Legal Challenges and Solutions For Improving Social Security Law for Informal Workers in the Digital Economy in Vietnam

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ABSTRACT

In the context of the rapid development of the digital economy, the informal workforce in this sector is facing serious shortcomings in social security protection. This article analyzes four core legal challenges: employment, social insurance, unemployment insurance, and health insurance. Research findings indicate that although the current legal system has made significant progress, considerable inadequacies remain, stemming from multiple causes on the part of workers, enterprises, and policy. On that basis, the article proposes comprehensive legal solutions aimed at ensuring access to formal employment, expanding and flexibilizing the voluntary social insurance system, supplementing unemployment insurance mechanisms suited to the characteristics of platform-based labor, and promoting universal health insurance coverage, thereby contributing to the building of a fairer and more sustainable social security system in the digital age.

Keywords: informal labor; social security; digital economy; social insurance; labor relations; employment.

INTRODUCTION

The explosion of the digital economy in recent years has given rise to entirely new forms of employment that fall outside the framework of traditional labor relations. Alongside the opportunities for income and flexible work, a large segment of the workforce is confronting the reality of working without formal contracts and without protection from the social security system. These are the informal workers of the digital economy. According to data from the General Statistics Office, as of the third quarter of 2024, approximately 33 million people were working in the informal sector, accounting for 63.9% of total employed workers (Trang.T.T.H, 2025). This means that nearly two-thirds of Vietnam's workforce is currently working without formal labor contracts, without mandatory social insurance participation, and without full entitlement to the rights and benefits prescribed by labor law. These figures reflect a stark reality: while the digital economy is expanding at a remarkable pace and generating millions of new jobs, the social security legal system is lagging behind in its protection of this labor group.

Millions of ride-hailing drivers, shippers, freelancers, and platform-based workers are consequently being overlooked and inadequately protected by law, denied even the minimum entitlements of social insurance, unemployment insurance, and health insurance. Against this backdrop, researching and clarifying the legal challenges surrounding social security for informal workers in the digital economy, while proposing appropriate legal reform solutions, is an urgent necessity both theoretically and practically. This imperative is fully aligned with the spirit of Resolution No. 27-NQ/TW of 2022 of the Party Central Committee on continuing to build and perfect the Socialist Rule-of-Law State of Vietnam in the new era, in which human rights and citizens' rights must be substantively upheld. This is also the objective that the present article seeks to advance, with the aspiration of contributing to the development of a comprehensive, equitable, and sustainable social security system in Vietnam's digital age.

LITERATURE REVIEW AND RESEARCH METHODOLOGY

Literature review

The issue of social security for informal workers in the digital economy is a relatively new research topic, yet one that has attracted growing attention from scholars both domestically and internationally. The relevant body of research can be systematized into two main thematic groups: theoretical research and research on the legal status quo.

Theoretical Research

At the international level, De Stefano (2016), in the work "The rise of the just-in-time workforce: On-demand work, crowdwork and labour protection in the gig-economy" published by the International Labour Organization (ILO), represents one of the most foundational and important reference studies on the theory of labor relations in the digital economy. The author systematically analyzes the rise of the on-demand workforce, pointing out that digital platforms tend to position themselves as "intermediaries" rather than employers in order to evade their legal obligations, thereby creating serious protection gaps for workers in the gig economy. This work lays important theoretical foundations for identifying and determining the legal nature of labor relations in the digital economy, and has been used by many countries and international organizations as a reference document in the process of developing and perfecting labor law frameworks.

Regarding international experience in addressing legal inadequacies related to social security for informal workers, Juanying Xie (2021) researched and introduced China's vocational skills subsidy programme through a work published on the UNESCAP Youth Policy Toolbox, clarifying the post-graduation tuition reimbursement mechanism and employment transition support policies for low-income workers. In parallel, SkillsFuture Singapore (2026) published a comprehensive learning funding system for workers, particularly the "dual allowance" mechanism under the Workfare Skills Support programme, under which low-income workers are not only subsidized for up to 90% of their tuition fees but also receive training allowances and cash bonuses upon completing their courses. Nguyen Thin (2025) also produced a research article synthesizing international experience on expanding unemployment insurance to the informal sector, published in the Journal of State Organization and Labor, in which the author analyzes models from multiple countries and draws valuable policy implications for Vietnam in designing unemployment insurance mechanisms suited to the characteristics of platform-based labor.

Domestically, Hoang Kim Khuyen (2023), with the monograph "Social Security Law for Workers in the Informal Economic Sector in Vietnam" published by the Social Science Publishing House, represents the most comprehensive and in-depth theoretical work on social security law for informal workers in Vietnam to date. The author constructs a theoretical framework on the concept and characteristics of informal sector workers, analyzes the fundamental principles of social security law applicable to this group, identifies existing legal gaps, and proposes directions for improving the system. This work provides a solid theoretical foundation for subsequent research on this topic, including the present article.

Research on the Legal Status Quo

Nguyen Thi Thu Hoai and Hoang Ngoc Trung Dung (2024), in their article "Informal employment and the need for legal adjustment in Vietnam today" published in the Legislative Studies Journal, approached the issue from an empirical perspective, clarifying the scale and characteristics of the informal workforce in Vietnam, analyzing the inadequacies in the current legal framework, and raising the urgent need for legal adjustment to protect this group of workers. Duong Le (2024), in an article published in the People's Deputies newspaper, examined the practical process of formalizing employment in the informal sector, identifying the awareness, policy, and institutional barriers obstructing the transition from informal to formal employment in Vietnam. Pham Diep (2024), in an article published in Labor and Law, analyzed the lack of opportunities and legal barriers faced by freelance workers, thereby raising questions about the appropriate direction for this labor group within the current legal context.

Regarding the status of social insurance, Nguyet Ha (2025), in the article series "Expanding the social safety net for informal sector workers" published in the Journal of Economics and Finance, vividly reflected the reality that the majority of informal workers remain unprotected by the social security system, analyzed the policy barriers discouraging informal workers from participating in voluntary social insurance, and proposed a number of solutions. On health insurance, Thai Duong (2026) and Le Hung Son (2026), in articles published on the Vietnam Social Security information portal, provided updated data on the national health insurance coverage rate while emphasizing the urgent need for determined engagement from the entire political system to achieve the goal of universal health insurance coverage.

However, the common limitation of most of the aforementioned works is that they primarily approach informal labor in the traditional sense or address only isolated aspects of social security, without any study having systematically and comprehensively analyzed the legal challenges in social security specifically tied to the characteristics of informal workers in the digital economy in Vietnam across all four dimensions: employment, social insurance, unemployment insurance, and health insurance. It is precisely this academic gap that the present article seeks to fill, with the aspiration of contributing to the development of a more comprehensive social security legal system better suited to the demands of the digital age.

Research Methodology

This article employs a combination of research methods. First, the authors apply the positive law analysis method to clarify the content of current regulations on social security, thereby identifying the inadequacies and limitations within the existing legal system. With regard to identifying solutions, the comparative law method is adopted to draw comparisons with vocational training support models in China and Singapore, from which relevant lessons are drawn for application to Vietnam's practical context. Finally, the document synthesis and evaluation method is applied to systematize both domestic and international research, combined with empirical data to provide a comprehensive analysis of the research problem.

RESULTS AND DISCUSSION

Legal challenges in social security for informal workers in Vietnam's digital economy

First, informal workers' access to formal employment remains limited. Currently, Clause 1, Article 13 of the 2019 Labor Code recognizes labor contracts and the status of informal workers; accordingly, an agreement between two parties that is named differently but whose content reflects paid work, wages, and the management, administration, and supervision by one party shall also be regarded as a labor contract. This means that regardless of whether the contract is called a service contract, partnership agreement, collaborator contract, or any other name, it is still considered a labor contract, and such workers are still recognized as formal employees entitled to legitimate rights and benefits guaranteed by the State. Furthermore, Article 57 of the 2013 Constitution stipulates the State's role in encouraging and facilitating organizations and individuals to create employment for workers. The State protects the lawful rights and interests of both workers and employers, and creates conditions for building progressive, harmonious, and stable labor relations. Accordingly, the right of informal workers to access employment has been recognized by the highest legal instrument, namely the Constitution (Khuyen.H.K, 2023).

However, despite such recognition within the legal system, these provisions have yet to fully realize their effectiveness in protecting the rights of informal workers in the digital economy. This phenomenon stems from the following main causes:

First, workers' limited awareness and qualifications. The majority of informal workers in the digital economy, such as ride-hailing drivers, shippers, and delivery workers, have low levels of education and limited knowledge. They typically perform simple tasks requiring little skill or technical expertise; approximately 35.3% of informal workers are engaged in elementary occupations, while those performing high-skilled work - such as senior technical professionals, associate professionals, and office staff - account for a very small proportion of only around 1.9% (Diep.P, 2024). This situation gives rise to a consequential problem: despite the instability of their work and precarious income, many workers continue to accept these conditions due to their lack of qualifications. They are reluctant to change, hesitant to learn new skills, and concerned about the cost of further education. Moreover, the labor market is increasingly demanding, with stable positions consistently requiring candidates to possess years of relevant experience and multiple qualifications before being considered for recruitment. In addition, limited legal awareness means that workers are largely unaware of the rights and entitlements they are legally entitled to. Upon entering the digital labor market, they accept all conditions set by employers without the capacity to review or negotiate contract terms at the time of signing. They are entirely passive and accept all "rules of the game" imposed by employers, even when such arrangements are ambiguous and effectively strip them of their formal worker status. This disadvantage in both awareness and qualifications creates a vicious cycle, trapping workers in a situation where they are unable and do not know how to protect their own right to access formal employment.

Second, employers' lack of legal compliance. In practice, many enterprises, particularly small businesses and technology platform companies, tend to avoid executing formal employment contracts. According to De Stefano, digital platforms often position themselves merely as "intermediaries" or "connectors" rather than employers to evade legal obligations toward workers (De Stefano, 2016), with the ultimate goal of maximizing profits. A prime example is ride-hailing drivers working for major companies such as Grab, Gojek, and Be. These drivers are typically classified as "partners" rather than employees. Consequently, they are deprived of legitimate benefits, including the application of statutory minimum wages, paid annual leave, or paid personal leave. Furthermore, these transport companies do not contribute to mandatory social insurance, health insurance, or unemployment insurance, nor do they provide compensation or allowances for occupational accidents - despite the high risk of accidents inherent in this line of work (Nguyen & Hoang, 2024). It is evident that legal compliance is secondary to profit-making objectives for employers in the digital economy, directly leading to severe inequalities in employment rights.

Third, policies supporting the transition from informal to formal employment have yet to reach the majority of workers. Although the State has issued various employment support policies, vocational training programs, and skills certification schemes, these initiatives primarily target traditional beneficiary groups such as prioritized youth vocational training, rural workers, and poor or near-poor households. Meanwhile, the informal workforce in the digital economy - including ride-hailing drivers, shippers, and delivery workers - faces considerable risks and precarity and has a particularly high demand for occupational transition, yet because they do not fall within the legally designated priority groups, they are entirely marginalized and unable to access state-funded vocational training support. The lack of coherence in defining the target beneficiaries of these policies has rendered the support measures ineffective, creating a direct barrier that prevents digital economy workers from accessing opportunities to transition into the formal employment sector.

Second, the majority of informal workers have yet to access the social insurance system. Currently, Clause 4, Article 2 of the 2024 Law on Social Insurance stipulates that voluntary social insurance participants are Vietnamese citizens aged 15 years or older who are not subject to compulsory social insurance and are not currently receiving pension, social insurance allowances, or monthly benefits. Accordingly, informal workers in the digital economy who are not subject to compulsory social insurance contributions are entitled to participate in voluntary social insurance. Furthermore, the Government has issued Decree No. 143/2024/NĐ-CP regulating voluntary occupational accident insurance for workers not employed under formal contracts. Pursuant to this provision, workers without formal contracts who contribute to voluntary occupational accident insurance are entitled to occupational accident benefits in the event of an unfortunate incident during the course of their work. As such, informal workers currently have access to four voluntary social security schemes, namely: maternity allowance, retirement pension, survivorship benefits, and occupational accident allowance.

However, despite these additional support policies, the reality is that the majority of informal workers remain outside the social insurance system. According to the Ministry of Labour, Invalids and Social Affairs (now the Ministry of Home Affairs), the vast majority of informally employed workers have no social insurance coverage whatsoever (97.8%); only 0.1% contribute to compulsory social insurance and 2.1% participate in voluntary social insurance (Duong.L, 2024). This stems from the following causes:

In terms of policy design, voluntary social insurance provides highly limited benefits. In contrast to mandatory social insurance, which encompasses a comprehensive spectrum of five benefits - namely retirement, survivors', sickness, maternity, and occupational accidents and diseases - the benefit portfolio of voluntary social insurance remains remarkably narrow. The 2024 Social Insurance Law marked a progressive step by introducing a maternity allowance alongside the traditional retirement and survivors' benefits. Specifically, workers receive an allowance of 2,000,000 VND for each newborn child, as well as for each fetus of 22 weeks or older that experiences intrauterine death or intrapartum death, fully funded by the state budget. However, this amount is meager and far from sufficient to offset the actual expenses incurred throughout pregnancy and childbirth. Furthermore, the voluntary social insurance system completely lacks sickness benefits. This is a critical omission given the occupational characteristics of informal workers in the digital economy, such as ride-hailing drivers and couriers, whose work involves continuous exposure to traffic and a daily vulnerability to health risks. Remarkably, although the Government enacted Decree No. 143/2024/ND-CP regulating voluntary occupational accident insurance, this support package operates separately from the main Social Insurance Law. It requires workers to make additional contributions to a distinct fund, yet offers extremely restricted benefits, covering only a portion of medical assessment costs and post-accident allowances. It entirely lacks vital protections, such as requiring employers to cover all medical expenses, pay full wages during hospitalization, or provide comprehensive accident compensation. For informal workers like couriers and tech-drivers who navigate public roads daily, such policies lack sufficient incentives to encourage their participation in the social insurance system.

The precarious nature of informal employment and unstable income streams also pose significant barriers to maintaining continuous, long-term contributions. A defining characteristic of this labor group is that their earnings fluctuate daily or rely entirely on platform algorithms; the absence of a fixed salary subjects them to constant financial pressure. Consequently, although the 2024 Social Insurance Law introduced a progressive measure by lowering the minimum contribution period required to qualify for a pension from 20 years to 15 years, many workers remain unenthusiastic (Ha.N, 2025). The root cause of this indifference stems from a contributory burden that far exceeds the economic capacity of the workers. Under current regulations, participants must contribute 22% of their selected income levels to the retirement and survivors' fund. However, setting aside nearly a quarter of their monthly income proves prohibitive for low and volatile earners, as these workers must prioritize immediate subsistence costs - such as living expenses, food, and education - over long-term security for old age (Ha.N, 2025). Within their financial mindset, voluntary social insurance contributions are perceived as an immediate financial loss rather than a long-term investment.

Third, informal workers have virtually no access to unemployment insurance. Currently, Clause 1, Article 31 of the 2025 Law on Employment explicitly provides that unemployment insurance participants include workers under fixed-term contracts of one month or more, as well as cases where workers and employers enter into agreements under a different name but whose content reflects paid work, wages, and the management, administration, and supervision by one party. This provision reflects the State's commitment to protecting workers against the risk of income loss and ensuring they have a temporary source of income. Article 39 further stipulates that the monthly unemployment benefit is equal to 60% of the average wage used as the basis for unemployment insurance contributions over the six consecutive months immediately preceding unemployment - a fair calculation mechanism directly tied to the worker's contribution history during employment.

However, in practice, the unemployment insurance mechanism has proven virtually inaccessible to informal workers in the digital economy. The root cause lies in enterprises' deliberate evasion of their legal obligations. As of June 2025, approximately 16 million people in Vietnam participate in unemployment insurance, accounting for less than 30% of the total national workforce, while according to the Statistics Agency (Ministry of Finance), there are currently over 33.5 million workers in the informal sector nationwide, primarily comprising freelance workers, short-term employees, and those without contracts who are not covered by unemployment insurance under current regulations (Thin.N, 2025). From a legal perspective, Clause 1, Article 13 of the 2019 Labor Code clearly provides that regardless of how an agreement between parties is named, if its content reflects paid work, wages, and the management, administration, and supervision by one party, it shall be regarded as a labor contract. Applying this provision, the relationship between ride-hailing drivers or delivery workers and digital platform companies such as Grab, ShopeeFood, and Be fully satisfies all three legal elements: workers receive earnings based on the results of each trip or order (which is remuneration in substance); the work is directly governed by the platform's algorithm; the work process is subject to the platform's rating system; and workers may even have their accounts suspended for violating the company's internal rules. In substance, this constitutes a labor contract, and accordingly, this group of workers should be mandatorily covered by unemployment insurance. Nevertheless, digital platform companies have deliberately circumvented the law by employing arrangements labeled as "business cooperation contracts", "partnership agreements" or "collaborator contracts" while arguing that the workers are independent partners who are autonomous in terms of working hours and methods, thereby denying their obligation to contribute to unemployment insurance. It is precisely this legal circumvention that has stripped millions of ride-hailing drivers, shippers, and informal workers in the digital economy of their lawful social security entitlements.

Fourth, the health insurance participation rate among informal workers in the digital economy remains very low. Specifically, the Law on Health Insurance 2008, as amended and supplemented in 2024, clearly stipulates that health insurance is a mandatory form of insurance, affirming that all individuals bear the responsibility to participate (Khuyen.H.K, 2023). For informal workers, the law opens a particularly accessible pathway through household-based participation, allowing any citizen engaged in freelance work to enjoy medical examination and treatment benefits of up to 80 - 100% depending on the category of participant. This expansion is also consistent with the directive spirit of Directive No. 52-CT/TW of 2025 issued by the Secretariat, which emphasizes that the implementation of universal health insurance is an important political task aimed at achieving comprehensive health insurance coverage.

However, despite the clear political orientation toward full coverage, practical limitations persist that have prevented these entitlements from achieving their intended effectiveness, primarily due to workers' complacent attitudes toward their own health. In reality, informal workers in the digital economy account for a very large proportion of those yet to participate in health insurance. The defining characteristics of this labor group - precarious work, unstable income, and strong susceptibility to economic fluctuations - lead them to consistently prioritize immediate living expenses, particularly among young workers in good health who tend to adopt the complacent mindset of " I'll buy health insurance when I get sick" (Duong.T, 2026). Treating health insurance as a service to be purchased only when needed leaves workers entirely unable to proactively guard against unexpected health emergencies. Under regulations governing the effective date of health insurance cards, for those participating on a non-continuous household basis, the insurance card only becomes valid 30 days after the date of payment. This means that if a worker only considers purchasing health insurance after an accident has occurred or an illness has developed, they will be unable to immediately utilize their insurance benefits and will be compelled to self-fund 100% of all medical treatment costs throughout the 30-day waiting period - an expense that can place enormous financial pressure on the individual and potentially push them into hardship, particularly in cases involving serious illness or surgery.

Legal Solutions for Social Security for Informal Workers in Vietnam's Digital Economy

First, regarding employment

First, it is necessary to enhance legal awareness and professional qualifications among informal workers. This is a foundational solution, as workers who clearly understand their legal rights and entitlements are better positioned to proactively choose their work, review contract terms, and protect themselves in the labor market. Competent authorities, worker representative organizations, and trade unions need to innovate their legal dissemination approaches toward concise and visual formats through social media, mobile applications, and short videos, suited to the habits of digital workers. The content disseminated must focus closely on the right to enter into contracts, wages, occupational safety conditions, and the right to participate in social insurance. At the same time, the establishment of free online legal advisory portals is essential to provide timely guidance and protection for workers when disputes arise or when they are unilaterally terminated from cooperation arrangements. Enhancing legal awareness not only helps workers correctly understand their legal status but also creates conditions for them to confidently transition toward more stable and formal forms of employment. On the other hand, in order to overcome the reluctance to change among workers engaged in elementary occupations, the State needs to intensify advocacy efforts to encourage workers to proactively engage in learning and to develop new professional knowledge and vocational skills. This helps them recognize the importance of professional qualifications in enhancing their competitiveness and seeking opportunities for advancement in the labor market.

Second, it is necessary to strengthen policies supporting the transition from informal to formal employment. First and foremost, the State needs to develop vocational training, retraining, and skills upgrading programs suited to the characteristics of the digital economy, focusing not only on traditional trades but also on enhancing digital skills and the ability to use online platforms. In addition, the policy system needs to proactively adjust and expand its scope of beneficiaries, directing its focus toward young workers and those with genuine occupational transition needs. The most direct and immediately impactful measure is the application of a tuition fee exemption and reduction mechanism for informal workers in the digital economy. Drawing reference from China's model (Xie.J, 2021), this mechanism operates as follows: registration fees and initial course costs are reimbursed in the form of subsidies after learners complete the program and are awarded a national vocational certificate, while specific target groups such as poor households or formally registered unemployed persons receive full exemption. This "post-graduation reimbursement" approach both ensures that budgetary resources are used for their intended purpose and creates strong economic incentives to encourage learners to complete their courses. In particular, for workers with distinctive characteristics in the digital economy - such as ride-hailing drivers and shippers, whose income depends entirely on time spent on the road - the greatest barrier is not only tuition costs but also the opportunity cost associated with temporarily suspending their livelihood. Singapore has addressed this issue very effectively through the Workfare Skills Support programme (SkillsFuture Singapore, 2026). Under this scheme, low-income workers are not only subsidized for up to 90% of their tuition fees but also receive training allowances and cash bonuses upon completing their courses. Applying this "dual allowance" model in Vietnam would help reduce upfront costs while compensating for lost income during the period of study, enabling digital economy workers to confidently set aside their precarious work and focus on upgrading their qualifications.

Third, it is necessary to perfect the legal mechanism for accurately identifying and effectively protecting labor relations in the digital economy. The law needs to continue to concretize the criteria for determining labor relations with respect to new employment models, particularly the relationship between workers and digital platform enterprises. In cases where workers are subject to management, administration, and supervision through applications, algorithms, rating systems, or the platform's task distribution mechanism, clear legal grounds are needed to consider and recognize such relationships as labor relations, without being entirely dependent on the name given to the contract. The perfection of the law also needs to be directed toward enhancing the accountability of digital platform enterprises in publicly and transparently disclosing working conditions and workers' entitlements. When onboarding workers onto the platform, enterprises must clearly provide information on income payment methods, evaluation mechanisms, conditions for terminating cooperation, responsibilities for ensuring occupational safety, and related social security entitlements. At the same time, it is necessary to strengthen inspection, examination, and strict handling of cases where contracts deliberately bear different names to evade obligations toward workers. Thus, when workers' awareness is enhanced, transition support policies are effectively implemented, and the legal mechanism is perfected, informal workers' right to access formal employment in the digital economy will be better guaranteed.

Second, regarding social insurance.

First, it is necessary to add sickness and maternity benefits to voluntary social insurance, rather than merely a maternity allowance as currently provided. For workers employed on digital platforms - such as ride-hailing drivers, delivery workers, online sellers, and freelancers - income is typically directly tied to working time and capacity. Should they unfortunately encounter health problems, access to a sickness benefit scheme would provide them with an additional source of support during treatment and recovery, thereby alleviating financial pressure and encouraging greater confidence in participating in voluntary social insurance. At the same time, the addition of a full maternity benefit scheme to voluntary social insurance is also a necessary solution, particularly for female workers in the informal sector. These female workers have the same need for protection during pregnancy, childbirth, and infant care as their counterparts in the formal sector. Accordingly, the maternity benefit scheme needs to be designed in a manner that ensures more substantive entitlements - not merely a one-time allowance, but a support mechanism covering the period during which workers must temporarily suspend work to fulfil their role as mothers. This both contributes to the protection of female workers' rights and reflects equity in access to social security policy.

Next, it is necessary to reduce the financial burden through the establishment of a flexible contribution and benefit mechanism. Rather than applying the currently rigid fixed-cycle contribution methods, the law needs to establish a flexible contribution mechanism closely aligned with the actual cash flow of informal workers. Under this approach, the social security system would allow participants to freely choose the timing and frequency of their contributions in accordance with their daily or weekly income. This mechanism is particularly well-suited to informal workers in the digital economy, whose income is typically unstable and does not arise on a regular monthly basis as it does for formally contracted workers. For ride-hailing drivers, delivery workers, online sellers, and freelancers on digital platforms, income may vary depending on the volume of orders, working hours, seasonal demand, or market conditions. Therefore, if voluntary social insurance policy is designed in a more flexible manner, workers will find it easier to participate proactively without feeling pressured by contribution costs.

Third, regarding unemployment insurance.

First, consideration should be given to supplementing the Law on Employment with provisions on voluntary participation in unemployment insurance. Accordingly, in addition to those mandatorily covered under existing labor contracts, the law should expand the mechanism to allow voluntary participation so that workers without formal contracts - such as ride-hailing drivers, shippers, freelancers, e-commerce platform sellers, and other forms of digital platform labor - may voluntarily participate and protect their own entitlements. A policy of partial contribution support from the state budget is needed, similar to the voluntary social insurance support mechanism providing 30% support for participants from poor households, 25% for those from near - poor households, and 10% for other ordinary digital economy workers, calculated on the basis of monthly unemployment insurance contributions. Clearly stipulating these support ratios plays a decisive role in removing financial barriers for workers, particularly those with low and precarious incomes in the digital economy.

Second, with respect to platform-based workers such as drivers, shippers, and app-based workers, the law must include specific provisions requiring application management enterprises to bear responsibility for contributing to unemployment insurance on behalf of their workers. It would be possible to mandate the deduction and remittance of a certain percentage based on the revenue generated from each order or each trip into the unemployment insurance fund for workers. Assigning this specific responsibility would put an end to the legal circumvention practiced by technology companies and ensure that workers are protected against the risk of income loss.

Third, unemployment insurance must be integrated with vocational training support services, retraining programs, and employment connection services. Rather than focusing solely on the payment of benefits, the system needs to be oriented toward helping workers quickly return to the labor market and enhance their competitiveness (Thin.N, 2025). Accordingly, short-term professional development programs should be implemented in coordination with recruitment agencies to supply workers with suitable employment opportunities. This helps workers rapidly restore their income and upgrade their professional qualifications in order to independently secure more stable positions, while also optimizing social resources, reducing financial pressure on the Unemployment Insurance Fund, and ensuring the sustainable development of the labor market.

Fourth, regarding health insurance.

In the context where national health insurance coverage has reached 95.16% of the population (Son.L.H, 2026), conventional dissemination measures are no longer effective. To close the gap of over 4% of the population yet to participate - including informal workers in the digital economy - the social insurance authority should establish data linkage with the national database to accurately identify those who have not yet enrolled in health insurance and to conduct targeted outreach to these individuals. This approach draws on the experience of the successful implementation of the VNeID electronic identification system by the Ministry of Public Security. Specifically, data cross-referencing should be conducted between the National Database on Insurance and the National Database on Population. Through individual identification codes (national ID numbers), the management system can immediately apply automatic screening algorithms to disaggregate each household, identifying which members currently hold health insurance cards (under compulsory coverage, as students, as poor households, etc.) and which members have a “gap” in their insurance information. Based on the screened list of specific target individuals, competent authorities will coordinate with local governments to implement a “door-to-door, person-by-person” approach to conduct individualized outreach and advocacy for each resident. This personalized engagement helps to directly explain entitlements, dispel the complacent mindset of each individual, and assist them in enrolling in household-based health insurance on the spot. This is the key solution to ensuring that no worker is left behind, advancing the goal of genuinely and sustainably achieving universal health insurance coverage.

CONCLUSION

The rapid development of the digital economy has been and continues to pose legal challenges in ensuring social security for the informal workforce. The gaps in employment, social insurance, unemployment insurance, and health insurance not only reflect the lag of the legal system in keeping pace with the rate of transformation in the digital labor market but also directly contribute to growing inequality within society. To comprehensively address this issue, the challenge at hand requires the synchronized implementation of legal solutions across all four dimensions: ensuring access to formal employment, expanding and flexibilizing the voluntary social insurance system, supplementing unemployment insurance mechanisms suited to platform-based workers, and advancing comprehensive health insurance coverage. Only when the legal system genuinely keeps pace with the digital economy, and when policy barriers are fully dismantled, will the rights and entitlements of millions of informal workers be substantively protected, contributing to the building of a fair and sustainable labor market in the digital age.

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