

Decision No.: 86/QD-SIU

Ho Chi Minh City, November 28th, 2016

DECISION

On promulgating the Statute on domestic and overseas training and retraining of Managers, Lecturers and Employees of The Saigon International University

THE CHANCELLOR

OF THE SAIGON INTERNATIONAL UNIVERSITY

Pursuant to Decision No.1273/QD-TTg dated September 24th, 2007 by the Prime Minister on the establishment of The Saigon International University;

Pursuant to Circular No. 04/2015/TTLT-BGDDT-BTC dated March 10th, 2015 by the Ministry of Education and Training and the Ministry of Finance on guiding the implementation of some Articles in Protocol No. 143/2013/ND-CP dated October 24th, 2013 by the Government;

Pursuant to the Statute on the organization and operation of The Saigon International University;

Pursuant to the functions and roles of the Chancellor,

DECIDES:

Article 1. To promulgate together with this Decision the Statute on domestic and overseas training and retraining of Managers, Lecturers and Employees of The Saigon International University.

Article 2. This Decision takes effect after its signing. Any previous provisions contrary to this one are hereby annulled.

Article 3. The School Board and Heads of Faculties/Departments of The Saigon International University shall implement this Decision./.

Recipients:

- As Article 3;
- The Board of Directors
- Archive: Clerical Office

CHANCELLOR

STATUTE

on domestic and overseas training and retraining of Managers, Lecturers and Employees of The Saigon International University

(Promulgated together with Decision No. 86/QĐ-SIU dated November 28th, 2016 of The Saigon International University)

Chapter I

GENERAL PROVISIONS

Article 1. Subjects and scope of regulation

1. This Statute stipulates the management of domestic and overseas training and retraining activities of Managers, Lecturers and Employees (lecturers and staff) of The Saigon International University;
2. This Statute applies to the lecturers and staff working under labor contracts with a term of 12 months or more at The Saigon International University.

Article 2. Training and retraining goals

1. To update knowledge, and improve qualifications, expertise, skills and methods of performing tasks according to each job position and professional title;
2. To contribute to building a team of staff with ethics, qualifications and professional competencies and research capacity, assuring the quality of professional activities aligning with the development orientation of The Saigon International University.

Article 3. Principles of appointing staff for training and retraining

1. Training and retraining shall be based on the employee's position and professional title, and based on the demand for human resource development;
2. To ensure the initiative of the units using managers and lecturing staff in training and retraining activities;
3. Training and retraining plans shall be associated with the development needs of leaders and managers, facilitating the development of the unit and encouraging lecturing staff's professional work, scientific research and technological transfer;
4. To encourage managers and lecturing staff to attend training and retraining programs to meet task requirements, job positions and professional titles;
5. The sending of managers and lecturing staff for domestic and overseas training and retraining is assigned by the Chancellor agreeing with the Board members in charge of Operation and Development according to management levels, ensuring the initiative in the task performance.

6. To ensure publicity, transparency and efficiency.

Article 4. Term interpretation

Within this Statute, the following terms are interpreted as:

1. Training is a systematic process of transmitting and receiving knowledge and skills appropriate to each grade level and associated with the awarding of diplomas (certificates) of the educational system;
2. Retraining (or research) means equipping, updating and improving professional knowledge, working skills, research skills, professional title standards, leadership and management skills.

Article 5. Forms of appointing for training and retraining

1. Graduate training (Master's and PhD);
2. Short-term retraining in under 90 days; long-term training in over 90 days.

Article 6. The competence to extend, appoint and recruit managers and lecturing staff to training and retraining courses

The Chancellor and the Board members in charge of the Operation and Development agree on the management and decide to appoint managers and lecturing staff for domestic and overseas graduate training or short-term and long-term retraining courses.

Article 7. Management regulations on appointing managers and lecturing staff for training and retraining

1. Managers and lecturing staff shall only apply for 01 training or retraining course in a period;
2. Managers and lecturing staff appointed by the competent authorities to apply for but do not take the recruitment without any proper reason will not be allowed to apply for other similar training courses in the next 12 (twelve) months;
3. For the graduate training level, each employee is only allowed to apply no more than 2 times for a training level (both domestic and overseas);
4. Managers and lecturing staff from other agencies or units recruited or accepted by the Chancellor but taking a training or retraining course shall continue their training self-sufficiently, and ensure that the arrangement of working time does not affect the tasks assigned by the recruitment units;
5. Managers and lecturing staff appointed by the competent authorities for training and retraining shall receive financial support as prescribed in Statute on internal expenses;
6. Managers and lecturing staff appointed for training and retraining voluntarily drop out, do not complete the course, do not guarantee the course duration, or complete the course but do not receive a diploma or a certificate of recognition from the training institution shall not be appointed for the same training program the second time. In case there is a proper reason and permission to stop the course from the competent authority, the

employees' willingness to continue their course will be considered and approved by the competent authority.

Chapter II

RESPONSIBILITIES RIGHTS AND BENEFITS OF MANAGERS AND LECTURING STAFF APPOINTED FOR TRAINING AND RETRAINING

Article 8. Responsibilities of managers and lecturing staff appointed for training and retraining

1. Completing all required documents and submitting them to the competent authority for approval;
2. Strictly following the current regulations, coming under the management of the training institution and related agencies, and fulfilling all the commitments made before attending the course;
3. Regularly studying and researching to enhance knowledge, improve professional skills and other complementary knowledge;
4. Following the specific training specialty and institution and type of training outlined in the appointment decision made by the competent authority;
5. Being responsible for the reimbursement of fees and expenses incurred during the training as per this Statute and current law;
6. Presenting and submitting academic reports with diplomas, certificates and other related training course documents as prescribed in current regulations to The Saigon International University after the course. Particularly for the employees taking abroad training courses, the diploma must be certified by the Department of Examinations and Education Quality Accreditation – Ministry of Education and Training (except for training courses funded by scholarships or budget of the State or Agreements);
7. Working at The Saigon International University for 5 years after attending training courses; being responsible for meeting the commitments with The Saigon International University and the recruitment units;
8. Completing all the required documents and submitting them to the competent authority for approval 01 (one) month beforehand if it is unable to continue the training, guarantee the training process or prolong the training time for some objective reason.
9. For self-trained managers and lecturing staff, presenting the training plans, scheduling tasks effectively, and committing to fulfill the tasks according to the job position and professional title as determined by the competent authority.

Article 9. Rights and benefits

1. Time for work, substitutes, and days off for training and reviewing are allocated based on the training institute's announcements;
2. Employees are entitled to receive their salary and other benefits as per the Statute on internal expenses and related regulations of The Saigon International University during their training and retraining period.;

Employees who undergo self-training are not eligible for salary or other benefits while undergoing training or retraining. Additionally, they are responsible for covering all costs associated with their education and training.

3. The time for training and retraining is considered part of the employee's working hours. If they meet the standards set by current regulations, they may also receive a salary increase and other allowances;
4. Employees who complete their training programs either before or on schedule are then recruited and transferred back to their previous units to continue their work;
5. If the training time goes beyond the limit specified in the training appointment decision made by the competent authority, any excess time (even if allowed by the competent authority) will not be considered for a regular salary increase, as per the regulations;
6. If an employee voluntarily drops out of a training or retraining program, fails to complete the course within the expected duration, or completes the course but does not receive a diploma or certificate of recognition from the training institution, they will be considered to have failed in task completion by the competent authority. As a consequence, the regular salary review period will be extended for one year.

Chapter III

REQUIRED QUALIFICATIONS FOR TRAINING AND RETRAINING

Article 10. General requirements

Managers and lecturing staff eligible for domestic and overseas training and retraining should possess the following qualifications:

1. Having a minimum of 10 years of working time left from the beginning of the training course. Additionally, it is important to ensure that there will be at least 5 years of working time after completing the training program (no extension period counted);
2. Not during the review process or disciplinary action from the level of reprimand or higher; or not in situations where exiting or entering the country is prohibited by the current Vietnamese entry and exit law;
3. Adhering to the rules and regulations of both The Saigon International University and the recruitment units; having a strong sense of responsibility in the workplace, performing assigned tasks effectively, and adhering to current regulations and this Statute with dedication and commitment;
4. Being part of the training and retraining plans of the University, Faculties, Departments, and work units;
5. Fulfilling all the requirements set by the training institution;
6. Being committed to a 5-year working period at The Saigon International University and its affiliated units after completing the training program.
7. Managers and lecturing staff who are participating in training programs that are funded by scholarships, the State budget, or through cooperation agreements with foreign countries are obligated to abide by regulations set by related agencies, the Ministry of

Education and Training, the Law on Conclusion and Accession, and comply with international treaties and any other requirements of the partnership program.

8. Ensuring the individual's health, maintaining accurate records, following proper procedures, and obtaining consent from authorized entities in compliance with current regulations.

Article 11. Specific requirements

In addition to the qualifications outlined in Article 10 of this Statute, managers and lecturing staff who are suitable for domestic and international training and retraining should possess the following specific qualifications.:

1. Doctoral training
 - a) Working at The Saigon International University for a minimum of 06 months after signing the official labor contract;
 - b) Possessing a Master's degree that is relevant (or closely related) to the training specialty;
 - c) Having research capacity demonstrated by participating in scientific research projects as prescribed;
 - d) Fulfilling all the requirements set by the training institution;
 - e) Must not exceed the age of 50 (unless there are exceptional circumstances which will be determined by the Chairman of the Board of Directors);
 - f) Evaluated and classified by competent authorities at the level of task completion or higher;
 - g) Having a complete, clear and correct application file and a commitment to perform the obligations for at least 5 years after completing the training program.
2. Master training
 - a) Working at The Saigon International University for a minimum of 06 months after signing the official labor contract;
 - b) The training specialty should be relevant (or closely related) to the job position and professional title;
 - c) Must not exceed the age of 45 (unless there are exceptional circumstances which will be determined by the Chairman of the Board of Directors);
 - d) Evaluated and classified by competent authorities at the level of task completion or higher;
 - e) Having a complete, clear and correct application file and a commitment to perform the obligations for at least 5 years after completing the training program.

Managers and lecturing staff who are selected for the Government's scheme to pursue master's or doctorates abroad must comply with additional standards and conditions set forth by the program.

Article 12. Requirements for undergoing self-training

In case an employee desires to attend training but is not eligible to be appointed, the head of the competent agency shall consider and determine if the employee can undergo self-

training and provide favorable conditions for the procedures if the requirements below are met:

1. Having an application that clearly outlines the specifics of the training or retraining course such as the duration, fees, major and institution and a commitment to self-paying for all training and retraining expenses;
2. Committing to fulfilling obligations and completing the assigned tasks;
3. Having permission from the Head of the unit;
4. Having the admission notice from the training institution;
5. The training specialty shall be relevant to the employee's specialty, job position, professional title and the needs of the recruitment unit;
6. Evaluated and classified by competent authorities at the level of task completion.

Article 13. Processes and procedures for appointing managers and lecturing staff to training and retraining

1. Procedures for appointing managers and lecturing staff to apply for graduate training and retraining courses
 - a) Managers and lecturing staff apply for graduate training or retraining to the Head of the unit for opinions;
 - b) The application is submitted to the Chancellor for consideration and decision by the Head of the unit;
 - c) The application is considered and approved by the Chancellor and the Board Members in charge of Operation and Development;
2. Procedures for appointing managers and lecturing staff to training
 - a) After receiving an admission notice or invitation letter (certification) from the training institution, managers and lecturing staff submit the required documents to the Head of the unit for opinions and approval. The documents include:
 - An application form for training (with the consent of the Head of the unit);
 - Admission notice or invitation letter (certification) of the training institution (a notarized translated copy if written in a foreign language);
 - A commitment to fulfilling obligations.
 - b) The required documents shall be sent to the Chancellor through the Head of the unit;
 - c) The required documents shall be considered and approved by the Chancellor and the Board Members in charge of Operation and Development;
 - d) Managers and lecturing staff receive the appointment decision for training.
3. Procedures for appointing managers and lecturing staff for retraining (or researching)
 - a) After receiving an invitation letter or other related documents from the inviting unit managers and lecturing staff submit the required documents to the Head of the unit for opinions and approval and send them to the Chancellor. The required documents include:
 - An application form for training or researching (with the consent of the Head of the unit);

- An invitation letter or other related documents from the inviting unit (a notarized translated copy if written in a foreign language);
 - Other related documents;
 - A commitment to fulfilling obligations.
4. Procedures for training and retraining extension application
- a) Managers and lecturing staff who desire to extend the training time shall apply for training extension time to the Head of the unit for suggestion 30 days beforehand (from the expiring date of the competent authority's decision);
 - b) The Head of the unit shall submit the application to the Chancellor for consideration and approval:
 - For the master's level of training: the maximum extension time is not more than 12 months;
 - For doctoral level training: the maximum extension time is not more than 12 months (each extension is not more than 12 months);
 - c) Required documents for time extension application include:
 - An application form for extension of training and retraining (with the consent of the Head of the unit);
 - Written confirmation or consent to the extension of the training institution with detailed information about the extended time, reasons for extension and budget for extension;
 - A detailed report on the process and results reached at the time of applying for an extension, enclosed with relevant proofs;
 - The appointment decision or the previous extension decision (photocopy).
5. Procedures for recruiting managers and lecturing staff for training and retraining
- a) Managers and lecturing staff shall present and submit a written confirmation of completion of the training program to the work unit within 07 working days (for domestic training courses) and 30 working days (for abroad training courses) after the course. The documents shall be submitted to the Chancellor for consideration and recruitment by the Head of the current work unit. The required documents include:
 - An academic report;
 - Diplomas, certificates, records and other related documents issued by the training institution;
 - Appointment Decision (or Extension Decision) (photocopy);
 - A certificate of submission of theses or dissertations of the units according to the training regulations;
 - A certificate of a diplomatic representative mission of Vietnam in the host country;
 - Relevant scientific articles (if any).
 - b) After receiving all required documents on the training and retraining results, within 07 (seven) working days, the former work unit is responsible for appraising and recruiting the employee and reporting to the Chancellor.

Chapter IV

RESPONSIBILITIES OF THE UNIT RECRUITING AND MANAGING EMPLOYEES

Article 14. Responsibilities of the unit recruiting and managing employees

1. Developing the annual training and retraining plans within the School year plan and submitting them to the Chancellor for approval;
2. Appraising the applications for training and retraining according to the level of management and submitting them to the Chancellor for approval;
3. Tracking and checking the employees' training and retraining process and the means of communication and periodically or irregularly reporting to the competent authority as prescribed;
4. Suspending payment of benefits such as salary and allowances when overdue notices from The Saigon International University are sent to the managers and lecturing staff or when they fail to properly follow the reporting process and the means of communication;
5. Promptly reporting arising issues to the Chancellor (if any);
6. Creating suitable conditions for qualified managers and lecturing staff to study, lecture, and conduct research within their areas of expertise and responsibility after being recruited and assigned to the work unit by the Chancellor;
7. Approving and implementing policies as per regulations;
8. Deciding on the forms of handling violations by managers and lecturing staff according to regulations and management level; deciding on the level of compensation and cost recovery;
9. Storing, updating and managing documents of managers and lecturing staff sent for training and retraining according to regulations and management level.

Article 15. Responsibilities of Finance - Human Resources Department

1. Coordinating with the recruitment units of managers and lecturing staff to develop annual training and retraining plans and making financial reports to the competent authority as per regulations;
2. Guiding the affiliated units of The Saigon International University on the unanimous implementation of expenditure norms, handling financial policies and documents within the training and retraining fields; making support payments for managers and lecturing staff sent for training and retraining according to regulations and management level.

Chapter V

HANDLING VIOLATIONS AND REIMBURSEMENTS FOR TRAINING AND RETRAINING EXPENSES

Article 16. Handling violations of managers and lecturing staff on training and retraining regulations

1. Managers and lecturing staff who are sent for training or retraining may face disciplinary action and be required to pay reimbursement for the training cost if they violate the regulations of the training institution, voluntarily withdraw from a program, unilaterally terminate their work contract, fail to receive a diploma or certificate from the institution without proper reasons, or voluntarily resign within the agreed-upon time frame. The recruitment units may take appropriate disciplinary action against employees, based on the severity of their violation in accordance with current regulations;
2. After completing the course, if managers and lecturing staff who were sent for training and retraining overseas either return after the prescribed time limit set by the competent authority, fail to follow the presentation procedure as outlined in this Statute without consent from management agencies, or voluntarily resign within the agreed-upon time frame, they may be subject to the following disciplinary actions:
 - a) Termination;
 - b) Request for reimbursements of training expenses in accordance with the current State regulations, irrespective of financial sources from the State, University, or sponsorships by domestic and international individuals or organizations.
 - c) Notify related agencies to collaborate in addressing the issue which include: the individual's new workplace, local authorities and associated overseas workplaces.

Article 17. Cases of reimbursements for training and retraining expenses

Managers and lecturing staff participating in domestic and overseas training and retraining shall possess all necessary documents according to regulations and commitments and reimburse the training costs as prescribed by the State and The Saigon International University, irrespective of financial sources from the State, University, or sponsorships by domestic and international individuals or organizations, prescribed as follow:

1. During the training period, including any extension time, managers and lecturing staff who voluntarily withdraw from the program, resign or unilaterally terminate their work contract, or are terminated by The Saigon International University; those who do not follow the instructions of the competent agency after graduation; or those who fail to fulfill their commitments;
2. Those who finish the course but do not obtain a diploma or certificate of recognition from the training institution;
3. Those who finish the course and obtain a diploma or certificate of recognition from the training institution, but have not fulfilled the required commitment period as specified in this Statute.

Article 18. non-reimbursement for training and retraining expenses

1. Those who are unable to finish the course due to long-term illnesses, verified in writing by an authorized medical facility;

2. Those who have not fulfilled the required commitment period but have to transfer to another job with the agreement of The Saigon International University that reimbursement for training costs is not required;
3. A recruitment unit which, by decision of the competent authority, has to unilaterally cancel a work contract with its employees because of downsizing, job cuts or being terminated operation.

Article 19. Expenses and the method of calculating reimbursements for training and retraining

1. Reimbursement includes: tuition, scholarship and all other expenses for the course (overpay due to deduction according to the regulations on working regime within the course, salary, extra salary and other paid expenses for the employees as prescribed in the Statute on internal expenditure);
2. The method of calculating reimbursements
 - a) During the training period, managers and lecturing staff who voluntarily withdraw from the program, or unilaterally terminate their work contract shall reimburse 100% of the training expenses;
 - b) Managers and lecturing staff who finish the course but do not obtain a diploma or certificate of recognition from the training institution shall reimburse 50% of the training expenses;
 - c) For managers and lecturing staff who finish the course and obtain a diploma or certificate of recognition from the training institution, but have not fulfilled the required commitment period as specified in Article 8 of this Statute, the reimbursement is calculated by the following formula:

$$S = (F / T1) \times (T1 - T2)$$

With:

- S is the reimbursement cost;
- F is the expenses of the course(s) in total;
- T1 is the required time for working after finishing the course(s) (as a rounded number of months);
- T2 is the time spent on working after finishing the course (as a rounded number of months);

Article 20. Decision on the payment and withdrawal of reimbursements for training and retraining

1. Authority to decide the payment and withdrawal of reimbursements for training and retraining
 - a) Within 30 (thirty) days from the order for mobilization of the competent entity, if the learner fails to comply with the order, the Chancellor shall decide on reimbursements;

- b) Within 3 (three) days from the learner’s voluntary resignation or resignation letter or dismissal without fulfilling the required commitment period as prescribed, the Chancellor shall decide on reimbursements.
- 2. The withdrawal of reimbursements for training and retraining
 - a) Managers and lecturing staff shall assume the full obligation to pay the costs for training and retraining incurred no later than 60 days after receipt of the decision on reimbursement by the competent authority;
 - b) The recruitment unit shall be entitled to refuse the processing of benefits for an employee and initiate a lawsuit if he or she does not comply fully with his or her obligation to pay the costs.
 - c) The procedure for reimbursement withdrawal:
 - For training courses funded by scholarships or budget of the State or Agreements managed by the Ministry of Education and Training: the reimbursements shall be transferred to the prescribed account of the Ministry of Education and Training;
 - For training courses funded by scholarships of the University or sponsorships for The Saigon International University by domestic and international individuals or organizations: the reimbursements shall be transferred to the account of The Saigon International University.

Chapter VI

ENFORCEMENT PROVISIONS

Article 21. Enforcement effect

This Statute takes effect from its signing. All previous decisions and regulations contrary to these provisions are annulled.

Article 22. Enforcement responsibilities

This Statute consists of 6 Chapters and 22 Articles. Heads of affiliated units of The Saigon International University shall implement;

Within the implementation, if any amendments are necessary, the units may send feedback to The Administrative Office of The Saigon International University for consideration and decision by the Chancellor;

Decisions on specific and unusual cases shall be adopted by the Chairman of the Board of Directors.

CHANCELLOR

Dr. Tran Xuan Dinh