- 1) Date of FGD \_\_\_\_\_
- 2) Region \_\_\_\_\_
- 3) Destination countries \_\_\_\_\_
- 4) Number of participants \_\_\_\_\_
- 4a) Union members: \_\_\_\_\_ Not Union members: \_\_\_\_\_
- 4b) Male \_\_\_\_\_ Female \_\_\_\_\_
- 5) Average age (estimate) \_\_\_\_\_
- 6) Month of latest training/information provided by the project \_\_\_\_\_

### **Relevance and contributions of the project**

- Do you know the ILO project? Do you know the name of it?
- Do you know how you were selected for the training by the ILO project?
- What types of trainings and supports did you get from the project?
- What are major focuses of trainings and supports?
- Are the trainings and supports relevant?
- What are limitations of trainings and supports?
- What are main challenges of the migrant workers?
- Which challenges have been solved due to the project and which ones are not solved?
- Did the training/project address your gender specific needs?



**Handout for participants in FGD (optional)**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly agree</b>	<b>Don't know</b>
1. The training was useful/relevant.					
2. I am now aware of opportunities and challenges of social dialogue.					
3. I feel more self-confident after the training.					
4. Employment and working conditions have improved.					
5. The information/training I got inspired me to seek more information.					
6. I have used the information to raise a discussion in the trade union about employment and working conditions.					
7. After the trainings by the project, I have participated in discussions with other trade union leaders about social dialogue.					
8. The project has stimulated a dialogue with management in our factory/company about how working conditions can be improved.					
9. Did the training include how to handle disputes?					
10. Did you encounter any problems at work because you joined the training?					
11. The work of your trade union improved thanks to the project.					
12) The service provided by upper levels of the trade union has improved.					

## Annex II

### Guide for Semi-structured interviews with:

#### Project management (ILO Country Director, CTA, NPC)

- What were motivations for the project set-up?
- Who are partners in the project? What were the partner selection criteria?
- Was project design participatory and realistic?
- Has the project design clearly defined outcomes, outputs and performance indicators with baselines and targets?
- How relevant was the project in terms of alignment with government, ILO and UN priorities? Needs of beneficiaries?
- Were synergies established with other projects first of all between the Japan and US funded projects?
- What are interactions/synergies between the ILO project and other government and NGOs initiatives?
- What are the underlying assumptions of the project? What are strengths and weaknesses of these assumptions?
- What previous experiences were used in designing and implementing the project?
- What are major **achievements** and **challenges/difficulties** faced of the project?
- What are mechanisms for monitoring and self-evaluation and key lessons learned?
- How lessons learned and knowledge gained have been captured, compiled and shared?
- Are results of the project shared and used to facilitate scale up best practices (**scalability**)?
- **Crosscutting issues:** gender clearly indicated in the project document and did the project equally benefit female and male workers?
- How was female involvement among social partners ensured?
- How useful are the baseline and end line reports to assess the project effectiveness?
- Is there any strategy put in place to ensure sustainability of the results after the lifetime of the project (**sustainability**)?

## Annex III

### Guide for Semi-structured interviews with:

#### NSC members and members of other advisory bodies

- Was project design participatory, realistic and its implementation valid and timely?
- Has the design clearly defined outcomes, outputs and performance indicators with baselines and targets?
- Relevance of the project to the government development strategies, plans and policies at federal, regional and local levels?
- Who are major beneficiaries of the project? How project beneficiaries were selected (beneficiary selection criteria)? Is it relevant to the felt needs of the beneficiaries: workers, employers, trade unions and employers' associations? Any potential appropriate beneficiaries left out from the project?
- What are major achievements of the project in terms of improving targeted policies, creating enabling environment (systems, people's attitudes, etc.), improving social dialogue and meeting other targeted outputs/outcomes at various levels?
- What are unintended/unexpected effects of the project (both positive and negative)?
- Have the available technical and financial resources been adequate to fulfil the project plans? If not, what other kind of resources may have been required?
- Assess if the management and governance arrangement of the project contributed to facilitate the project implementation
- Has the project created good relationship and cooperation with relevant national, regional and local level government authorities and other relevant stakeholders, including the social partners, to achieve the project results?
- Has the project received adequate administrative, technical and - if needed - policy support from the ILO CO and specialists?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?
- Do you think that the project outcomes/results are sustainable? Why/Why not?
- What foundations have the project laid in place in order to ensure sustainability?

## Annex IV

### Guide for Semi-structured interviews with:

#### National and Regional government officials/staff

- Why your office/bureau/institute has been engaged in the project?
- Was project design participatory, realistic and its implementation timely and valid?
- Who are project beneficiaries? How project beneficiaries were selected (beneficiary selection criteria)? Any potential/appropriate beneficiaries left out from the project? If yes, why?
- Relevance of the project to the government development strategies and objectives of your office? Is it relevant to felt needs of beneficiaries?
- Has the project filled gaps in government offices/bureaus in terms of skills and resources at various levels?
- What are major achievements of the project in terms of improving targeted policies, creating enabling environment (systems, people's attitudes, etc.), improving social dialogue and meeting other targeted outputs/outcomes at national and regional levels?
- What are the types of challenges reported?
- Is there a reduction or increase in the number of work-related complaints?
- Are they complaints recorded and analysed?
- Did the training help the officials to handle cases/complaints more efficiently?
- Has the training/awareness reduced the number of reported cases on GBV, CL and other forms of abuse and exploitation?
- What are unintended/unexpected effects of the project (both positive and negative)?
- Has the intervention contributed to develop/strengthen social dialogue?
- What are barriers in your office/bureau (if any) that limited full utilisation of resources, information and capacity provided by the project?
- Has the project received adequate administrative, technical and - if needed – policy support from the ILO office and specialists in the field?
- Do you think that the project outcomes/results are sustainable? Why/Why not?
- What foundations have the project laid in place in order to ensure sustainability?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?

## Annex V

### Guide for Semi-structured interviews with:

#### Employers

- What were reasons to join the project?
- How relevant the project is to the needs of employers?
- Has the project influenced your relations with ?
- What are factors that could have strengthen the relevance of the project and its activities?
- What are major challenges related to new IR framework?
- What are key successes of the project in addressing the major challenges?
- What are impacts of the project on the beneficiaries?
- How many complaints were reported during the year 2019 in your enterprise compared to the years before?
- How did you handle the complaints?
- Did the training strengthen the case handling? (Examples)
- What are unintended/unexpected effects of the project (both positive and negative)?
- What are employers' barriers and drivers for using information and capacity provided through the project?
- How results of the project can be sustainable?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?

## Annex VI

### Guide for Semi-structured interviews with: Employers' federations/associations

- Why did this employers' association join the project?
- What is relevance of the project to the needs of employers in terms of improving labour relations (increasing productivity, reducing absenteeism, motivating workers, increasing understanding of employers about rights of workers, etc.)?
- In what way has the project helped to increase the capacity of your organisation?
- Has the project filled in skills and/or knowledge gaps in your organisation?
- What factors could have strengthened the relevance of the project and its activities?
- What are major challenges employers are confronted with?
- What are key successes of the project in addressing the major challenges?
- What are impacts of the project on the beneficiaries?
- What are unintended/unexpected effects of the project (both positive and negative)?
- What are employers' barriers and drivers for using information and capacity provided through the project?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?
- How results of the project can be made sustainable?

## Annex VII

### Guide for Semi-structured interviews with:

#### Trade Union federations/confederations

- Why did your organisation join the project?
- What is relevance of the project to the needs of workers in terms of improving working conditions (increasing wage, reducing conflicts, motivating workers, awareness creation among workers about their rights and responsibilities, etc.)?
- In what way has the project helped to increase the capacity of your organisation?
- Has the project filled in skills and/or knowledge gaps in your organisation?
- What factors could have strengthened the relevance of the project and its activities?
- What are major challenges between unions and employers and unions and authorities?
- What are the major challenges workers are confronted with?
- What are key successes of the project in addressing the major challenges?
- What are impacts of the project on the beneficiaries?
- What effect did the project have on CBA's and dispute handling?
- What are unintended/unexpected effects of the project (both positive and negative)?
- What are barriers and drivers for using information and capacity provided through the project?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?

## Annex VIII

### Guide for Semi-structured interviews with local trade unions:

- Why have you engaged with the ILO project?
- How much the ILO project is known to the trade union community?
- Was the project relevant to the local trade unions? If yes, in which way? If no, why?
- So far, has the local trade unions benefited from the project? What are the major benefits?
- Can you report any changes in your trade union work?
- Has the employer's attitude to SD changed?
- Has the project influenced relations between the different levels of the trade union movement?
- Have outcomes of this project been noticed?
- How the benefits/results of the projects could be maximised and sustainable?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female workers?



## Annex IX

### Guide to semi-structured interviews with NGO's, INGO's and other stakeholders:

- Were you informed about the project's overall outcomes, outputs and performance indicators?
- What are interactions/synergies between the ILO project and other projects implemented by your organisation or projects you know about?
- Are you aware of the underlying assumptions of the project? What are strengths and weaknesses of these assumptions?
- What are major challenges/difficulties faced by organisations dealing with IR in Vietnam?
- What are mechanisms for monitoring are put in place?
- Were lessons learned and knowledge gained discusses among stakeholders?
- Are results of the project shared and used by other stakeholders to facilitate scale up best practices (**scalability**)?
- **Crosscutting issues:** was gender clearly indicated in the project document and did the project equally benefit female and male workers?
- Do you think the results of the project are sustainable?

## **Annex X**

### **Guide for Focus Group Discussions (FGDs) with local trade union leaders**

#### **Background information**

- 1) Date of FGD \_\_\_\_\_
- 2) Region \_\_\_\_\_
- 3) Destination countries \_\_\_\_\_
- 4) Number of participants \_\_\_\_\_
- 4a) Union members: \_\_\_\_\_ Not Union members: \_\_\_\_\_
- 4b) Male \_\_\_\_\_ Female \_\_\_\_\_
- 5) Average age (estimate) \_\_\_\_\_
- 6) Month of latest training/information provided by the project \_\_\_\_\_

#### **Relevance and contributions of the project**

- Do you know the ILO project? Do you know the name of it?
- Do you know how you were selected for the training by the ILO project?
- What types of trainings and supports did you get from the project?
- What are major focuses of trainings and supports?
- Are the trainings and supports relevant?
- What are limitations of trainings and supports?
- What are main challenges of the migrant workers?
- Which challenges have been solved due to the project and which ones are not solved?
- Did the training/project address your gender specific needs?

**Handout for participants in FGD (optional)**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly agree</b>	<b>Don't know</b>
1. The training was useful/relevant.					
2. I am now aware of opportunities and challenges of social dialogue.					
3. I feel more self-confident after the training.					
4. Employment and working conditions have improved.					
5. The information/training I got inspired me to seek more information.					
6. I have used the information to raise a discussion in the trade union about employment and working conditions.					
7. After the trainings by the project, I have participated in discussions with other trade union leaders about social dialogue.					
8. The project has stimulated a dialogue with management in our factory/company about how working conditions can be improved.					
9. Did the training include how to handle disputes?					
10. Did you encounter any problems at work because you joined the training?					
11. The work of your trade union improved thanks to the project.					
12) The service provided by upper levels of the trade union has improved.					

