

Personnel Regulations

Chapter 1. General Provisions

Article 1 (Purpose)

The purpose of the regulations is to manage personnel affairs efficiently by prescribing personnel matters regarding the employers' employment, assignment, transfer, etc.

Article 2 (Scope of Application)

All matters concerning Employees' personnel shall be governed by these regulations, except as otherwise provided in related regulations.

Article 3 (Definition of terms)

The definitions of terms used in these regulations shall be as follows:

1. The term "appointment" means employment, promotion, title promotion, transfer, assignment, suspension, being placed on the waiting list, suspension from office, reinstatement, and dismissal.
2. The term "Job grade" means a group of jobs with duties remarkably similar in type, similar difficulty, and responsibilities.
3. The term "job title" means the job grade's calling and the description of the position of the job.
4. The term "job position" means the duty and responsibilities assigned to a certain Employee.
5. The term "job duty" means the work assigned to a certain Employee.
6. The term "title promotion or promotion" means going up to one step higher from the current position.
7. The term "change of appointment" means assigning to a different job position or a change at job duty without a change in job grade.
8. The term "Employee" means a person who was hired in accordance with prescribed criteria and procedures and becomes members of the Company, excluding Director, advisor, and part-timer.
9. The term "suspension" means that an Employee maintains his/her status and takes leave for a certain period.
10. The term "reinstatement" means that an Employee who returns to the correspondent job duties from an enforced leave of absence.

Article 4 (Classification of Employee)

1. An Employee is classified and managed by several job Groups according to his/her job characteristics and fields.
2. The classification and conversion of job Groups and the criteria of personnel and compensation management per respective job Groups shall follow the Company's relevant regulation.

Article 5 (Division of Job Grade and Job Title)

1. The job grade of an Employee shall be classified to Sawon, Assistant Manager, Section Manager, Manager, and General Manager.
2. The job title of an Employee shall be classified as Assistant, Team Leader, COD (Chief of Division), and HOD (Head of Department)

Chapter 2. Appointment of Employee

Section 1 Employment

Article 6 (Principles of Employment)

An Employee shall be hired by open competition in principle. Provided, that the following cases can be accepted as exceptions.

- 1) In the case where the Company hires a manager;
- 2) In the case where the Company hires a person who acquired a work-related certificate or license, a person who has a Ph.D. degree, and a person who has certain technology or experience;
- 3) In the case where the Company shall hire a person required to be hired by the law or related statutes; (Check Vietnam labor laws)
- 4) In the case where the Company shall hire a person who will work in a special area where it is hard to be hire in the open competition; and
- 5) In the case where the Company shall hire a person demanded by the necessity of the Company President.

Article 7 (Procedures of Employment)

In hiring an Employee, the Company shall not discriminate in school degrees and follow certain procedures: reviews of application documents, interviews, and health examination.

Provided, in necessary, G.D. (General Director) may stipulate other procedures.

Article 8 (Division of Employment)

1. Employees are divided to the two Groups of new Employee and experienced Employee.
2. New Employees in the Paragraph 1 means one whose previous job experience is less than one year in a financial Company or other organization recognized by the Company. On the other hand, an experienced Employee means one whose previous job experience is more than one year. (However, in the case of experience in other business, two years are required.)

Article 9 (Probation Period)

1. As for new Employee, the Company may have a probationary period of ninety (90) days from employment date in order to evaluate his/her aptitude and vocational ability. Provided, that if necessary, the Company can extend the period to one more month.
2. The Company shall assign a newly employed Employee as a probationary Employee and stipulate their salary in accordance with the salary regulation.
3. A probationary Employee will be assigned to a regular Employee immediately after he/she completes the probationary period. However, during the probationary period if a person is recognized by the Company as being unsuitable for continuing service with the Company due to non-eligibility for the job, poor work performance or unqualified vocational ability, the Company may cancel his/her employment with one week advance written notice.
4. All matters required to manage a probationary Employee may be stipulated by the G.D.

Article 10 (Qualification of Employment)

The Company shall hire persons among those who are qualified as prescribed by the Company.

Article 11 (Disqualification of Employment)

The Employee who falls under any of the following cases will not be hired.

1. A person who has been certified as incompetent or quasi-incompetent;
2. A person who was bankrupt, but not yet rehabilitated;
3. A person who was sentenced to imprisonment or severe punishment, but did not yet spend five years from the time completing his/her imprisonment;
4. A person who was sentenced to a stay of execution, but did not yet been released for a period of two years or more since his/her imprisonment;

5. A person who was sentenced to a stay of execution, but was in the middle of suspension period;
6. A person who was dismissed due to misconduct, negligence, etc.;
7. A person whose right was suspended or deprived by the law or judicial ruling;
8. A person who was a draft dodger or a deserter;
9. A person who has difficulty performing normal work due to his/her poor health by an assessment a medical institute;
10. A person who was punished for misconduct and unfair practice and falls under any of the following cases;
 - 1) A person who was dismissed by disciplinary action or the equivalent by a securities Company within the last five years;
 - 2) A person who was sentenced to suspension or the equivalent by the securities Company with in the last two years; and
 - 3) A person was sentenced to four months' wage reduction or the equivalent by the securities Company within the last year.
11. A person whose Employment Contract with other securities Company has not yet been terminated; and
12. A person who was prohibited for employment by other securities-related laws or relevant Company regulations.

Article 12 (Exception of Disqualified Employment)

The Company can re-employ an Employee who was dismissed due to a traffic accident that has occurred during work-related driving (including commuting), despite the prohibited period of employment stipulated in accordance with Article 11, Paragraph 3 to 5.

Article 13 (Documents to be Submitted)

1. Resume
2. Certificate of last school's diploma
3. Certificate of last school's records (limited to new Employee)
4. Law abiding pledge (Company's designated form)
5. Documents required to guarantee the Employee's identity (if necessary)
6. Family-Register Certificate
7. Health certificate (issued by designated hospital)
8. A certificate of military service or personal resident registration certificate that stipulates military record (for one who served military duty)
9. Four copies of recent photos that were taken within 3 months (3x4cm)

10. Written consent of his/her parent or guardian if under the age of majority
11. Certificate of work service (to verify their job experience)
12. Copy of qualification certificate or documents to verify 'those under preferential opportunity to work by law' (limited to the related employment) – whether the person is stipulated in the labor laws or not
13. Other documents requested by the G.D.

Article 14 (Acknowledgement of Career)

1. In the case where the Company shall hire a career Employee by necessity, the Company shall recognize the experience as in the following criteria:
 - 1) Same or similar job career : recognized for the same period, (but it is limited to more than one year experience)
 - 2) Other job career : recognized for 80% of experience, (but it is limited to more than two years experience)
 - 3) Even though the Employee who was hired in a low job grade has then acquired a higher school diploma during employment, he/she is not allowed to be promoted to higher job grade automatically.
2. Calculation unit of career period shall be month, and the fewer period than the month shall not be considered.
3. In the case where the Company hires a responsible manager or the G.D. needs it, different application despite Paragraph 1 (1) to (3) can be made.

Section 2. Appointment, Transfer and Detachment

Article 15 (Principle of Appointment Management)

1. The G.D. shall assign the Employee to the job title or mission equivalent to the job grade. Provided, that an Employee who was on disciplinary suspension, suspension from the office, and being placed on waiting list shall not be applicable.
2. The G.D. shall assign the Employee to the appropriate position in consideration of his/her specialty-based job training, job career, and aptitude.

Article 16 (Tenure of Position)

The tenure of position shall be secured for one year or longer in order to utilize Employees' respective ability and contribute to the Company's profits. Provided, that the tenure of position in the following cases will be changeable.

1. When an Employee's job title or job position was changed
2. When an Employee was reassigned due to a change of the organization
3. When there is a special case

Article 17 (Appointment)

When appointing an Employee, the Company shall issue the written appointment. Provided that the Company may replace it with a written, faxed or e-mail notification, if necessary.

Article 18 (Prohibitions in Appointing)

1. The appointment shall not be cancelled.
2. An Employee shall comply with the matters of appointment and cannot complain about it.

Article 19 (Detachment)

1. The Company can detach the Employee to domestic or overseas work, if necessary.
2. A detached Employee shall continue to belong to his/her original Department (or Team).
 Provided, that the Employee may change the Department he belongs to if necessary.

Article 20 (Being placed on waiting list)

1. The G.D. may order the release from Office or being placed on waiting list in cases where the Employee falls under any of the following cases:
 - 1) When an Employee brings the Company into disrepute or causing business losses intentionally or by gross negligence;
 - 2) When it is necessary to prevent an Employee's destruction of evidence or further damage by an additional misconduct;
 - 3) When an Employee is deemed to be unfit for employment due to mental and physical disorder;
 - 4) When there is a decision made by a Personnel Order ; and
 - 5) When the G.D. may find it necessary due to the Employee's poor job performance and remarkably poor grade.
2. The Employee being placed on waiting list belongs to the Personnel Team. Provided, that the Employee may belong to other Teams under circumstances.
3. The salary of the Employee being placed on waiting list may be decided by the G.D.

Section 3. Promotion

Article 21 (Title Promotion or Grade Promotion)

1. Types of promotion are as follows:
 - 1) Regular promotion
 - 2) Special promotion
2. Details of title promotion and grade promotion shall be regulated in other attachments.

Section 4. Dismissal

Article 22 (Guarantee of Employment)

An Employee shall not be dismissed against his intention with reason not stipulated in this regulation. Provided, that the probationary Employee this may not be applicable.

Article 23 (Classification of Dismissal)

The dismissal of an Employee can be classified as follows:

1. Voluntary resignation
2. Retirement
3. Automatic dismissal
4. Disciplinary dismissal

Article 24 (Reasons for dismissal)

An Employee may be dismissed in any of the following cases:

1. **Voluntary resignation:** when an Employee wants to resign
2. **Retirement:** when an Employee reaches retirement age of Article 27.
3. **Automatic dismissal:**
 - 1) When the Employee is sentenced to imprisonment or more severe punishment (provided, that it is an exception when the Employee was sentenced to suspension of execution due to a traffic accident.);
 - 2) When the Employee has been sentenced as incompetent, quasi-incompetent or bankrupt;
 - 3) When the Employee's citizenship was suspended or deprived by the law;
 - 4) When the Employee was absent for five consecutive days or more in a month or a total of 20 days in a year without permission;
 - 5) When the Employee is deemed incapable of performing his/her job due to a physical or mental disorder;
 - 6) When the Employee could not be reinstated after completing a period of absence of

leave;

7) When the Employee gets another job without the written permission of the G.D. during a period of suspension;

8) When the Employee died;

9) When the Employee falsified or skipped the resume intentionally; and

10) When the Employee was found to belong to any of the reasons by Article 11

(Disqualification of Employment)

4. **Disciplinary dismissal:** when the Employee was punished to disciplinary dismissal by the Regulation of Commendation & Disciplinary Action

Article 25 (Restriction on Dismissal, etc.)

1. The Company shall not, without justifiable cause, dismiss, layoff, suspend, transfer an Employee, reduce wages, or take other punitive measures against an Employee.
2. The Company shall not dismiss an Employee during a period of suspension of work for medical treatment of an occupational injury or disease and within thirty days immediately thereafter, and a female Employee before and after childbirth shall not be dismissed during a period of suspension of work and for thirty days immediately thereafter: provided that this shall not apply when the employer received permission from the Minister of Labor when a natural disaster, calamity or other unavoidable circumstances prevents the continuance of the business concerned.

Article 26 (Prior Notification of Dismissal)

When the Company intends to dismiss an Employee, it shall give the Employee notice of the dismissal at least thirty (30) days in advance of such dismissal, and if the Company fails to give such advance notice, it shall pay that Employee the ordinary wages for not less than thirty (30) days: provided that this shall not apply where a natural disaster, calamity or other unavoidable circumstances prevent the continuance of the business concerned or when the Company received the permission of the Minister of Labor in cases where the worker concerned has, on purpose, caused a considerable hindrance to the business or inflicted any damage to property.

Article 27 (Retirement Age)

The Employee's retirement age shall be 60 years.

Chapter. 3 Additional Rules

Article 28 (Personal File and Records)

1. The Personnel Department shall record matters concerning an Employee's personnel affairs and preserve it.
2. Items necessary for completion and preservation of the Personnel File of Paragraph 1 shall be determined by the G.D.

Article 29 (Management of Personnel Data)

When the Employee transfers, the previous Department (Team) Head shall turn over the following documents to new Department (Team) Head immediately in the form of "Confidential Document Delivery Service".

1. Personnel File
2. Other personnel data