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## Legal Document

**Title:** Law on Trade Union (Revised) no. 39/NA, dated 15 November 2017

**Type:** Law

**Responsible Agency:** Lao Trade Union

**Issuing Date:** 2018-06-26

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LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President's Office

No. 323/PO

Vientiane, 25<sup>th</sup> December 2017

**DECREE**

*of the*

**PRESIDENT**

*of the*

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

### **On the Promulgation of the Amended Law on Lao Trade Unions**

- Pursuant to Chapter 6, Article 67, point 1 of the Constitution of the Lao People's Democratic Republic (2015);
- Pursuant to Resolution No. 071/NA, dated 15<sup>th</sup> November 2017, of *the* National Assembly of the Lao People's Democratic, Adopting the Amended Law on Lao Trade Unions; and

- Pursuant to Proposal No. 035/NASC, dated 12 December 2017, of the National Assembly Standing Committee.

**The President of the Lao People's Democratic Republic *Decrees That:***

Article 1. The Amended Law on Lao Trade Unions is hereby promulgated.

Article 2. This decree shall enter into force on the date it is signed.

The President of the Lao People's  
Democratic Republic

*[Seal and Signature]*

Bounnhang Vorachith

LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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National Assembly

No. 071/NA

Vientiane, 15<sup>th</sup> November 2017

**RESOLUTION**

*of the*

**NATIONAL ASSEMBLY**

*of the*

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

**On the Approval of the Amended Law on Lao Trade Unions**

Pursuant to Article 53, point 1 of the Constitution of the Lao People's Democratic Republic (2015) and Article 11, point 1 of the Law on National Assembly (2015);

After the 2<sup>th</sup> ordinary session of the VIII National Assembly Congress, wide studies and considerations were undertaken and an agreement was reached on the content of the amended Law on the amended Law on Lao Trade Unions in a resolution at the afternoon session of 15<sup>th</sup> November 2017.

**The Session Agreed:**

Article 1. The Amended Law on Lao Trade Unions was approved by majority vote.

Article 2. This Decree shall enter into force on the date it is signed.

The President of the National Assembly

*[Seal and Signature]*

Pany YATHOTOU

LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

The National Assembly

No. 39/NA

Vientiane Capital, dated 15<sup>th</sup> November 2017

## LAW ON LAO TRADE UNIONS

**(Amendment)**

## Part I

## General Principle

## Article 1. (Revised) Objectives

This law defines the principles, rules [and] measures relating to the organization, activities, management and inspection of the Lao trade unions in order to enhance the efficiency of the performance upon its roles, rights and duties in order to build a strong collective power [and to] protect legitimate rights and interests of its members, workers, employees, aiming to contribute to the national defense and development.

## Article 2. (Revised) Lao Trade Unions

Lao Trade Unions are a mass organization in the political system of people's democracy led by the Lao Revolution Party, presenting to protect the legitimate rights and interests of the trade union members, workers, and employees.

## Article 3. (Revised) Interpretation of Terms

Terms used in the law shall be interpreted as follows:

1. **Personnel of Trade Union** refers to a person who has been voted, adopted, or assigned to permanently work in the Lao Federation of Trade Unions;
2. **Semi-Personnel of Trade Union** refers to a person who has been voted, adopted, or assigned to work for the Lao Federation of Trade Unions in parallel with his/her permanent work.
3. **Trade Union at Root Level** refers to a trade union organization that has less than 100 members;
4. **Major Educational Institution, Factory, Business Group** refers to the organization [or] labour unit that has more than 100 trade union members;
5. **Employees** refer to a civil servant, student, intelligentsias, farmer, handicraftsman, service provider, and freelancer who works by their physical ability and intelligence. The employees include both formal and informal workers.
6. **Formal Worker** refers to workers that work in the labour unit that has been legally registered;
7. **Informal Worker** refers to worker that works outside of labour unit, such as freelancer.
8. **Labour Unit** refers to the production unit, business, or service of all social-economic sectors that have been legally registered;
9. **Production Group** refers to organization, collectivization, and association of production by occupations such as industry, handicraftsman, farmers, and others;
10. **Occupational Diseases** refers to any illness associated with or arising out of a particular occupation.
11. **The Principal of Tri-Party Agents** refers to a discussion mechanism to settle an employment dispute by three parties including government representative, employer representative and employee representative;
12. **Government Representative** refers to the assigned State's organizations, including, Ministry of Social Welfare and Labour, social welfare and labour offices at provincial, metropolitan, district, municipality, [and] city levels, [and] social welfare and labour unit at the village level.
13. **Employer Representative** refers to the assigned organizations, including the Lao National Chamber of Industry and Commerce, the provincial chambers of industry and commerce;
14. **Employee Representative** refers to the Lao Central Federation of Trade Unions and the federations of trade unions at, ministerial, ministry-equivalent organizations, provincial, metropolitan, district, municipality, and city , [and] trade union at root level.

#### Article 4. (Revised) The [State's] Policies towards the Activities of the Lao Trade Unions

The State protects the legitimate rights and interest of the workers and employees through the Lao Federation of Trade Unions.

The State promotes and encourages the Party, State, the Lao Front of National Construction, mass organizations, [and] labour units of all public sector, the private sector, [and] foreign investment unit to organize its trade unions; [and] appropriately provide budget, personnel, and facilities to the organization.

#### Article 5. (Revised) The General [Working] Methods of the Trade Unions

The trade unions shall organize and conduct its activities by the following general [working] methods:

1. To be in line with the constitution, law, and regulation of the Lao Federation of Trade Unions;
2. To be based on the principles of democratic centralism[1] and unified leadership under the Lao Revolution Party;
3. To voluntary apply for being a member and participate in activities of the Lao Trade Unions;
4. To comply with the principal of tri-party agents and coordinate with the relevant state sectors, the Lao Front of National Construction, [and] the mass organizations;
5. To comply with the international treaties and agreements that Lao PDR has been a party.

#### Article 6. (New) Scope of Application

This law applies to the member of Lao Federation of Trade Unions, civil servants, students in the Party's, State's organizations, the Lao Front of National Construction, mass organizations, [and] employees in labour unit in Lao PDR.

In terms of organization of and conducting activities of the trade unions in regards to the national defense - security are defined in another specific regulation.

#### Article 7. (Revised) International Relations and Cooperation

The State promotes relations and cooperation with other countries, regional and international organizations which regard to the trade unions affairs though exchanging the lessons learned [and] information, providing training and capacity building, [and] implementing the Treaties, International Agreements that Lao PDR has been a party.

## Part II

### Establishment of Lao Trade Unions

#### Chapter 1

#### The Lao Federation of Trade Unions

#### Article 8. (Revised) The Lao Federation of Trade Unions

The Lao Federation of Trade Unions is the organizational system of Lao Trade Unions, a social and political establishment of the Lao working-class and worker, which has been established, led, and educated by the Lao People's Revolution Party.

#### Article 9. (Revised) Establishment and Activities of the Lao Federation of Trade Unions

The trade unions established within the Party's, the State's organizations, the Lao Front of National Construction, the mass organizations, [and] labour unit, has equivalent status as the Party's, the State's organizations, the Lao Front of National Construction, and other mass organizations at its level.

The Lao Federation of Trade Unions is the elected organizations; the members of its administrative committee at each level shall be directly elected by the general assembly; and conduct activities under the straight and comprehensive directions of the Party committee standing within its organization.

The Lao Federation of Trade Unions protects right and interest of its members, workers, and employees in a form of public provided services based on the principles of democratic centralism, unified leadership, and division of responsibility, lower levels perform its duties as recommended by the superior levels, persons respect to the decision by the organization, and all The Lao Federations of Trade Unions perform their duties in accordance with the resolutions of the general assembly.

#### Article 10. (Revised) Functions of the Lao Federation of Trade Unions

The Lao Federation of Trade Unions has these following functions:

1. To propagate, educate, encourage, [and] gather its members, workers, and employees to become politically conscious, aware of their rights, duties, and interests, [and] knowledgeable of science and technology; [and] to have mental morality and discipline in working;
2. To represent to protect the legitimate rights and interests of the trade union members, workers, and employees;
3. To monitor and inspect the State's and social-economical administrations organ in every level and labour units;
4. To participate in the inspection of the National Assembly's, Provincial Assembly, [and] their members' activities.

## Chapter 2

The Organizational System of the Lao Federation of Trade Unions.

#### Article 11. (Revised) The Organizational System of the Lao Federation of Trade Unions.

The Lao Federation of Trade Unions divides into four levels:

1. The Lao Central Federation of Trade Union;
2. The Federations of Trade Unions of ministries, and ministerial-equivalent agencies, the provinces, [and] metropolitan;
3. The Federations of Trade Unions of the districts, municipalities, cities, [and] Major Educational Institutions, Factories, [and] Business Groups;
4. Trade Unions at Root Level

#### Article 12. (Revised) Rights and Duties of the Lao Central Federation of Trade Union

The Lao Central Federation of Trade Union has the following rights and duties:

1. To study and transform [incorporate] the policy, the resolutions of the national general assembly of the Lao Trade Unions to programmes, plans, projects, [and] activities in detail from time to time;
2. To educate, propagate, [and] disseminate the policies, laws, regulations, resolutions, and guidelines on trade union's activities to the members, workers and employees to be throughout absorbed in;
3. To gather [and] mobilize the members, workers, and employees to participate in the competition [in order to] build a condition for them to strengthen and upgrade their professional skills;
4. To propose to draft and to amend law and relevant regulations, to adopt and promulgate legislation under its responsibilities; To cancel or suspend the resolutions, guidelines, notices and regulations issued by the trade unions at lower levels if it is deemed that those are inconsistent with the laws or regulations or resolutions of national general assembly of Lao Federation of Trade Unions;
5. To consider the establishment or disestablishment of its supporting departments or divisions, to approve dissolve the trade union organization in lower levels; [and] to develop, nurture, upgrade theoretical knowledge and professional skills, regarding trade unions, of the personnel of trade unions in each level.
6. To approve the adoption of the employee representative in labour unit under its limited scopes of functions;
7. To present in a meeting to discuss and settle the problem with regard to the legitimate rights and interests of the members, workers, and employees in accord with the principal of tri-party agents;

8. To record statistical data of, to issue member card to the members in Laos and overseas, in order to keep tracking and to protect their legitimate rights and interests;
9. To monitor the working environment, listen to workers' and employees' opinions and desires [and] to create a collective contract in labour units in its level;
10. To mobilize and encourage trade union organization at root level inside production groups for informal workers;
11. To encourage [and] promote training and labour skills development, [and to] provide the information and tanning on the occupational safety to workers and employees.
12. To explore the funds of the trade unions by various forms which are as provided in the laws; [and,] manage and utilize that funds to strengthen the trade union's organization and activities;
13. To participate in the monitoring and inspection of the National Assembly and Provincial Assembly and their members.
14. To liaise and cooperate with the allies' trade unions, international organizations, and non-governmental organizations, which reside in both Laos and overseas.
15. To summarize and report the activities of the trade unions throughout the country to higher level concerned with;
16. To exercise other rights and perform duties as stipulated in laws.

Article 13. (Revised) Rights and Duties of the Federations of Trade Unions of Ministries, Agencies, Provinces, Metropolitans.

The Lao Federations of Trade Unions of Ministries, Agencies, Provinces, Metropolitans have these following rights and duties:

1. To study the resolutions of the Party Committee, socio-economic development plan of local level, ministry, and agencies, and the resolutions of national general assembly of the Lao Federation of Trade Unions; [then] transform these into programmes, plans and projects and activities from time to time;
2. To educate, propagate, [and] disseminate the policies, law, resolutions of the national general assembly of The Lao Federation of Trade Unions to the members, workers, and employees to fully understand;
3. To gather [and] mobilize the members, workers, and employees to participate in the competition, [in order to] build a condition for them to strengthen and upgrade their professional skills;
4. To consider the establishment or disestablishment of its supporting departments or divisions; to develop, nurture, [and] upgrade theoretical knowledge and professional skills, regarding trade union affairs, of the personnel of trade unions at each level;
5. To approve the adoption of the worker representative in labour unit under its limited scopes of functions;
6. To present in a meeting to discuss and settle the problem with regard to the legitimate rights and interests of the member, worker, and employee in accord with the principal of tri-party agents;
7. To record statistical data of [and] to issue member card to the members under its limited scopes of functions;
8. To monitor the working environment, listen to workers' and employees' opinions and desires, [and] to create a collective contract in labour units in its level;
9. To mobilize and encourage root trade union organization in production groups for informal workers;
10. To encourage, promote training and labour skills development, [and] provide information and tanning on the occupational safety to workers and employees.
11. To explore the funds of the trade unions by various forms which are as provided in the laws; to manage and utilize the funds to strengthen the trade unions' organization and activities
12. To participate in the monitoring and inspection of the Provincial Assembly and its members.
13. To liaise and cooperate with trade unions of the country's allies, international organizations, and non-governmental organizations, which reside in both Laos and overseas.
14. To summarize and report its trade union activities to its upper level on regular basis;
15. To exercise other rights and perform duties as stipulated in laws.

Article 14. (Revised) Rights and Duties of the Federations of Trade Unions of Ministries, Agencies, Provinces, [and] Metropolitans.

Federations of Trade Unions of Ministries, Agencies, Provinces, [and] Metropolitans have the following rights and duties:

1. To study the resolutions of local Party Committee, socio-economic development plan of local level, ministry, and agencies, and the resolutions of national general assembly of the Lao Federation of Trade Unions; [then] to transform these into programmes, plans and projects and activities from time to time;
2. To educate, propagate, [and] disseminate the policies, law, resolutions of the National Congress of The Lao Federation of Trade Unions to the members, workers, and employees to be throughout absorbed in;
3. To gather [and] mobilize the members, workers, and employees to participate in the competition [in order to] build a condition for them to strengthen and upgrade their professional skills;
4. To consider the establishment or disestablishment of its supporting departments or divisions; to develop, nurture, upgrade theoretical knowledge and professional skills, regarding trade unions, of the personnel;
5. To approve the adoption of the workers representative in labour unit under its limited scopes of functions;
6. To record statistical data of [and] to issue member card to the members under its limited scopes of functions;
7. To monitor the working environment, listen to workers' and employees' opinions and desires, [and] to create a collective contract in labour units in its level;
8. To present in a meeting to discuss and settle the problem with regard to the legitimate rights and interests of the members, workers, and employees.
9. To mobilize and encourage root trade union organization in production groups for informal workers;
10. To encourage, promote training and labour skills development, [and to] provide information and training on the occupational safety to workers and employees.
11. To explore the funds of the trade unions by various forms which are as provided in the laws; [and] to manage and utilize the funds to strengthen the trade unions' organization and activities;
12. To summarize and report its trade union activities to its upper level on regular basis;
13. To exercise other rights and perform duties as stipulated in laws.

#### **Article 15. (Revised) Rights and Duties of the Trade Union at Root Level.**

**The Trade Unions at Root Level** have these following rights and duties:

1. To educate, gather, [and] encourage the trade union members, worker, and employees in labour units to be in line with the policies, constitution, laws, and regulations of the labour units;
2. To consider the establishment, adjustment of trade union organization, to increase the member of trade union, [and] to lead the member to organize peaceful coexistence norm, to pay a membership fee as stipulated in the regulation of the Lao Federation of Trade Unions.
3. To represent the workers and employees to collectively bargain, to create the collective contract, [and] to give a comment on the drafting and amending regulation within its organization.
4. To organize and lead the competition campaign of the Lao Federation of Trade Unions in line with their regular duties, [and to] implement the plans in an appropriate form and methodology in each period.
5. To record statistical data of [and] to manage a member card to trade union members in its own labour unit;
6. In coordination with other relevant organizations, to monitor, inspect and promote the implantations of the policies, social welfares, [and] minimum wage toward the members, workers, and employees;
7. To be active in providing information and training on the occupational safety to workers and employees in labour unit.
8. To represent in mediation [and] settlement of disputes with regard to legitimate rights and interests of the members, workers, and employees in labour unit;
9. To summarize and report its trade union activities to its higher level on regular basis;
10. To exercise other rights and perform duties as stipulated in laws.



## The Organizational System of the Executive Committee

Article 16. (Revised) The Organizational System of the Executive Committee of the Lao Federation of Trade Unions at each Level.

The organizational system of the executive committee of the Lao Federation of Trade Unions at each level consists of:

1. The President of the Executive Committee;
2. The Vice President of the Executive Committee;
3. The President of Inspection Committee
4. The Member of Executive Committee.

The Executive Committee of the Lao Federation of Trade Unions are personnel and semi-personnel of trade union elected by the general assembly of The Federation of Trade Union at each level. In a case of necessity, they may be approved by the meeting of the Executive Committee upon the appointment by the respective Party or Administrative Broad.

Article 17. (Revised) Rights and Duties of the President of the Executive Committee.

The president of the executive committee at each level of the Lao Federation of Trade Unions has these following duties and rights:

1. To supervise and directly lead the implementation of the resolutions of the national general assembly of the Lao Federation of Trade Unions [and to] approve the plans, projects during the two congresses;
2. To agree on an important issue regarding affairs of the Lao Federation of Trade Unions under its limited scopes of functions based on the consensus rule;
3. To coordinate and discuss with the Party's, State's organs, the Lao National Front of Construction and other mass organizations at the respective level on trade unions and other relevant affairs as it is seen necessary;
4. To convene, call for, and chair the general, ordinary, and extraordinary assembly;
5. To promote, monitor, and inspect domestic and international activities of the Lao Federation of Trade Unions;
6. To provide an opinion and comment to the relevant Party's and State's organizations on the policies toward the trade union members, workers, and employees, such as, to nurture, develop, promote, adjust the salary scale, award or punish, [and on] other policies affecting their legitimate rights and interests;
7. To summarize [and] report the trade unions affairs in all aspects to the executive committee and the upper level on regular basis;
8. To exercise other rights and perform duties as stipulated in laws.

Article 18. (Revised) Rights and Duties of the Vice President of the Executive Committee.

The president of the executive committee at each level of the Lao Federation of Trade Unions has these following duties and rights:

1. To be responsible to supervise and lead some tasks as assigned by the presidents of the respective level;
2. To provide an opinion and comment with the purpose to assist the president in carrying out the trade union and other relevant works in the respective level;
3. To present as the acting president in the respective level in a case of unavailability of and assignment by the president;
4. To exercise other rights and perform duties as stipulated in laws.

Article 19. (Revised) Rights and Duties of the Member of the Executive Committee

The the executive committee has these following duties and rights:

1. To be responsible for some tasks as assigned by the executive committee at the respective level;

2. To present in a meeting to discuss, give an opinion, and vote for the adoption of the important matters with respect to the trade union affairs of the respective and lower levels;
3. To exercise other rights and perform duties as stipulated in laws.

## Chapter 4

### The Membership of the Lao Federation of Trade Unions

#### Article 20. (Revised) The Membership of the Lao Federation of Trade Unions

A member is a civil servant, student, and intelligentsia in the Party's and State's Organizations, the Lao Front of National Construction, mass organizations, a worker and employee in labour unit, who has been accepted and registered as a member of the Lao Federation of Trade Unions.

The methodology and procedures of admission are defined in specific regulations of the Lao Federation of Trade Unions.

#### Article 21. (Revised) Criteria to be a Member

The applicant intending to be the member must have the following criteria:

1. Be a civil servant, student, intelligentsia, worker, and employees irrespective of their gender, ethnic group, educational level, beliefs, political [or] socioeconomic status, holding Lao Nationality, [and] being over 18 years old;
2. Be active to obey the laws, regulations of labour unit, in agreement with regulations of the Lao Federation of Trade Union, [and] participating in the activities of trade unions;
3. Have good behavior [and] obtained progressively experience in work in the administration and production fields; [and] be active, a good model, and responsible for the assigned works;
4. Having voluntarily submitted the application to be a member by him/herself.

#### Article 22. (Revised) Rights and Duties of the Member

The members have these following rights and duties:

1. To propagate the basic line to [and] to be a good model to workers and employees in implementing the policies, constitution and laws; and regulations of trade unions and their labour units in a proper and strict manner;
2. To be a prime mover in activities of trade unions, to experience political life in trade unions at root level, [and] to pay a membership fee as stipulated in the regulations of the Lao Federation of Trade Unions;
3. To participate in activities of mass organizations and other legal social organizations;
4. To monitor, discuss, [and] propose an opinion and comment on the trade unions and other relevant affairs under its limited scope of function;
5. To be provided the essential information, knowledge, and capacity building.
6. To elect [or] to apply to be a candidate for the positions iat each level of the Lao Federation of Trade Unions;
7. To request the Lao Federation of Trade Unions to protect the legitimate rights and interests when those have been infringed;
8. To be helped and taken care of by the respective level of the Lao Federation of Trade Unions when they are ill or in difficult situations in accordance with the regulations;
9. To participate in adjustment or establishment of trade union organizations in the respective level; and to recruit a new member;
10. To develop themselves to become good citizens, knowledgeable and skillful members, and disciplinarians.
11. To exercise other rights and perform duties as stipulated in laws.

#### Article 22. (Revised) Interests of the Membership of Trade Unions

The member shall enjoy the following interests:

1. Be recruited and promoted to the appropriate position in the Party's, State's organs, the Lao Front for National Construction, other mass organizations and labour units based on the regulations;
2. Be informed with the information regarding the working and the protection of their legitimate rights and interests;
3. Obtain the assistance in dispute settlement with respects to their legitimate rights and interests as stipulated in laws;
4. Be able to participate in trade union activities;
5. Receive the benefits and other policies in accordance with laws.

## Chapter V

### Organization of Trade Union and Expansion of the Member

#### Article 24. (New) Organization of Trade Union in Labour Unit

Trade union organization can be established in the labour unit or production group that have more than 30 workers or employees. In case the trade union at root level cannot be established, they can nominate their temporary representative which would be guided and adopted by trade union committee of the organ that the labor unit is in, in accordance with laws and regulations of The Lao Federation of Trade Unions.

#### Article 25. (New) Expansion of Trade Union's Member

Expansion of the member in the labour unit where is no trade union organization, the organ, the labor unit is under, or the temporary representative of that labour unit is responsible to recruit a new member.

## Chapter VI

### Employee Representative

#### Article 26. (New) Employee Representative

Employee representative is a person or legal entity who has been selected by the workers and employees in the labour unit in order to represent to protect their legitimate rights and interests as defined in the article 24 of this law.

Employee representative has to be approved by the respective level of the Lao Federation of Trade Unions within 30 days. The role of representative will terminate after the establishment of trade union in that labour unit.

#### **Article 27. (New) Rights and Duties of Employee Representative.**

Employee representative has these following rights and duties:

1. To gather, educate, and encourage workers and employees to become energetic and disciplined in working;
2. To participate in collective bargaining, represent the workers and employees to create a collective contract, [and] give a comment on draft and amendment of labour unit's internal regulations;
3. To mediate a dispute in a compromising way; in case the dispute cannot be settled, the representative can report the result to upper trade union and other relevant organizations;
4. To monitor the minimum wage implementation, working environment, [and] social welfare policy toward the workers and employees within the organ;

5. To mobilize the establishment of the trade unions at the root level in the labour unit;
6. To be protected by laws;
7. To exercise other rights and perform duties as stipulated in laws.

### **Part III**

#### **The Meetings of Trade Unions**

##### **Article 28. Types of the Meetings**

There are three types of the meetings of trade union namely:

1. The general assembly;
2. The ordinary meeting;
3. The extraordinary meeting

##### **Article 29. (Revised) General Assembly**

The general assembly consists of the general assembly of representative and the general assembly at the root level.

The general assembly of representative is the meeting of the trade unions representatives of the national, provincial, metropolitan, ministerial, equivalent-ministerial, district, municipality, city levels, which shall be convened in every five years, and shall be called by the president of the trade unions at such level. Prior the convening of the general assembly, the president of the trade union at any level must give the notice to the members of the executive committee of that trade union and the trade unions at lower levels before six months prior to the assembly.

The general assembly of the trade unions at root level is the meeting of the members of the field unions, shall be convened in every five years and called for by the president of that trade unions. The president shall give the notice to the members before three months prior the assembly.

In case of necessary change, the general assembly can be held earlier or later but not more than 6 months; and the reasons should be reported to the upper federation of trade unions and must give the notice to the members of the executive committee of that trade union and the trade unions at lower levels at least two months in advance.

##### **Article 30. (Revised) Rights and Duties of General Assembly**

The rights and duties of the general assembly shall be as follows:

1. To study, draft, and adopt the political report of the executive committee of the unions during its tenure;
2. to adopt the short-term and long-term strategic development plans of trade union at its level;
3. To adopt an adjustment of the competitive goals' content and amendment of the regulation of the Lao Federation of Trade Unions only for the national general assembly of representative;
4. To conduct an assessment and evaluation of the executive committee on the performance of its duties and responsibilities;
5. To elect a new executive committee member and its representative to attend the next level of the general assembly;
6. To consider to approve the result of the first meeting of the executive committee on the election of the president, vice president of the executive committee, and the chair of the inspection at its level.
7. To adopt the resolutions of the general assembly of the trade union at its level.

##### **Article 31. The Ordinary Meeting**

The ordinary meeting is the meeting of the executive committee of the Lao Federation of Trade Unions which shall be convened one a year and shall be called for by the president of trade union in that level. At least three months prior to the meeting, the president of trade union shall notify to the executive committee of trade

union in its and lower levels. The ordinary meeting can be convened only if at least two-thirds of the members of the executive committee attended.

#### Article 32. (Revised) Rights and Duties of Ordinary Meeting

The rights and duties of the ordinary meeting shall be as follows:

1. To study and adopt the reports on summarized progress, annual finance and, economic status; and plan for next year at its level;
2. To study and give an opinion on the important issues upon proposal and question from the committee (if available);
3. To conduct the political assessment and evaluation of the members of the executive committee on the implementation of the works and programmes annually;
4. To conduct an additional election or approval of the executive committee at its level;
5. To approve the important issues regarding the administration of its federation of trade union;
6. To approve the resolution of the meeting of its federation of trade union.

#### Article 33. The Extraordinary Meeting

The extraordinary meeting is the meeting that may be convened between the two ordinary meetings in order to consider and decide on important and necessary issues upon the requests by the president or the executive committee of its level at least one-fourth [of its members] and two-thirds of the members of executive committee attended, which is subject to the call for meeting by the president of trade union.

#### Article 34. Resolutions of the Meetings

Resolutions of the general assembly ordinary and extraordinary meeting are the adoption of the considered and decided issues of those meetings by the members of trade union attending the relevant meetings. Resolutions of the meetings shall be valid only if there are passed by more than one half of the total number of the members present in the meetings.

### Part IV

#### Responsibilities of The State and Labour Units in Trade Unions

#### Article 35. (New) Responsibilities of the State in Trade Unions.

The State has these following responsibilities in trade unions:

1. To create a condition for, promote trade unions establishment; and to let it perform its functions and duties as provided in laws;
2. To respect for the operational rules and principles of the Lao Federation of Trade Unions;
3. To recognize the election result of the executive committee at its level;
4. To enhance the role, creativeness and participation of trade union member in contributing to national social, cultural, and economic development;
5. To facilitate the operation of the trade union personnel by providing budget, workplaces, meeting rooms, equipment, and vehicles to trade union activity at its level.

#### Article 36. (New) Responsibilities of The Labour Unit in Trade Unions.

The labour unit has these following responsibilities in trade unions:

1. To create a condition for [and to] promote trade unions establishment in the labour unit; and to let it perform its functions and duties as provided in laws;
2. To recognize the election result of the executive committee at its level;
3. To create a condition for trade union members to develop and upgrade their theoretical and professional skills.
4. To allow the president and vice president, responsible for trade union affairs, use some of the working time to carry out trade union affairs under approval from the director, without any salary deduction;

5. To facilitate the operation of the trade union personnel by providing budget, workplaces, meeting rooms, equipment, and vehicles to trade union activity at its level.
6. To enhance the role, creativeness and participation of trade union member in contributing to national social, cultural, and economic development, and development in the labour unit.

## Part V

### Finance of Trade Unions

#### **Article 37. (Revised) Sources of Incomes of Trade Unions**

The trade unions have their incomes from the following sources:

1. State budget;
2. Membership fee;
3. Contingency fund of trade union's members;
4. Aid or financial support by individuals, legal entities, the domestic or foreign organizations;
5. Other types of incomes as provided in the laws.

#### Article 38. (New) Usage and Management of the Budget

The Lao Federation of Trade Union at each level is responsible to draft a budget plan, [and] manage and use it in the most effective, transparent, and accountable way;

The Lao Federation of Trade Union at each level shall comply with the double entry system of accounting; and submit a financial report to the concerned agencies in accordance with law.

#### Article 39. (New) Usage and Management of the Membership Fee

Management and usage of the membership fee shall be carried out in accordance with the regulations of the Lao Federation of Trade Unions

#### Article 39. (New) Usage and Management of the Contingency Fund of Trade Union's Members

The contingency fund of trade union's members is financial contribution by the members with the purpose to heal each other when some are ill or in other difficult satiations.

Management and usage of the contingency fund of trade union's members are defined in the specific regulation.

## Part VI

### Settlement of Dispute related to Rights and Interests

#### Article 41. (New) Dispute Related to Rights and Interests

Dispute related to rights and interests is dispute between the workers, employee and employer, regarding to rights and interests in employment contracts.

#### Article 42. (New) Approach to Settle Dispute Related to Rights and Interests

Settlement of dispute related to rights and interests between workers or employees and employers should be conducted in a form of mediation.

Mediation can be conducted by the Federation of trade union or employee representative and employer at that labour unit.

In case the dispute cannot be settled by this approach, the conflicting parties can bring the dispute to be settled with relevant organs as defined in laws.

## Part VII

## Prohibition

### Article 43. (Revised) Prohibitions for the Executive Committee, Trade Union's Members, and Employee Representative

The executive committee, trade union's Members, and employee representative are prohibited to act as follow:

1. To stop working or cancel the employment contract without authorizations by concerned organizations or inconsistent with laws
2. To abuse the power, position, and political status to conduct the illegal acts by using the member of trade union card
3. To organize an illegal group, gather, divide the solidarity, protest against or acts causing the unrest, or damages to the organizations, life, State's, collective, individual, and labour unit's properties;
4. Other acts against the laws and social orders.

### Article 44. (Revised) Prohibitions for Organizations and Individuals.

The organizations and individuals are prohibited to act as follows:

1. to dismiss or remove the president, vice-president of trade union, the president and vice-president of the inspection committee of trade union or members of the executive committee at any level without reason, and to make a replacement without the written consent of upper level of trade union;
2. To counterfeit, produce, distribute, or use the emblem, uniform, stamp of the Lao Federation of Trade Unions without the authorization of The Lao Central Federation of Trade Union;
3. To violate the rights, interests of trade union, abuse of power to embezzle, swindle the property of the Lao Federation of Trade Union to be their property;
4. Other acts against the laws and social orders.

## Part VIII

### Inspection of the Lao Federation of Trade Unions

#### Article 45. (New) Inspection of the Lao Federation of Trade Unions.

Inspection of the Lao Federation of Trade Unions is to evaluate the implementation of the resolutions of general assembly, laws, regulations, [and] other rules of the Lao Federation of Trade Unions in the organization or labour unit that have trade union organization; [and] to inspect the implementation of duties and functions of the executive committee, personnel of the Lao Federation of Trade Unions, the members at its and lower levels.

#### Article 46. (Revised) Inspection Committee of the Lao Federation of Trade Unions

The inspection committee is in the organizational system of Lao Federation of Trade Unions.

The Inspection committee at each level has the same term as the executive committee. The president of the inspection was elected by the respective executive committee in the first general assembly, [and] the vice president and the member of the inspection committee are appointed or dissolved by the president of the Lao Federation of Trade Unions at that level.

#### Article 47 (Revised) Rights and Duties of The Inspection Committee

The inspection committee has these following rights and duties:

1. To study [and] transform inspections affairs into plans, framework, programmes, project, and inspection of trade union at its level.
2. To inspect the implementation of the policies, laws and international treaty and agree regarding trade union affairs;

3. To inspect the organization and comprehensive performance of the Federation of Trade Union at its level and lower levels;
4. To request the president to dissolve or suspend the legislation implementation of the lower trade union, which are not in line with laws, resolutions, and orders of the upper trade unions;
5. To coordinate with the Party's, State's inspection committee, The Lao Front of National Construction, [and] other mass organizations at its level to perform its duties under its limited scope of functions;
6. To recommend the measure and resolution means to solve the outcome of inspection;
7. To exercise other rights and perform duties as stipulated in laws.

#### Article 48. (New) Scope of Inspection.

Inspection of the Lao Federation of Trade Union include:

1. To inspect the performance of the executive committee, personnel, trade union member of its and lower levels under their functions, rights, duties, responsibilities, and operational principles;
2. To inspect the implementation of the State laws, resolution and regulations of the Lao Federation of Trade Unions;
3. To inspect the implementation of operational rules and principles of the executive committee at its level
4. To inspect the establishment, management, utilization, policies implementation in protecting the legitimate rights and interests of the trade union members, workers, and employees;
5. To inspect the management and utilization of asset, budget, and contingency fund of trade union's members of the Lao Federation of Trade Union at its and lower level;

#### Article 49 Forms of Inspection

There are three forms of Inspection as follows:

1. Regular scheduled systematic inspection which is conducted under the set systematic plan and schedule by the inspection committee at each level;
2. Inspection by giving the advance notice which is conducted upon the agreement, recommendation, or order of the inspection committees and the proposal of the Lao Federation of Trade Union at its level by giving the advance notice to the target;
3. Immediate Inspection which is ungently conducted without giving the advance notice to the target.

### Part IX

#### The Establishment Day, Emblem, Uniform, and Stamp

##### Article 50. (Revised) The Establishment Day of Lao Trade Unions.

The establishment day of Lao trade unions is 1 February 1956.

The Lao Federations of Trade Unions at all levels shall organize and celebrate this day every year.

##### Article 51. (Revised) The Emblem

The Lao Federations of Trade Unions in all levels shall have their own emblems, pins, and flags, which the meaning, management, and usage of these emblems are defined in the specific regulation.

##### Article 52. (Revised) The Uniform

The Lao Federations of Trade Unions shall have its own uniform which the detail, management, and usage are defined in the specific regulation

##### Article 53. (Revised) The Stamp

In carrying out of the official activities, the Lao Federations of Trade unions at each level shall have its own stamp for official use.



## Part X

### Policies Forwards Persons with Outstanding Performance and Measures against Violators

#### Article 54. Policies Forwards Persons with Outstanding Performance

Individuals, legal entities, or organizations with outstanding performance in implementing the law on Lao trade unions should be awarded or other policies [incentives] in accordance with regulations.

#### Article 55. Measures against Violators

Organizations and individuals that violate this law should be subject to measures such as re-education, warning, disciplinary measures or punished depending on seriousness degree of the damages as well as compensation for damages caused by them.

## Part XI

### Final Provisions

#### Article 56. (Revised) Implementation

The government of the Lao People's Democratic Republic and the Lao Federation of Trade Unions shall implement this law.

#### Article 57. (Revised) Effectiveness

This law enters into force from the date of the promulgating decree issued by the President of the State of the Lao People's Democratic Republic, and 15 days after this law has been publish in the official gazette.

This law supersedes the Law on Lao Trade Unions, No. 12/NA, dated 8 March 1995.

Provisions and rules that conflict with this law shall be abrogated

**President of the National Assembly**

[1] *The phrase “democratic centralism” literally means the decision must be made by majority vote, the phrase “unified leadership under the Lao Revolution Party” means the decision must be made within the scope of the policies and working methods drawn by the Party, and thus, this paragraph shall mean the principle of the majority vote and under the Party’s policies and methods.*

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 (/images/download/Legal\_Lao\_2018062614060541.pdf)

#### List Measures Related to Legal Documents

Name (/index.php?r=site%2Fdisplaylegal&id=330&sort=name)	Description (/index.php?r=site%2Fdisplaylegal&id=330&sort=description)	Status (/index.php?r=site%2Fdisplaylegal&id=330&sort=status)
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