

VIETNAM'S NEW LEGAL FRAMEWORK FOR ARTIFICIAL INTELLIGENCE AND THE FUTURE OF WORK: BALANCING INNOVATION AND WORKER PROTECTION

Tran Thi Hang

Thanh Do University

Email: hanghavkt@gmail.com

Received: 3/8/2026; Reviewed: 5/9/2026; Revised: 15/9/2026; Accepted: 26/9/2026

DOI: <https://doi.org/10.58902/tcnckhpt.v5i3.413>

Abstract: Vietnam's Law on Artificial Intelligence entered into force in March 2026 and is now supported by rules on risk classification, conformity assessment, incident reporting and high-risk system management. This article examines whether that framework adequately balances AI-led innovation with worker protection and adaptation. It combines doctrinal analysis of Vietnamese legislation and policy documents current through August 2026, functional comparison with the European Union AI Act and a targeted synthesis of labor-market evidence. Three findings emerge. First, AI exposure is more likely to transform tasks than produce large-scale job loss, with uneven effects across occupations, sex, skill, formality and firm capacity. Second, the principal legal gap is no longer the absence of an implementation framework, but the omission of consequential employment systems from the automatic high-risk category under Decision No. 33/2026/QĐ-TTg. Third, labor, personal-data, employment and vocational-education laws provide relevant but fragmented safeguards. The article proposes targeted high-risk coverage, workplace AI impact assessment with notice and contestation rights, coordinated enforcement and anticipatory skills support through existing employment and training institutions.

Keywords: Skills transition; Labor law; Risk-based regulation; Algorithmic management; Artificial intelligence; Vietnam.

1. Introduction

Artificial intelligence (AI) and advanced automation are reshaping tasks, firm organization, and workplace decision-making. For Vietnam, this transition coincides with the shift from labor-intensive growth toward a knowledge- and innovation-based economy while the country remains deeply integrated into manufacturing value chains. The National Strategy on AI to 2030 positioned AI as a source of competitiveness and public-sector modernization, and the AI Law translated that ambition into a national risk-based framework (Prime Minister of Vietnam, 2021; National Assembly of Vietnam, 2025b).

The policy challenge is not a simple choice between innovation and worker protection. Weak safeguards can undermine trust, permit poor-quality systems to distort employment decisions, and shift transition costs onto workers and social insurance. Overly broad obligations

can also raise compliance costs, particularly for small and medium-sized enterprises (SMEs). The relevant question is therefore which workplace uses justify enhanced duties and how adaptation measures can be activated before displacement becomes unemployment.

That question has become more concrete since Vietnam's AI Law took effect on 1 March 2026. Decree No. 142/2026/ND-CP specifies implementation mechanisms, while Decision No. 33/2026/QĐ-TTg establishes the official list of high-risk AI systems (Government of Vietnam, 2026b; Prime Minister of Vietnam, 2026). The Personal Data Protection Law, the 2025 Employment Law, and the 2025 Law on Vocational Education have also entered into force. The key issue is now how these instruments interact in the employment context.

This article asks: How effectively does Vietnam's post-2025 legal and policy framework balance AI innovation with worker protection

and workforce adaptation, and what labor-specific gaps remain? It argues, first, that regulation should focus on consequential workplace decisions rather than AI technology in the abstract and, second, that skills and social-protection measures form part of AI governance because they shape who benefits from augmentation and who bears transition costs. The analysis identifies coverage, procedural-rights, and transition-governance gaps.

The article updates Vietnam-focused legal analysis after the first implementing instruments, distinguishes exposure and task transformation from employment displacement, and translates comparative principles into reforms that rely primarily on existing Vietnamese institutions.

2. Research overview

2.1. From occupations to tasks: displacement, augmentation, and new work

Early automation research often estimated the share of occupations technically susceptible to computerization, but occupation-level probabilities should not be read as forecasts of job disappearance. Jobs contain multiple tasks, only some of which may be automatable in a given technical, economic, and organizational setting. Task-level analysis therefore produces more differentiated risk estimates and is especially relevant to generative AI, which may assist writing, synthesis, translation, or customer interaction without replacing the full set of interpersonal, physical, tacit, and accountable tasks within a job (Arntz et al., 2016).

The task-based model of Acemoglu and Restrepo (2019) distinguishes displacement from productivity, scale, and reinstatement effects. Automation transfers some tasks from labor to capital, but productivity gains can expand output and labor demand, while new tasks may restore areas of comparative advantage for workers. Autor (2015) likewise emphasizes changes in job content rather than simple job elimination. Historical evidence suggests that new work has offset part of technological displacement, although its distribution has been uneven across high-paid professional and lower-paid service occupations (Autor et al., 2024).

AI-exposure indices should be interpreted within this framework. They measure overlap

between AI capabilities and occupational tasks or abilities, not realized automation or redundancies (Felten et al., 2021; Gmyrek et al., 2025). For Vietnam, exposure therefore signals where task redesign, training, and monitoring may be needed rather than how many workers will lose jobs.

2.2. Productivity, firm organization, and unequal adaptation

A second literature examines augmentation and productivity. In a large customer-support setting, a generative-AI assistant increased issues resolved per hour, with larger gains among less-experienced workers, suggesting that AI can diffuse tacit knowledge within a defined workflow (Brynjolfsson et al., 2025). Such results should not be generalized into an economy-wide productivity coefficient because outcomes depend on data quality, process redesign, management, training, and worker acceptance.

Regional evidence is similarly conditional. The World Bank (2025) finds that new technologies have, on balance, supported employment in East Asia and the Pacific where productivity and scale gains exceeded displacement, but benefits were uneven across skill groups and some routine workers shifted toward informality. Employer surveys such as the Future of Jobs Report 2025 indicate expected investment and skill change, but they remain expectations rather than causal forecasts (World Economic Forum, 2025).

2.3. Algorithmic management and worker-facing risks

A third literature concerns job quality and organizational power. Algorithmic management can allocate tasks, monitor behavior, score performance, recommend discipline, and screen applicants. It may improve coordination while simultaneously increasing opacity, work intensity, and dependence on continuous measurement (Kellogg et al., 2020). These risks matter even when aggregate employment is unchanged.

Fairness is not secured merely by purchasing a vendor's "de-biased" system. In algorithmic hiring, bias mitigation depends on problem definition, measured outcomes and groups, data

quality, and the organizational process in which a system is embedded (Raghavan et al., 2020). Comparative labor-policy research therefore treats privacy, non-discrimination, safety, transparency, accountability, and social dialogue as connected concerns. Recurring safeguards include risk assessment, information for workers, human oversight, traceability, contestation, and consultation (OECD, 2026).

2.4. Risk-based regulation and the developmental-state lens

Risk-based AI regulation differentiates obligations according to use context and potential harm. The EU AI Act classifies systems used for recruitment and selection, work-related decisions, task allocation based on personal characteristics or behavior, and worker monitoring or evaluation as high risk (European Parliament & Council of the European Union, 2024). The 2026 Digital Omnibus revised the implementation timetable without removing that substantive classification (European Commission, 2026; European Union, 2026). The relevant lesson for Vietnam is functional: employment can be a high-impact context even when the underlying model is general purpose.

This article combines risk-based regulation with a developmental-state lens. In Evans's (1995) account, effective transformation requires state capacity to pursue public goals and institutional embeddedness to learn from firms and social actors. Applied to AI and work, government must enable productive innovation, constrain rights and safety risks, and coordinate transition through labor-market information, training finance, qualifications, and social protection. These functions are complementary: innovation without safeguards can socialize risk, while retraining without employer demand can produce weak labor-market value.

2.5. Vietnam-specific research gap

Vietnam-focused research has highlighted the vulnerability of workers without formal training and called for stronger labor-law and social-security responses, often through comparison with the European Union (Nhung & Lam, 2025). However, earlier work could not assess Decree No. 142/2026/ND-CP, Decision No. 33/2026/QĐ-TTg, or the new employment and

vocational-education rules. The current gap is therefore a post-implementation question: whether instruments now in force adequately cover consequential workplace AI and activate transition support early enough.

3. Research methods

The study uses qualitative doctrinal and comparative legal analysis. Primary materials include Vietnamese laws, decrees, and prime-ministerial decisions governing AI, personal data, labor, employment services, unemployment insurance, skills development, and vocational education. These instruments are read as an interacting regulatory system rather than isolated enactments. Legal materials were checked against official government sources and were current through August 2026; English titles are working translations.

Functional comparison identifies regulatory choices without assuming institutional equivalence. The EU AI Act is used because it expressly classifies employment-related AI and specifies mature risk-management duties, while OECD and ILO materials provide comparative policy practice and exposure methodology. Each Vietnamese instrument is examined for workplace coverage, duty-bearing actors, preventive and remedial procedures, and links to adaptation and social protection.

A targeted evidence synthesis supports the legal analysis, prioritizing peer-reviewed research, official statistics, and institutional reports with disclosed methods. Exposure estimates are not converted into redundancy forecasts, and employer expectations are not treated as observed outcomes. The study collects no primary firm- or worker-level data and cannot estimate causal employment effects. Because implementation is recent and case law limited, the article is a framework and gap analysis rather than an ex post evaluation.

4. Research results

4.1. Vietnam's Post-2025 Regulatory Architecture

4.1.1. The AI Law, Decree No. 142, and the high-risk list

The AI Law establishes a three-level risk architecture-high, medium, and low-alongside prohibited practices. It combines transparency

and labeling with stronger obligations for high-risk uses, while supporting sandboxes, standards, domestic innovation, and ethical governance (National Assembly of Vietnam, 2025b). The standalone statute also consolidated AI-specific rules previously addressed in the Law on Digital Technology Industry (National Assembly of Vietnam, 2025c).

Decree No. 142/2026/ND-CP operationalizes this architecture through classification and notification, AI-generated-content labeling, incident reporting, conformity assessment, and high-risk system management. Providers classify systems before market placement or use, with reclassification possible after material modification. High-risk systems are subject to risk-management requirements concerning safety, rights, data quality and representativeness, technical and organizational controls, and human oversight; responsibilities are divided between providers and deployers (Government of Vietnam, 2026b).

Decision No. 33/2026/QĐ-TTg, effective 15 August 2026, is the decisive classification instrument. It lists 46 high-risk systems across education, ethnic and religious affairs, health, banking, legal proceedings, and transport (Prime Minister of Vietnam, 2026). Employment is absent. AI used to screen applicants, rank workers, allocate tasks, monitor behavior, recommend promotion, or support termination is therefore not automatically high risk merely because it performs an employment function. Other general or medium-risk duties may apply, but the enhanced high-risk package is not triggered by employment use as such.

4.1.2. *Adjacent labor, data, employment, and skills law*

Workplace AI is also governed by adjacent law. The 2019 Labor Code establishes general

rules on equality and non-discrimination, contracts, discipline, dismissal, employee representation, and occupational safety and health (National Assembly of Vietnam, 2019). These norms apply to algorithmic practices, but they were not designed around continuous monitoring, probabilistic scoring, vendor opacity, or automated recommendations, and therefore do not always provide the information or audit trail needed to reconstruct an AI-mediated decision.

The Personal Data Protection Law and Decree No. 356/2025/ND-CP provide the general framework for processing applicant and worker data, while Decree No. 330/2026/ND-CP adds administrative sanctions for personal-data and cybersecurity violations (Government of Vietnam, 2025, 2026d; National Assembly of Vietnam, 2025d). These instruments govern collection, sensitive data, purpose limitation, security, impact documentation, and enforcement, but they do not independently classify the employment consequence of a system or guarantee worker-specific explanation and review.

The transition framework has also expanded. The 2025 Employment Law and Decree No. 138/2026/ND-CP support job counseling, vocational training, skills improvement, and employer training measures intended to maintain employment (National Assembly of Vietnam, 2025a; Government of Vietnam, 2026a). The 2025 Law on Vocational Education and Decree No. 308/2026/ND-CP add enterprise participation and human-resource training funds relevant to digital, green, and emerging skills (National Assembly of Vietnam, 2025e; Government of Vietnam, 2026c). These are existing legal levers for AI adaptation rather than institutions that must be created from zero.

Table 1. Vietnam's post-2025 legal-policy architecture for AI and work

Instrument and status	Core contribution	Relevance to AI at work	Residual labor issue
AI Law No. 134/2025/QH15; effective 1 Mar. 2026 Decree No. 142/2026/ND-CP; effective 1 May 2026	Three-level risk framework; transparency, classification, conformity assessment, incident reporting, risk	Preventive controls for high-risk systems while preserving space for innovation and	Enhanced duties depend on classification; workplace procedures remain

Instrument and status	Core contribution	Relevance to AI at work	Residual labor issue
	management, and human oversight.	sandboxes.	incomplete.
Decision No. 33/2026/QĐ-TTg; effective 15 Aug. 2026	Lists 46 high-risk systems in six fields.	Provides a predictable trigger for enhanced obligations in listed contexts.	Employment is not listed; consequential workplace systems are not automatically high risk.
Personal Data Protection Law No. 91/2025/QH15 and Decree No. 356/2025/ND-CP; effective 1 Jan. 2026 Decree No. 330/2026/ND-CP; effective 19 Aug. 2026	Governs personal-data processing and sanctions.	Covers applicant and worker data used to operate and audit AI systems.	Data compliance alone does not ensure non-discrimination or worker-specific review.
Labor Code No. 45/2019/QH14; effective 1 Jan. 2021	General equality, contract, discipline, dismissal, representation, and safety rules.	Governs the lawfulness of AI-mediated employment practices and outcomes.	Limited AI-specific notice, explanation, audit, and contestation procedures.
Employment Law No. 74/2025/QH15; effective 1 Jan. 2026 Decree No. 138/2026/ND-CP; effective 7 Apr. 2026	Employment services, skills development, and proactive unemployment-insurance support.	Can finance training to retain workers and support transitions.	Needs early-warning triggers linked to task and staffing change.
Law on Vocational Education No. 124/2025/QH15; effective 1 Jan. 2026 Decree No. 308/2026/ND-CP; effective 5 Aug. 2026	Supports enterprise participation and human-resource training funds.	Can connect firms, vocational institutions, and portable emerging-skill programs.	Quality, portability, inclusion, and outcome evaluation require guidance.

Note. The table summarizes the principal instruments relevant to the argument; it is not exhaustive. Legal status is current through August 2026.

4.1.3. Interaction and institutional fit

The framework is best understood as layered: AI law governs system risk and providers/deployers; personal-data law governs information processing; labor law governs the employment relationship and lawfulness of outcomes; and employment and vocational-education law govern adaptation. This division is coherent but creates coordination problems. A

hiring model may satisfy data-security requirements yet produce discriminatory outcomes; a technically conforming performance tool may undermine labor procedure if its output becomes effectively determinative; and training support may arrive only after displacement if no early-warning trigger links enterprise automation to employment services.

The remaining challenge is therefore a

regulatory “last mile”: translating general duties into workplace roles, documentation, notice, consultation, and remedies. Employment’s absence from the current high-risk list is important because classification is the mechanism that concentrates preventive obligations before livelihoods and rights are affected.

4.2. AI, Automation, and Vietnam’s Labor Market

4.2.1. Exposure is broad, but full automation risk is much narrower

The most current Vietnam-specific evidence applies the ILO’s refined GenAI exposure index to the 2024 Labor Force Survey. About 11.5 million workers—roughly one in five—were in occupations containing potentially exposed tasks, but only about one million were in occupations where tasks were both highly susceptible and standardized, representing less than 2 percent of the workforce. The report therefore identifies task transformation, rather than large-scale displacement, as the more likely outcome (International Labour Organization, 2026).

Exposure is uneven. Women’s estimated exposure was 24.1 percent compared with 17.8 percent for men, reflecting concentration in clerical, administrative, and service work; clerical support occupations were especially exposed. Financial and insurance services, wholesale and retail trade, and information and communication also showed high GenAI exposure. Manufacturing appeared less exposed to generative AI, but that estimate does not capture industrial robotics and process automation (International Labour Organization, 2026).

Vietnam therefore faces multiple transitions rather than a single national “AI-risk rate.” Cognitive and clerical work is being recomposed by generative systems, while manufacturing and logistics face robotics, computer vision, optimization, and AI-enabled machinery. Sector, task, technology, enterprise size, and worker characteristics jointly shape exposure and adaptive capacity.

4.2.2. Productivity opportunities depend on complementary capacity

AI can generate productivity gains in quality control, predictive maintenance, customer support, document processing, supply-chain planning, accessibility, and occupational safety. Regional evidence suggests that productivity and scale effects can support employment growth when technology complements workers (World Bank, 2025). Policy should therefore improve the quality of adoption rather than delay deployment until uncertainty disappears.

Complementary capacity is critical. In the first quarter of 2026, only 29.6 percent of Vietnamese workers were classified as trained with diplomas or certificates (National Statistics Office of Vietnam, 2026). SMEs may lack data, technical specialists, compliance expertise, and structured training, while informal workers may have weak access to unemployment insurance and employer-funded learning. Broad AI subsidies could therefore widen firm and worker gaps unless combined with shared infrastructure, advisory services, and portable training opportunities (OECD, 2025).

4.2.3. Job quality and procedural risk

Employment outcomes also include job quality. AI may intensify pace, surveillance, or scheduling uncertainty, but it can also remove hazardous or repetitive tasks and improve accessibility. Whether deployment augments or degrades work is partly a governance choice. Worker participation is valuable because workers often identify data errors, unrealistic metrics, safety risks, and task interdependencies that are not visible to developers or senior management.

Consequential employment decisions create asymmetric risks. An erroneous hiring rejection, promotion score, or dismissal recommendation can affect income, social insurance, and future employability, especially when vendor opacity prevents explanation. Human oversight must therefore involve a competent reviewer with genuine authority to depart from a system’s output rather than ceremonial approval of an automated recommendation (European Parliament & Council of the European Union, 2024).

5. Discussion

5.1. Three Labor-Governance Gaps

5.1.1. *The coverage gap*

Vietnam's risk-based framework does not expressly capture the full employment life cycle in its current high-risk schedule. Recruitment, evaluation, promotion, task allocation, discipline, and termination directly affect equality, income, dignity, and access to work. The functional lesson from the EU is that classification should follow the decision context rather than the model's brand or architecture (European Parliament & Council of the European Union, 2024).

The gap should not be overstated: prohibited practices, transparency duties, personal-data law, and labor-law norms remain applicable, and some workplace systems may fall under another listed field. The problem is the lack of an automatic and predictable trigger for enhanced ex ante risk management, which can produce inconsistent classification and uncertainty over remedies.

5.1.2. *The procedural-rights gap*

Substantive rights require workable procedures. Non-discrimination is difficult to enforce when a worker or applicant does not know that AI was used, cannot identify the data or factors that materially influenced the result, or lacks access to a competent human reviewer. Vietnam's current laws contain elements of transparency, data protection, human oversight, and labor remedies, but they do not yet form a clear workplace sequence for consequential AI decisions.

A proportionate process should combine organizational assessment, timely notice, intelligible information on purpose and principal decision factors, recordkeeping, competent human review, correction of inaccurate data, contestation of adverse outcomes, and consultation with employee representatives when systems materially alter working conditions. Accountability does not require disclosure of source code or a mathematically exhaustive explanation.

5.1.3. *The transition-governance gap*

Vietnam already has legal authority for proactive skills support; the challenge is activation and targeting. Assistance that begins only after unemployment may miss the

opportunity to retrain workers during system design and deployment. Firm-specific training can also be insufficient if it excludes workers expected to leave or produces credentials with little portability.

The transition gap is also informational. Government needs task- and sector-level signals on adoption, vacancies, skills demand, training, wages, and displacement; employers need clear guidance on available support; workers need time and information to choose among training, internal mobility, and job search; and training providers need employer feedback without allowing a small number of vendors to define national qualifications.

5.2. *Policy Recommendations*

5.2.1. *Add targeted employment uses to the high-risk schedule*

Decision No. 33/2026/QĐ-TTg should be revised, or supplemented under the AI Law, to classify defined employment uses as high risk when system outputs materially affect recruitment or selection, promotion, demotion, discipline, termination, task allocation based on personal characteristics or behavior, or continuous monitoring and performance evaluation. Coverage should extend to candidates, employees, and economically dependent platform workers where equivalent control is exercised.

The approach should remain proportionate. Routine administrative tools, voluntary learning assistants, and systems without material influence on employment decisions should not automatically receive the full high-risk package. Clear exemptions, examples, model documentation, and shared assessment tools can reduce SME compliance burdens without lowering basic protection for consequential decisions.

5.2.2. *Establish a workplace AI impact-assessment and decision procedure*

A joint implementing circular or official guidance should integrate AI, data, and labor duties into one workplace procedure. Before deploying a consequential system, employers should document purpose, legal basis, affected groups, data sources, validation evidence, foreseeable discrimination and safety risks,

human-oversight design, vendor responsibilities, monitoring indicators, and suspension or exit arrangements. Assessment depth should reflect scale and consequence, with reassessment after material change.

Applicants and workers should receive timely notice when AI materially supports a decision. For adverse outcomes, organizations should provide intelligible information on the system's role and principal case-specific factors, allow correction of inaccurate data, and offer review by a trained person empowered to change the result. Logs should be retained for inspection and redress, and vendor contracts should provide deployers with the information needed to satisfy legal duties.

Where AI materially changes work organization, monitoring, workload, safety, or staffing, employers should consult the relevant employee representative organization before implementation and during review. Consultation should address task design, performance metrics, data collection, training, accessibility, and not only redundancy. Comparative evidence links worker consultation and training with stronger workplace outcomes and trust (OECD, 2023, 2026).

5.2.3. Coordinate enforcement and condition innovation support on safeguards

Enforcement should connect the competent AI authority, personal-data protection authority, labor inspectorate, employment services, vocational-education authorities, and social partners. A shared protocol should clarify lead responsibility, referral channels, and minimum evidence for common workplace cases. Sector guidance and AI literacy for inspectors and employee representatives would improve consistency.

Regulatory sandboxes should remain available for beneficial experimentation, but workplace projects should include data governance, representative testing, human oversight, consultation, incident reporting, and remedy plans. Participation should not waive labor or data-protection rights; in return, firms can receive early regulatory feedback, common testing resources, and a clearer route from pilot to compliant deployment.

5.2.4. Use existing employment and training institutions for anticipatory adaptation

The 2025 Employment Law and implementing rules should be operationalized around early intervention. When a workplace AI assessment identifies substantial task change or probable displacement, employers should be able to coordinate with employment-service centers and use eligible unemployment-insurance support for training before termination. Support should include paid learning time, career guidance, recognition of prior learning, and job matching, including for workers likely to exit the firm.

Enterprise human-resource training funds under Decree No. 308/2026/ND-CP can support programs co-designed with vocational institutions and industry associations. Public co-financing should favor verified task demand, portable credentials, and measurable outcomes such as completion, job retention, re-employment, and wage progression. Training should combine AI literacy, data and cyber hygiene, problem solving, and human-machine collaboration, with targeted access for groups facing higher exposure or weaker training opportunities.

5.2.5. Build a labor-market evidence and evaluation system

Vietnam should add a recurring workplace-AI module to labor-force and enterprise surveys and, where lawful, link it to vacancy, training, unemployment-insurance, and occupational-safety data. Indicators should distinguish technology type, exposure, actual adoption, job creation, displacement, wages, hours, contract status, training, worker voice, and job quality, disaggregated by relevant worker and firm characteristics. Periodic independent evaluation can then inform revision of the high-risk list and implementation guidance as evidence develops.

6. Conclusion

Vietnam has moved rapidly from AI strategy to an operative risk-based legal framework. The AI Law, Decree No. 142/2026/ND-CP, and Decision No. 33/2026/QĐ-TTg establish classification, transparency, conformity, incident reporting, risk management, and human oversight, while personal-data, employment, and

vocational-education reforms add enforcement and transition tools. The remaining problem is not a regulatory vacuum but incomplete integration of AI governance with the employment relationship.

Available evidence also cautions against both complacency and alarmism. Around one in five Vietnamese workers may perform tasks exposed to generative AI, while the share in occupations with highly susceptible and standardized tasks is below 2 percent. Task transformation is therefore the more plausible dominant outcome,

with uneven gains and costs across workers and firms.

A proportionate reform package would classify consequential employment systems as high risk, create coherent assessment, notice, review, and consultation procedures, coordinate enforcement, and activate existing employment-insurance and training institutions before displacement occurs. In this model, worker protection is part of the institutional infrastructure for trustworthy, productive, and socially sustainable AI adoption.

Declaration on Generative AI and Authorship: The authors confirm that they used AI tools to assist in preparing this article. They affirm that these tools were used solely for permitted purposes (such as language editing, translation, and suggestions on manuscript structure) and were not used to fabricate scientific content, data, or references.

Conflict of Interest Statement: The authors declare no conflict of interest related to this article

References

- Acemoglu, D., & Restrepo, P. (2019). Automation and new tasks: How technology displaces and reinstates labor. *Journal of Economic Perspectives*, 33(2), 3–30. <https://doi.org/10.1257/jep.33.2.3>.
- Arntz, M., Gregory, T., & Zierahn, U. (2016). *The risk of automation for jobs in OECD countries: A comparative analysis* (OECD Social, Employment and Migration Working Papers No. 189). OECD Publishing. <https://doi.org/10.1787/5jlz9h56dvq7-en>.
- Autor, D. H. (2015). Why are there still so many jobs? The history and future of workplace automation. *Journal of Economic Perspectives*, 29(3), 3–30. <https://doi.org/10.1257/jep.29.3.3>.
- Autor, D., Chin, C., Salomons, A., & Seegmiller, B. (2024). New frontiers: The origins and content of new work, 1940–2018. *The Quarterly Journal of Economics*, 139(3), 1399–1465. <https://doi.org/10.1093/qje/qjae008>.
- Brynjolfsson, E., Li, D., & Raymond, L. (2025). Generative AI at work. *The Quarterly Journal of Economics*, 140(2), 889–942. <https://doi.org/10.1093/qje/qjae044>.
- European Commission. (2026). *AI Act: Regulatory framework and implementation timeline*. Retrieved July 1, 2026, from <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai>.
- European Parliament & Council of the European Union. (2024). Regulation (EU) 2024/1689 of 13 June 2024 laying down harmonised rules on artificial intelligence. *Official Journal of the European Union*. <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>.
- European Union. (2026). Regulation (EU) 2026/1744 of 8 July 2026 on the simplification of the implementation of harmonised rules on artificial intelligence. *Official Journal of the European Union*. <https://eur-lex.europa.eu/eli/reg/2026/1744/oj/eng>.
- Evans, P. (1995). *Embedded autonomy: States and industrial transformation*. Princeton University Press. <https://doi.org/10.1515/9781400821723>.
- Felten, E. W., Raj, M., & Seamans, R. (2021). Occupational, industry, and geographic exposure to artificial intelligence: A novel dataset and its potential uses. *Strategic Management Journal*, 42(12), 2195–2217. <https://doi.org/10.1002/smj.3286>.
- Gmyrek, P., Berg, J., Kamiński, K., Konopczyński, F., Ładna, A., Nafradi, B., Rosłaniec, K., & Troszyński, M. (2025).

- Generative AI and jobs: A refined global index of occupational exposure* (ILO Working Paper No. 140). International Labour Organization. <https://doi.org/10.54394/HETP0387>.
- Government of Vietnam. (2025). *Decree No. 356/2025/ND-CP dated December 31, 2025, detailing and implementing the Law on Personal Data Protection*.
- Government of Vietnam. (2026a). *Decree No. 138/2026/ND-CP dated April 7, 2026, detailing provisions of the Employment Law on occupational skills development*.
- Government of Vietnam. (2026b). *Decree No. 142/2026/ND-CP dated April 30, 2026, detailing provisions and measures for implementation of the Law on Artificial Intelligence*.
- Government of Vietnam. (2026c). *Decree No. 308/2026/ND-CP dated August 5, 2026, on state support for enterprise participation in vocational education and enterprise human-resource training funds*.
- Government of Vietnam. (2026d). *Decree No. 330/2026/ND-CP dated August 19, 2026, on administrative sanctions in cybersecurity and personal-data protection*.
- International Labour Organization. (2026). *Generative AI and jobs in Viet Nam: Labour market exposure and policy considerations*. <https://doi.org/10.54394/00034064>.
- Kellogg, K. C., Valentine, M. A., & Christin, A. (2020). Algorithms at work: The new contested terrain of control. *Academy of Management Annals*, 14(1), 366–410. <https://doi.org/10.5465/annals.2018.0174>.
- National Assembly of Vietnam. (2019). *Labor Code No. 45/2019/QH14 dated November 20, 2019*.
- National Assembly of Vietnam. (2025a). *Employment Law No. 74/2025/QH15 dated June 16, 2025*.
- National Assembly of Vietnam. (2025b). *Law on Artificial Intelligence No. 134/2025/QH15 dated December 10, 2025*.
- National Assembly of Vietnam. (2025c). *Law on Digital Technology Industry No. 71/2025/QH15 dated June 14, 2025*.
- National Assembly of Vietnam. (2025d). *Law on Personal Data Protection No. 91/2025/QH15 dated June 26, 2025*.
- National Assembly of Vietnam. (2025e). *Law on Vocational Education No. 124/2025/QH15 dated December 10, 2025*.
- National Statistics Office of Vietnam. (2026). *Report on the socio-economic situation in the first quarter of 2026*. Retrieved September 9, 2026, from <https://www.nso.gov.vn/en/data-and-statistics/2026/04/report-on-socio-economic-situation-in-quarter-i-in-2026/>.
- Nhung, P. H., & Lam, T. T. T. (2025). Shaping the labor market of Vietnam in the age of artificial intelligence: Comparative insights from the European Union. *Hasanuddin Law Review*, 11(3), 274–294. <https://doi.org/10.20956/halrev.v11i3.5901>
- OECD. (2023). *OECD employment outlook 2023: Artificial intelligence and the labour market*. OECD Publishing. <https://doi.org/10.1787/08785bba-en>.
- OECD. (2025). *OECD economic surveys: Viet Nam 2025*. OECD Publishing. <https://doi.org/10.1787/fb37254b-en>.
- OECD. (2026). *Recent policy developments on AI in the labour market* (OECD Artificial Intelligence Papers No. 63). OECD Publishing. <https://doi.org/10.1787/c0ffced7-en>.
- Prime Minister of Vietnam. (2021). *Decision No. 127/QĐ-TTg dated January 26, 2021, promulgating the National Strategy on Research, Development and Application of Artificial Intelligence to 2030*.
- Prime Minister of Vietnam. (2026). *Decision No. 33/2026/QĐ-TTg dated June 30, 2026, promulgating the list of high-risk artificial intelligence systems*.
- Raghavan, M., Barocas, S., Kleinberg, J., & Levy, K. (2020). Mitigating bias in algorithmic hiring: Evaluating claims and practices. In *Proceedings of the 2020 Conference on Fairness, Accountability, and Transparency* (pp. 469–481). Association for Computing Machinery. <https://doi.org/10.1145/3351095.3372828>.
- World Bank. (2025). *Future jobs: Robots, artificial intelligence, and digital platforms in East Asia and Pacific*.

<https://openknowledge.worldbank.org/entities/publication/a7c5ad47-3aa6-479e-9c13-d212b9954131>.

jobs report 2025.
<https://www.weforum.org/publications/the-future-of-jobs-report-2025/>.

World Economic Forum. (2025). *The future of*

KHUNG PHÁP LÝ MỚI CỦA VIỆT NAM VỀ TRÍ TUỆ NHÂN TẠO VÀ TƯƠNG LAI CỦA VIỆC LÀM: CÂN BẰNG GIỮA ĐỔI MỚI SÁNG TẠO VÀ BẢO VỆ NGƯỜI LAO ĐỘNG

Trần Thị Hằng

Trường Đại học Thành Đô

Email: hanghakt@gmail.com

Ngày nhận bài: 3/8/2026; Ngày phản biện: 5/9/2026; Ngày tác giả sửa: 15/9/2026;

Ngày duyệt đăng: 26/9/2026

DOI: <https://doi.org/10.58902/tcnckhpt.v5i3.413>

Tóm tắt: Luật Trí tuệ nhân tạo của Việt Nam có hiệu lực từ tháng 3 năm 2026, cùng các quy định về phân loại rủi ro, đánh giá sự phù hợp, báo cáo sự cố và quản lý hệ thống rủi ro cao. Bài viết đánh giá khả năng cân bằng giữa đổi mới sáng tạo do AI dẫn dắt với bảo vệ và thích ứng của người lao động. Nghiên cứu kết hợp phân tích pháp luật, chính sách Việt Nam đến tháng 8 năm 2026; so sánh chức năng với Đạo luật AI của Liên minh châu Âu và tổng hợp có chọn lọc bằng chứng thị trường lao động. Kết quả cho thấy: (1) AI chủ yếu làm thay đổi nhiệm vụ thay vì gây mất việc trên diện rộng, song tác động khác nhau theo nghề nghiệp, giới tính, kỹ năng, tính chính thức của việc làm và năng lực doanh nghiệp; (2) khoảng trống pháp lý chính không còn là thiếu khuôn khổ thực thi, mà là Quyết định số 33/2026/QĐ-TTg chưa tự động xếp các hệ thống có ảnh hưởng đáng kể đến việc làm vào nhóm rủi ro cao và (3) pháp luật về lao động, dữ liệu cá nhân, việc làm và giáo dục nghề nghiệp đã có các cơ chế bảo vệ nhưng còn phân tán. Bài viết đề xuất mở rộng có trọng điểm phạm vi hệ thống rủi ro cao; đánh giá tác động của AI tại nơi làm việc gắn với quyền được thông báo và phản đối; tăng cường phối hợp thực thi và hỗ trợ kỹ năng mang tính đón đầu thông qua các thiết chế việc làm, đào tạo hiện hành.

Từ khóa: Chuyển đổi kỹ năng; Pháp luật lao động; Quản lý dựa trên rủi ro; Quản trị bằng thuật toán; Trí tuệ nhân tạo; Việt Nam.