

Reimagining Workers' Rights in China



March 2022

CHINA LABOUR BULLETIN

We do the hardest and dirtiest jobs. But people often look down on us and we don't get paid what we deserve. It's things like this that can lead to social unrest. We are just doing what we can. Xi Jinping's anti-corruption drive is a big thing, and we are just making a small contribution. If we sanitation workers don't get a decent wage, we won't work hard and the streets will not be cleaned properly. And this harms the interests of the taxpayers who ultimately pay our wages.

Yu Wucang, sanitation worker and labour activist

About China Labour Bulletin

China Labour Bulletin is a non-profit organization based in Hong Kong that supports and actively engages with the workers' movement in China. Our primary objective, within China, is to hold the official trade union accountable to its members, encourage workers to get involved, and thereby transform China's unions into genuinely representative institutions. We also aim to provide trade unionists around the world with the most up-to-date and reliable information about worker activism and foster lasting international solidarity.

Acknowledgements

This report serves as a stopping place, of sorts, as we look forward to a brighter future for China's workers and as we reflect on the recent history of the labour struggle. The report's beginnings were in the initial idea, over ten years ago, for the Strike Map, which later gave birth to our other mapping projects that sustain our organization's programs. But it also began long before that, from the inception of China Labour Bulletin and what we stand for. We are indebted to all our former and current colleagues who have each had a part in making this research possible through their valuable contributions over the years. To each of them, we hope you can each see reflections of your work in this report.

After over fourteen years of service to China Labour Bulletin as our Communications Director, Geoffrey Crothall retired in the autumn of 2021. Drafting this report and seeing it through was his steadfast mission and final hurrah in his role with us. Congratulations, and thank you.

This report also would not have been possible without our independent consultant David Bandurski, who lent us his expertise in China's media and policy landscape. David performed the role of editor to seamlessly bring the narrative arc of this report to life. It has been a pleasure to work with you.

It is with great sadness that our friend and colleague Robin Munro is no longer with us to see this report in its final form. Robin had long been involved with China Labour Bulletin and served as our Deputy Director before taking on the role of Executive Director of our sister organization, Friends of China Labour Bulletin, until his passing in May 2021. We miss you, Robin.

The workers of China and the sacrifices they have made and are continuing to make in the pursuit of justice are what drive this report and our work ahead toward future progress. We are humbled to be able to tell their stories from our perch in Hong Kong, and we treat this as a great privilege and also our duty.

Table of Contents

INTRODUCTION: The Promise of Common Prosperity	1
PART ONE: Labour Rights and Worker Activism	9
Chapter 1: The Changing Dynamics of Labour Unrest	11
Chapter 2: Fundamental Labour Rights	21
Chapter 3: Decent Pay for Decent Work	31
Chapter 4: Adequate Social Security.....	40
Chapter 5: Excessive Working Hours and Job Security.....	48
PART TWO: Safety First Versus Profit First	56
Chapter 6: The Vicious Cycle of Heroic Rescue.....	60
Chapter 7: China’s Most Dangerous Industries	67
Chapter 8: Occupational Illness and Overwork	76
Chapter 9: “Little Bees” of Socialist Construction	84
PART THREE: The Elusive Goal of Trade Unionism in China	90
Chapter 10: A Rare Case of Representation	96
Chapter 11: Stepping into the Union’s Shoes	104
Chapter 12: Unions in a Campaign State	117
CONCLUSION: Delivering on the Promise of Common Prosperity	122
AFTERWORD	128
APPENDIX.....	133
NOTES AND SOURCES	135

INTRODUCTION: The Promise of Common Prosperity

On the morning of July 1, 2021, Xi Jinping, the leader of the People's Republic of China (PRC or China), appeared on the rostrum of the Gate of Heavenly Peace in Beijing to deliver an address to the nation marking the one hundredth anniversary of the Chinese Communist Party (CCP). In his hour-long speech, broadcast live, Xi focused on how far China had come in the last century, and boasted of the Party's numerous achievements in eradicating poverty and improving the livelihoods of 1.4 billion people. China, he stressed, had now become "a moderately prosperous society in all respects."

In the week running up to the centenary celebrations, China's food delivery workers were not feeling even moderately prosperous. Drivers in cities across China had seen incomes slashed by more than 1,000 yuan per month as the competition for market dominance between the two major platforms, Meituan and Ele.me, heated up. With no other means of redress, drivers in the cities of Shanghai, Guangzhou, Chengdu and Hefei went on strike to protest the low pay and oppressive working conditions they had to endure.¹ The strikes were not reported in the official media, nothing could be allowed to spoil the mood. But many customers complained on social media about long waits and the lack of drivers picking up orders.

The same week saw construction workers in Sichuan, Henan and Jiangsu provinces staging protests over wage arrears; taxi drivers in Hubei demanding a tax refund from the local government; and workers at an electric vehicle manufacturer in Shenzhen protesting wage and social insurance arrears.

June is officially Work Safety Month in China.² But in the final week of June 2021, at least 18 people were killed and another 16 injured in a fire at a sports club in Henan province. Four workers died in a fire at a food processing plant in the city of Harbin in Heilongjiang province, while another factory fire (fortunately, with no casualties) broke out in Shandong province. A tower crane collapsed at a construction site in Hubei province, and two construction workers in the city of Ningbo were killed when a pile driver collapsed.

These and many other tragedies were recorded in that week alone through the China Labour Bulletin's Strike Map and Work Accident Map, online databases that over the past decade have provided a fairly comprehensive view of the most pressing issues facing workers in China.

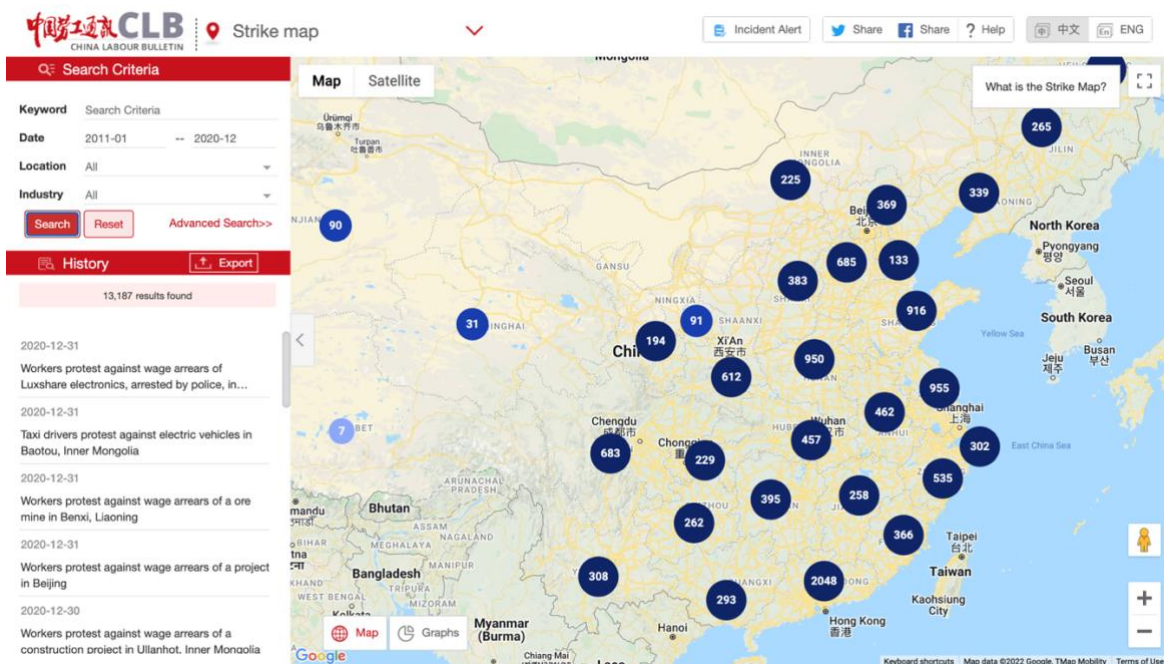
A New Approach to Monitoring Labour Issues

Since its establishment in 1994, CLB has monitored and reported on strikes, publishing a series of research reports on the workers' movement and closely documenting worker activism. In 2011, this work entered a new phase, as the development of new mapping technology and the growing use of social media in China allowed CLB to go a step further and create an online database recording and classifying collective labour protests across the country so as to allow policymakers, business community and trade unions to see a fuller picture of the social, economic and political development.

Initially, CLB was able to reliably record just a handful of incidents each month. As search capabilities improved, and as more and more workers and citizen journalists used social media to publicise protests, the numbers grew steadily. In 2015, the Strike Map recorded a high of 2,775 incidents. Based on occasional local government reports on collective workers' actions that have been made public, CLB estimates that this figure represents just 10 percent of total collective worker actions that year and that labour protests accounted for about one-third of all collective protests in China.

But the sheer number of mass incidents has been of less interest to CLB than the insight such cases can offer into the concerns facing China's workers. The aim of the Strike Map has not been to create a definitive record of all strikes and protests, but rather to collect a representative sample that can be used to analyse trends and developments in worker activism. This sample can help to answer questions such as: What are the industries and geographical areas where protests are located? What are the workers' demands? What kinds of collective action do they take? How many workers participate in this activism? The Strike Map can also reveal how the authorities implement China's labour laws and policies and how they respond to workers' demands.

China Labour Bulletin Strike Map



The same principle applies to the Work Accident Map, which CLB established in 2014. Official statistics on work accidents are published every year in China, but they are deliberately opaque and cannot convey a full sense of the challenges for accident prevention in China, or even of the true scale of the problem. The Work Accident Map provides a more nuanced look into the most common forms of accidents in China, and the most dangerous industries and hazardous occupations. The map reveals how accidents have become a part of the routine rhythm of the workplace, and it illustrates the tragic cycle that prevails under the current system: of accident, official investigation, and rectification, followed inevitably by similar accidents in the same industry, or even at the same location or facility.

Now spanning more than 10 years, the cases gathered from these unique monitoring projects, the subject of this report, allow us to take a factual look at the capacity of the current system to bring about real prosperity for China's workers. The chapters that follow deal with a range of labour issues in China. In Part One we deal with the changing dynamics of labour unrest, the ongoing struggle for workers to get paid – and to get paid adequately – the continuing saga of inadequacies in social security, and the problems of overwork and job security. In Part Two we cover the never-ending cycle of workplace accidents, the persistent problem of occupational illness, and the glorification of overwork as political sacrifice. In Part Three, we grapple with the elusive goal of real representation for China's workers. We conclude with detailed policy recommendations.

The cases discussed in this report lay the groundwork for more fundamental and systemic solutions to labour issues that continue to stand in the way of a fairer and more productive society.

What is at stake if real solutions are not sought for the problems facing workers in China? The stories recorded through CLB's strike and accident maps in the week running up to the centenary celebrations were like a survey in miniature of the broad range of problems that continue to face China's workers. The most tragic of these stories occurred on June 25, when a 17-year-old vocational school student from Hubei jumped to his death after being forced to endure a gruelling internship at a Shenzhen electronics factory³ – a practice that stubbornly endures in China even after persistent exposure in recent years of the abuse of intern labour by companies and schools.⁴

Systemic Solutions Over Top-Down Directives

At a meeting of the Central Committee for Financial and Economic Affairs on August 17, 2021, Xi Jinping defined “common prosperity” (共同富裕 *gongtong fuyu*), as the new direction for China's development, with a focus on addressing the growing gap between rich and poor. While this idea – that social and economic inequalities must be addressed on the path to “high-level development” – was a welcome one in principle, its initial application bore some unfortunate signs of the top-down, command approach to governance that has hobbled real progress in the past.

Bowing to pressure from the government, major technology companies like Alibaba and Tencent pledged tens of billions of yuan to “invest in common prosperity.”⁵ Other private businesses, celebrities and wealthy individuals followed suit, eager to signal their support for greater equity. But these pledges were largely symbolic. There was little clarity about how such funds could or should be applied for the good of society. In this sense, they were a distraction, drawing attention away from the more fundamental problems impacting the prosperity and well-being of workers, the backbone of society. Were these tech giants to comply with existing labour laws and pay their workers more fairly, this would be a much greater contribution to achieving the goal of common prosperity.

China's workers would benefit immensely if, instead of such gestures, the government worked to ensure that enterprises and workers could participate equally in the negotiation of the terms of employment, in a true contractual spirit. For workers' rights to be protected, the first condition in the relationship between workers and employers must be equality, so that both parties are bound by the terms of the contract, and both have the right to consultation and participation in the

contractual process. Unfortunately, the contractual spirit is generally absent in China, and the effects of this are constantly made evident in labour policies.

The call for common prosperity is meant to open a new era of reform. But the experiences of the past four decades should also urge caution about the hidden dangers of reform as a movement that pursues certain overriding objectives to the exclusion of other priorities, including workers' rights. We should remember that when Deng Xiaoping accelerated reforms in the early 1990s, defining development as the "hard principle,"⁶ this meant that economic expedience took precedence over the welfare of workers. As China rushed ahead into reforms, the country's workers were generally regarded as burdens, as costs to be calculated in the equation of development. The result was often greater unfairness. As workers had no means of active representation in the process of reform, they bore its costs disproportionately.

Despite the official talk of common prosperity, which was also at the heart of Deng Xiaoping's push to "first let a few get rich,"⁷ not much has changed for China's workers. They continue to struggle to earn a decent wage, or even to get paid at all, and many risk their health and even their lives in the process.

The second of the so-called Centenary Goals set by Xi Jinping after the 18th National Congress of the CCP in 2012, to be achieved by the centenary of the founding of the PRC in 2049, is for China to become "a great modern socialist country." This means prosperous, strong, democratic, culturally advanced and harmonious. The Party seems outwardly confident it can and will realise this goal, and the recent push for common prosperity suggests that the will is there. But the systemic failings revealed by China's workers' struggles over the past 10 years should give China's leaders pause for thought.

The Cost of Inaction

Going forward, there are myriad socio-economic problems in China that will become more acute if concerted steps are not taken to resolve the issues outlined in the chapters that follow. The 2020 population census offers some glimpse of issues on the horizon. During the last decade, China's population grew at its slowest rate since the 1950s, increasing by just 5.38 percent to 1.41 billion. The fertility rate in 2020 was 1.3 births per woman, on par with developed countries such as Japan that have already attained a reasonable level of individual household wealth. In the next few years, the country's population will begin to decline, and over the next decade, as the proportion of elderly persons increases sharply, the working age population will decrease.

The government has struggled to find solutions to China's looming population crisis. One policy approach is the announcement on May 31, 2021, that married couples are now permitted have up to three children. This was greeted with derision by many young workers, for whom even planning marriages (to say nothing of supporting families) is a huge financial burden.⁸ When the state-run Xinhua News Agency asked through an online poll whether people were ready to have a third child, the response was resoundingly negative.⁹ About 29,000 of 31,000 respondents said they would "never think of it." The poll was subsequently removed from the internet.

In this policy approach to one of China's most pressing issues, we can see the limitations, and even counter-productivity, of top-down mandates. In fact, many of the issues cited by ordinary citizens as

disincentives to have more children are related to labour issues that create insecurity, not least for the country's huge population of migrant workers in major cities. Working from the bottom, and at minimal cost, it is possible to involve workers in more systemic solutions.

The demographic shift will inevitably put even more pressure on China's already creaking social security and healthcare systems. The Chinese Academy of Social Sciences has estimated that total expenditure from the basic urban workers' pension fund will begin to exceed contributions in 2028, and that reserves will decline exponentially after that, leading to the complete depletion of the fund by 2035.¹⁰ In response, the government has proposed increasing the retirement age and extending the minimum length of pension contributions from 15 to as many as 30 years. Although this would relieve some pressure on the state pension funds, no definitive plans have so far been introduced. Implementation at the local level, moreover, will be problematic.

Meanwhile, the accelerated development of the gig economy – in which employers do not sign formal employment contracts with workers as is required by law and do not make contributions to the pension fund – means that the depletion rate of the pension fund could get worse before there is any improvement. The pension crisis would not be so severe if workers could earn a decent living. Well-paid workers would be more likely, in fact, to have larger families. And they would be better able to contribute to their own medical insurance, pension or savings plans. But as we discuss in Part One, wage growth in China is actually slowing, and hundreds of millions of workers are still struggling to get by.

Even younger, urban, middle-class workers with more education are now finding their prospects for upward mobility severely limited. Relatively well-paid workers in the tech sector are pushing back against the excessively long working hours and are seeking a better work-life balance. As major domestic tech companies remain oblivious to workers' demands for balance and fairness, however, more and more workers have now chosen to opt out of the rat race. In 2021, the term “lie down” or “lie flat” (躺平 *tangping*) gained popularity in China.¹¹ In its essence, *tangping* is about being content with less, refusing to work overtime, and having more time to oneself.

The trend has alarmed many in the Party because it challenges long-standing values of selfless hard work, exemplified by the concept of the “model worker.” It also runs contrary to a central tenet of the government's economic development policy: stimulating domestic consumption. If millions of people chose to *tangping*, consumption could falter and the economy stall. “The lying-down community obviously isn't good for the country's economic and social development,” noted the official *Guangming Daily* newspaper.¹²

It is clear that as the economy shifts toward more service sector driven, disaggregated and precarious employment, the space for collective protests by workers is shrinking. However, CLB's new Workers' Calls-for-Help Map, launched in 2020, shows that workers' grievances are unchanged and unresolved. Even in the absence of major collective protests such as those witnessed in the early 2010s, which we look at more closely in Part One, “lying down” may prove an effective form of passive individual protest against the growth and consumption-driven agenda that the Party is determined to pursue, one that could threaten the fundamental goal of national rejuvenation.

Perpetuating Problems in Work Safety

For China to achieve common prosperity, the Party and government must ensure that ordinary citizens can go to work and earn a decent wage, with the knowledge that their workplace is safe and free from the risk of serious injury or occupational illness. As we note in Part Two, China is undoubtedly a safer place for workers than it was 10 years ago. Official statistics show a continued decline in the number of work-related accidents and deaths, and the number of new occupational disease cases remains at a low level.

But official statistics can often hide systemic problems. The low number of new occupational illness cases is directly linked, for example, to the fact that it remains difficult for workers to obtain official recognition of occupational diseases. Decreases in accident and death rates, meanwhile, have much to do with larger shifts in economic and employment patterns and have been the main factors in improved safety, with many of the most dangerous workplaces, such as coal mines, simply phasing out of the economy.

A never-ending cycle of workplace accidents grips the country, largely because the administrative control model prevails in handling workplace accidents. Without functioning enterprise unions, the needs of ordinary workers are not the focus of the work safety system. The continuous cycle of accidents could easily be prevented if workers were allowed to participate in, and exercise some measure of control over, the work safety regime of enterprises.

Technology is Not a Panacea

It is possible that safety standards will improve marginally as a result of technological advances and automation, which could reduce the need for worker involvement in hazardous production processes. In China's construction industry, for example, a small percentage of building materials are prefabricated off-site under relatively safe conditions. The vast majority of work is still done onsite, however, often with out-dated machinery operated by workers lacking proper training. As the economy develops, and the number of workers willing to do construction work declines, a shift to prefabricated production would certainly lead to fewer fatal accidents. In manufacturing, transport and logistics, too, new technologies could eliminate the need for employees to work excessively long hours performing repetitive and mundane tasks, or to engage in high-pressure and dangerous jobs such as delivery work. The risk attending such technological advancements, however, is greater unemployment or the proliferation of soul-numbing jobs, where the only function of the worker is to monitor and assist technology.

Technology in and of itself will not and cannot improve work safety or the quality of work. There needs to be a fundamental shift away from cost cutting and the profit-first motive toward a work culture where safety first is not just a slogan but a fundamental principle applied in every aspect of production (see Part Two). For this to happen, the government needs first to accept that its cosy relationship with private business, in which economic interests always come first, is never going to ensure the health and safety of China's workers.

There are some signs now, including the move to exert greater control over big tech companies, that indicate that the Party understands that this cosy relationship has been a problem. But we must be wary of top-down mandates and symbolic gestures that do not get to the fundamental

drivers of unfairness and that risk deepening other problems. Tech companies may shower billions on the charity sector in the name of common prosperity, prompting a wave of schadenfreude among those who feel they have treated their workers unfairly for years. And certainly, the billions that these tech companies have made are mixed with the blood and sweat of workers who have been systematically squeezed and neglected. But lavish gifts ordered from on high do not equal solutions, bringing us back to a key point running throughout this report, that sustainable solutions must be sought over top-down mandates and grand gestures.

Unbinding the Hands of the ACFTU

The biggest and most important actor that has remained absent from occupational health and safety and many other issues facing workers in China is the official trade union, the All-China Federation of Trade Unions (ACFTU). In numerous conversations with CLB staff following up on workplace accidents, local trade union officials routinely deny that accidents, subsequent investigations, or the welfare of the workers involved are of any concern to the union. On one occasion, a trade union official in Beijing even claimed that the widespread news reports on a food delivery driver who had died from overwork in his district were “fake news.”¹³ Even if the news were true, he said, the case was not the responsibility of his union.

How do union officials spend their time? Generally, rather than dirty their hands doing real work for the benefit of workers, union officials spend the majority of their time sitting at their desks, writing reports and attending meetings that reaffirm the union’s loyalty to the Party. When they do leave their offices, it is usually to take part in Party-led campaigns for poverty alleviation or, more recently, for epidemic prevention and control. We should stress that this is not necessarily the fault of union officials alone. In interviews with CLB staff, union officials routinely complain that they have no “administrative power” and are therefore unable to help workers defend their rights and interests. In many cases the union’s impotence is rooted in the fear that taking action of any kind might draw criticism or sanction from above.

The ACFTU claims a membership of more than 300 million workers. But it currently lacks both the will and the ability to mobilize and organize its membership, who might give it tremendous collective power to level the playing field with employers and negotiate improvements in pay and working conditions through collective bargaining. With such a contract spirit in workplaces, changes in the direction of common prosperity for all China’s workers would be achievable. In our contacts with union officials, however, CLB encountered only a precious few who are willing to take the initiative and negotiate better pay and working conditions for workers.

One such official is Lu Dejun, chairman of the Hongshan District Construction Sector Trade Union in Wuhan, which had initiated collective wage negotiations in each city district in 2011, signing collective contracts and establishing a collective wage negotiation system between all employers and employees in the construction industry (see Part Three). But in Lu’s case, the inaction of his superiors and their reluctance to challenge the might of the local construction industry ultimately left him frustrated.

On the one occasion that an enterprise trade union – that for Walmart store No. 2024 in Changde – did manage to effectively organize and mobilize the workforce, the union managed to win

important concessions from one of the most powerful and vehemently anti-union retail companies in the world. The union's campaign did not achieve all of its objectives, but it did show what local unions could potentially do if more workers were united around shared causes.

The Party has taken some action to curb the power of big businesses. The most obvious recent examples have been the intervention in the listing of the Ant Group, and an anti-monopoly investigation into the tech giant Alibaba that resulted in a U.S. \$2.8 billion fine. These actions, however, only reveal the state's relationship with capital and have not been steps to change the power dynamic between workers and employers.

The union, if only given free rein to organize and counteract exploitation by profit-driven enterprises, might aid the Party in boosting common prosperity by improving the living standards of millions of ordinary working families and reducing the obscene wealth gap that now plagues the country. This would mean a reasonable loosening of the government's control and allowing ordinary workers a greater voice in their own destiny. This is the fundamental dilemma facing the Party and the union heading into the next decade.

For China's workers, the struggle will continue with or without the support of the Party or the union. The last decade has shown that workers will always find a way to defend their interests, even if the obstacles sometimes seem insurmountable. Workers' struggles and their demands for decent pay for decent work, a safe working environment, and a trade union that truly represents their interests, have glaringly exposed the frailties and deficiencies of the state. In this sense, the cases we explore in the chapters that follow represent the immense contribution of these workers to finding a longer-term solution on the path to common prosperity.

PART ONE: Labour Rights and Worker Activism



Photo credit: Shutterstock / XiXinXing

On a misty grey day in January 2021, taxi drivers in Xianyang, a prefectural-level city in China’s central Shaanxi province, staged a strike by parking their vehicles nose to tail along the roadside. They unfurled a bright red banner, facing the road, that pledged to “resolutely defend our property rights.” Through this action – only the latest in a struggle dating back more than two years – the drivers sought to secure the management rights to their vehicles, freeing them from exploitative contracts with local transportation companies.¹⁴ Nearly a thousand miles away, workers in the city of Dezhou, in coastal Shandong province, held a sit-in to protest wages owed to them by a state-owned construction company. One worker asked on a popular social media platform, “Does anyone care about the wage arrears of migrant workers?”¹⁵

Recorded the same day on CLB’s Strike Map, the protests in Xianyang and Dezhou were just two of more than 14,000 incidents recorded from the launch of the database in 2011 to the beginning of 2021.¹⁶ Labour-related actions like these, varying in scale and intensity, have been one of the defining features of the last decade in China. They have served as a constant, nagging reminder that regardless of what policies have been put in place to boost the economy or improve labour

relations, the systemic causes of labour unrest have never been adequately addressed, and China's government has therefore been unable to offer the most basic guarantee of workers' rights.

In successive white papers on human rights, China has cited economic development, and the generally "rising standard of living" that results, as demonstration of "overall improvement in human rights." For more than two decades, these papers have noted on the topic of workers' rights that "workers enjoy equal rights to employment, selection of profession, remuneration, rest and vacation, labour security and health protection, professional skill training, social insurance and welfare as well as other rights prescribed by law."¹⁷

But the collective protests recorded on CLB's Strike Map testify to the fact that the promise of real protections for China's workers has been constantly deferred, despite the fact that China's economy has grown and modernised, and despite the fact that China's laws and constitution guarantee their fundamental rights.¹⁸ In this chapter, we explore four specific cases of labour unrest that expose four systemic problems that have prevented real and lasting progress on labour rights. We begin by reviewing the general trends that have transformed the nature of labour unrest over the past decade, including shifts in the geographic distribution of labour incidents and changes to the nature of work in a digitally-driven consumer market.

From the outset, we wish to note that China Labour Bulletin's Strike Map is not a definitive record of all worker protests in China;¹⁹ that information is not publicly available. We estimate, based on occasional official reports from individual cities, that the incidents recorded on the map represent about five to ten percent of the total. Our sample rates have varied over the last 10 years due to staff resources and technological innovations. Although we cannot verify all the information stored on the map, we are confident that the basic facts, date, location, and workers' demands are accurate.

In addition, there are limitations to the data that we collect in our maps. For example, demographic information about workers – perhaps most notably their gender – is often not captured, making any meaningful study of these factors from this data alone not feasible. This is a shortcoming, particularly as policies related to retirement,²⁰ family planning,²¹ child care, social security,²² etc., are being introduced to address China's labour shortage and low birth rate and will disproportionately affect women. We are on alert regarding the extent to which such policies will have an effect on citizens' choices, including entering, remaining in, and exiting the workforce, and in relation to family priorities that are not equitably distributed across genders. These policies and their effects could continue for one or more generations and should be watched closely.

Chapter 1: The Changing Dynamics of Labour Unrest

Over the past decade, CLB snapshots of worker activism across different regions and different industrial sectors through the Strike Map have shed light on several important social and economic developments that have reshaped labour unrest in China.

First, there has been a clear shift away from reliance on low cost, export-orientated manufacturing and a corresponding rise of the service sector, including of app-based services such as online shopping and food delivery. This has meant that an increasing proportion of labour unrest is seen across various segments of the service sector, ranging from healthcare and food service to banking and finance, and also in related transport professions, such as among delivery drivers. On January 25, 2021, just days after the aforementioned protests in Xianyang and Dezhou, nursing staff at a public hospital affiliated with Yan'an University in Shaanxi province staged a sit-in to demand better pay and social insurance. Less than two weeks earlier, on January 13, 2021, couriers in Hebei province, working for the delivery company Best Express, staged a strike over unpaid wages that left thousands of undelivered parcels piled up outside the facility.

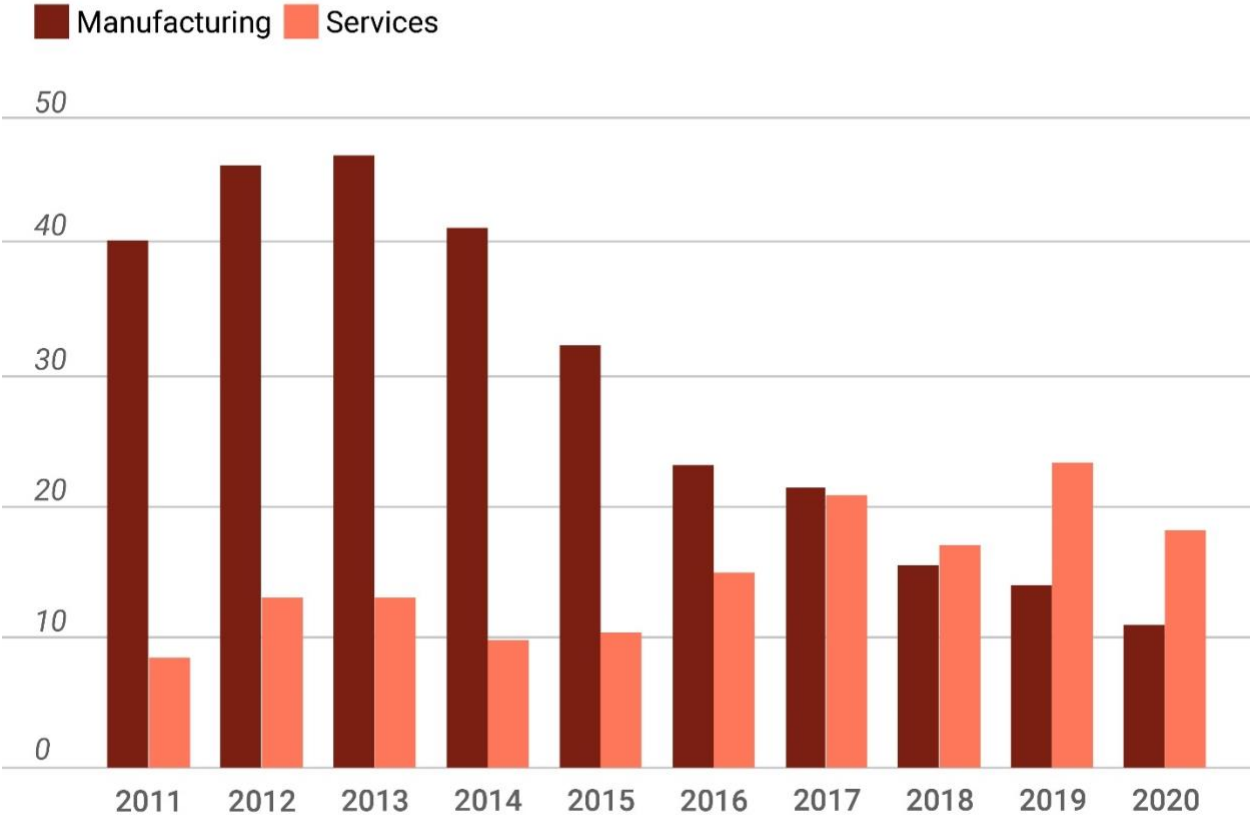
Second, the process of urbanization and economic development of inland areas such as Sichuan and Henan provinces,²³ which from the 1990s through the 2000s provided the bulk of migrant labour to more developed coastal areas in China,²⁴ has brought a corresponding inland shift in instances of labour unrest as employment no longer focuses on coastal centres like Shenzhen. While for much of the 2010s, Shenzhen was one of the main centres of worker activism, that is no longer the case today. In 2015, CLB's Strike Map recorded 75 incidents in the manufacturing sector in Shenzhen, accounting for 75 percent of the city's total worker protests. Two years later, in 2017, manufacturing accounted for just 50 percent of Shenzhen's recorded protests, and the total number of manufacturing related protests in Shenzhen dropped dramatically, to 22 incidents.²⁵

Third, there has been an erosion of traditional social structures as they relate to labour, resulting in increasing individualization and the fragmentation of social bonds. This is reflected in the growth of precarious labour and the crumbling of pensions and social welfare provisions. From the 2000s onward, the factory provided an opportunity for solidarity that overrode the "kinships and regional connections"²⁶ migrant workers often relied on when seeking jobs in manufacturing centres away from their hometowns. Once they arrived in places like Shenzhen, workers from Sichuan, Henan and other areas found that regional and other differences were eclipsed by common labour predicaments. Their common enemy was the factory boss.

Over the past decade in particular, beginning with the rise of social media services such as Weibo and later platforms like WeChat, online connectivity has replaced in-person solidarity. Social media have reshaped the dynamics of protests in China, as could be glimpsed during the protests at Jasic Technology in Shenzhen in 2018, during which, as one scholar noted, protesters had made "effective use of digital media to present a united worker-student voice, despite removal and blockage of the content by Chinese authorities."²⁷ But truly effective collective action requires both physical and virtual solidarity, and others have rightly cautioned about the potential of social media to serve as a tool of surveillance of workers by employers and the authorities.²⁸

Strike Map data over the past decade shows that the manufacturing sector accounts for a dwindling proportion of total worker protests in China. In 2013, factory worker protests accounted for 46.5 percent of total worker protests. In 2020, however, the sector accounted for just 11 percent of the total. This has been one of the most salient trends in worker protests over the last decade, as protests in the services and transport sector have come to dominate. As a proportion of overall worker protests in China over the decade, protests by construction workers have remained steady, hovering around the 40 percent mark. In 2020, as construction firms were heavily hit by cash flow problems and economic uncertainty, this proportion rose noticeably, with nearly all cases having to do with wage arrears.²⁹

Worker protests in manufacturing and services, as a percentage of total protests (2011-20)



Source: China Labour Bulletin Strike Map

The Service Shift

In the service sector, worker protests toward the beginning of the decade were occurring more often among those engaged in less professional work in larger cities, such as sanitation workers, cleaners, and employees at shops and restaurants. But by mid-decade, protests could be seen across the country in vast array of businesses, including hotels, bars and karaoke lounges, gyms, information technology companies, banks and finance companies, medical facilities, kindergartens

and other private education facilities such as tutoring companies and driving schools. There were even protests by employees at golf courses and amusement parks, at professional football teams, television stations and other local media outlets.

In June 2014, teachers at a state-run high school in Chongqing held a protest to demand unpaid wages, asking the school for “normal and equitable treatment.” The same month, employees from the state-owned telecoms operator China Mobile protested in the city of Heze, in Shandong province, to object to unfair layoffs. In December that year, CLB’s Strike Map also recorded the case of employees at a local Vanguard supermarket in the city of Tangshan, who staged a protest outside the store to demand compensation for store layoffs equal to that received by workers at another store location. The workers unfurled a banner that read: “Vanguard, give me equal treatment!”

Prior to 2017, protests in the transport sector tended to be dominated by taxi drivers. Protests by couriers or food delivery workers were rare at that time. The situation has changed dramatically since then, as the rapid growth of e-commerce has fostered a massive gig economy in food delivery and other courier services. E-commerce experienced tremendous growth in China in the latter half of the last decade. In 2019, e-commerce sales in China totalled U.S. \$1.9 trillion, more than three times total spending in the world’s second largest e-commerce market, the United States. China now accounts for nearly 55 percent of the global e-commerce market.³⁰

The demand for drivers at logistics companies has grown steadily, sustained even through the global pandemic in 2020. More people turned to online shopping, and the government sought to address concerns about rising unemployment by encouraging community courier stations and other sources of flexible and temporary work.³¹ In the first half of 2020 alone, Meituan, one of the country’s largest online food delivery platforms, recruited 1.4 million new workers. A survey of these temporary workers found 30 percent had joined the platform after losing jobs, and a greater proportion of these, reaching nearly 25 percent of Meituan’s 2.95 million strong temporary workforce, had at least a bachelor’s degree.³²

Since the middle of the last decade, the proportion of protests by taxi drivers saw a steady decline, although 2020 brought a notable upsurge in protests as the Covid-19 epidemic placed huge additional pressures on already struggling drivers. In 2020, there were 116 taxi driver protests recorded in the CLB Strike Map, more than double the 54 protests recorded for 2019. When we look at the taxi driver protests as a proportion of all incidents, the trend is even more pronounced. In 2013, taxi driver protests accounted for about 15 percent of the total, in 2016 it had fallen to 8.2 percent, and in 2019 it was just 3.9 percent of all incidents. But in 2020, the figure shot back up to 14.5 percent.

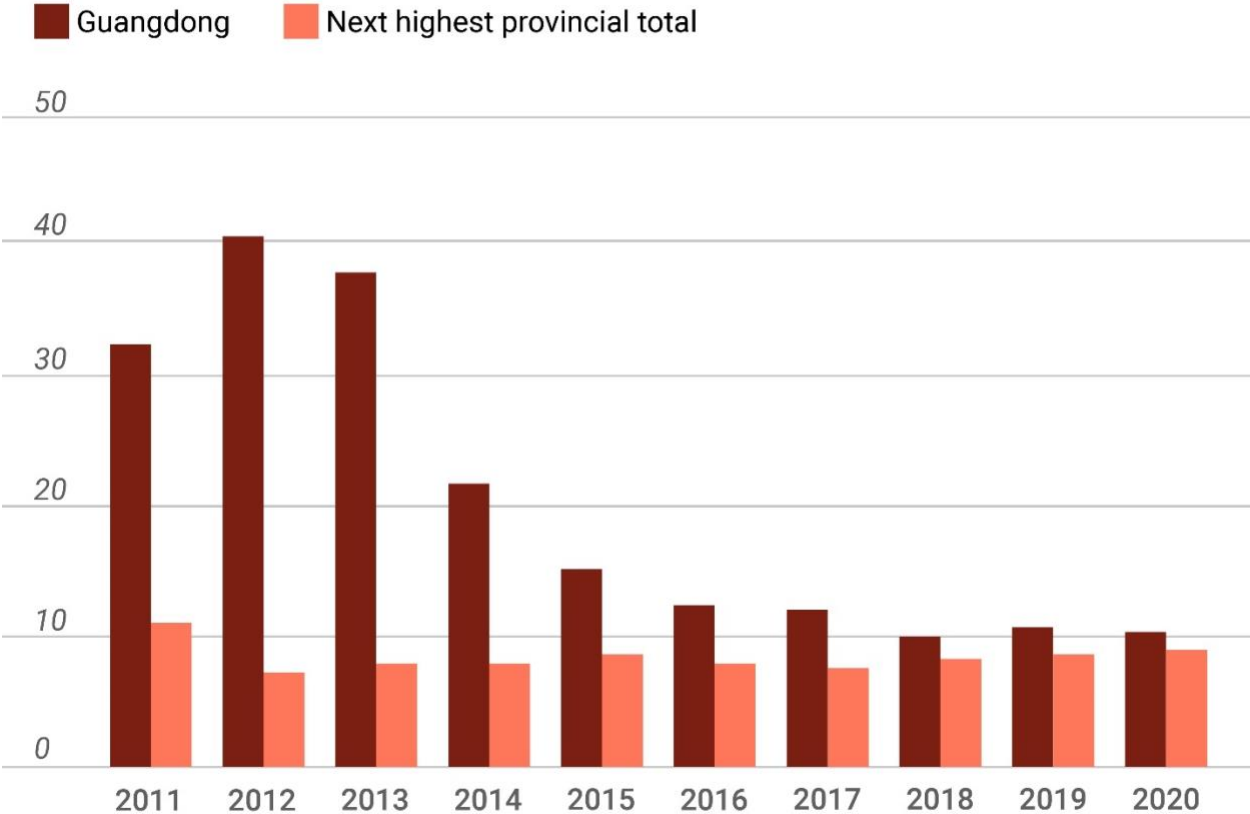
Strikes and protests by app-based transport workers have become the predominant trend since 2017. They are now commonplace in a highly competitive industry where companies are constantly cutting costs in a bid to achieve market dominance. From January 2017 to December 2020, the Strike Map recorded 220 collective protests by food delivery workers and couriers, accounting for about one-third of all transport sector protests during that period.³³ App-based food delivery workers for platforms like Meituan and Ele.me experience a range of concerns, including shifts of up to 18 hours and penalties for late deliveries, which are mediated through platform algorithms that can be dehumanizing.

Given broader changes to the makeup of China’s economy, particularly the shift to the service sector and e-commerce, more labour disputes are likely to focus over the next decade on new forms of flexible employment, which entail a whole new set of risks for China’s workers.

Changing Geographies

In the first half of the decade, much of the labour unrest in China was focused on the country’s south-eastern coastal provinces, and particularly on the economic powerhouse of Guangdong province. However, with the shift away from low-cost, export-orientated industries, coupled with the development and urbanization of the interior, Guangdong saw a sustained decline in the overall proportion of worker protests.

Worker protests in Guangdong as a proportion of all worker protests in China (2011-20)



Source: China Labour Bulletin Strike Map

In recent years, as production costs in China have risen and as countries in Southeast Asia have implemented active policies to attract transnational corporations, many of the low-cost manufacturers in Guangdong have moved to countries such as Vietnam, Cambodia, Indonesia and Bangladesh.³⁴ A substantial proportion of manufacturers previously based in Guangdong, however, have relocated to inland China – a more viable option given the massive infrastructure development

of the 2010s, and the wide-ranging incentives offered by local governments in the interior desperate to attract investment.³⁵

This trend of inland relocation of manufacturing was exemplified by the 2010 decision by electronics giant Foxconn to shift its main production base away from Shenzhen to a new custom-built facility outside of Zhengzhou, the provincial capital of Henan. The Zhengzhou facility employed around 300,000 workers at its peak in 2018, about the same number of workers who had laboured at the company's Shenzhen plant at its peak in the 2000s, producing half of the world's iPhones.³⁶ As manufacturers like Foxconn moved inland, they transferred to the interior the exploitative labour practices they had used in Shenzhen and other coastal manufacturing hubs. As detailed in a 2019 report on Foxconn's Zhengzhou plant by the New York-based non-profit China Labor Watch, the facility that had come to earn the nickname "iPhone city" routinely violated China's labour laws on overtime and the use of agency labour.³⁷

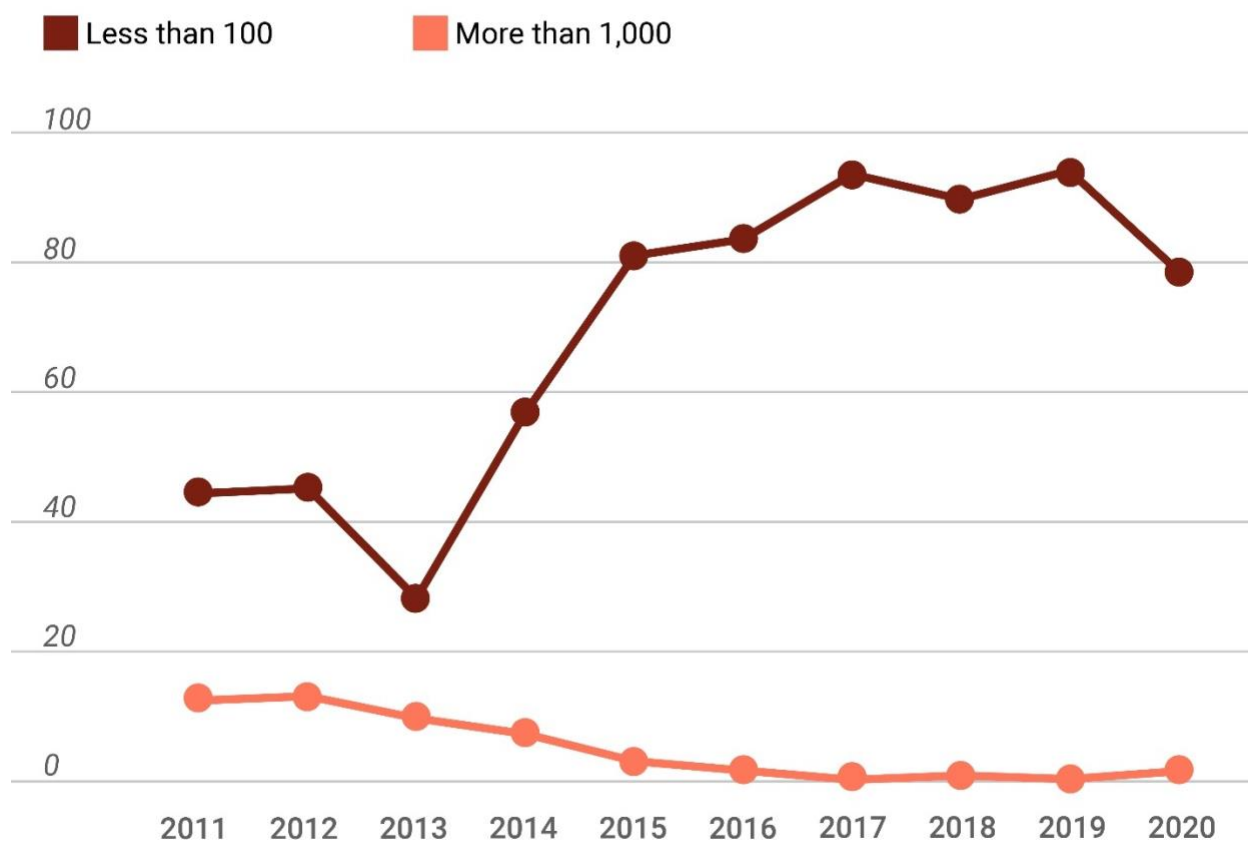
But the inland labour boom was about more than simply the relocation of coastal manufacturing. It was driven also by the same process of infrastructure development and urbanization that made these inland moves attractive and possible for manufacturers in the first place, including the rapid growth of the transport and service industries. This is reflected when we look at CLB's Strike Map data, which shows growing labour unrest in the inland service sector during this same period.

Taking the southwestern province of Sichuan as an example, about 41 percent of the worker protests recorded over the last decade in Sichuan were in the construction industry, 34 percent in services and transport, and just 15 percent in manufacturing.³⁸ Many service sector protests resulted directly from the reckless expansion of companies into new inland markets as they anticipated a boom on the back of infrastructure spending, population growth and greater consumer demand. Businesses built new franchises in smaller inland cities, only to collapse when the speculative bubble burst. In such cases, it was most often the workers who were left in the lurch, with several months of wages in arrears, no jobs, and bosses who sometimes had simply vanished. About 75 percent of the 654 Sichuan incidents recorded on the Strike Map over the last decade were wage arrears cases.

Worker Organizing and the Changing Nature of Protest

By the mid-2010s, the service sector had overtaken the industrial sector to become the leading contributor to China's gross domestic product. This shift was accompanied by a rise in precarious and disaggregated labour,³⁹ ushering in important changes in the way workers organize and take collective action. One of the most obvious trends has been the marked decline in the number of large-scale protests, usually seen in the earlier part of the decade in the manufacturing, mining and industrial sectors that employed large numbers of workers in a single location. The last major large-scale factory protest occurred at the Yue Yuen Shoe Factory in Dongguan in April 2014, when up to 40,000 workers went out on strike for two weeks over low wages and the company's underpayment of social insurance contributions. Since 2015, many mega factories have closed or shed the majority of their workforce. Those that remain tend to be more stable and profitable enterprises that can afford to pay a decent wage and are therefore less likely to see worker protests.

Worker protests with more than 1,000 participants and fewer than 100 participants, as a percentage of total protests (2011-20)



Source: China Labour Bulletin Strike Map

The decline in the number of incidents on the Strike Map involving 1,000 or more workers could be partially attributed to the fact that large-scale strikes and demonstrations were easier to find on social media than small, isolated protests during the early years of the decade. However, a far more salient factor in the steep drop in the number of major protests in the latter half of the decade is the renewed determination of the authorities to pre-empt any actions threatening social stability in China or damaging the reputation of the Party.

The clearest embarrassment for the government on labour issues unfolded on March 11, 2016, in the city of Shuangyashan in Heilongjiang province. Just as the province's governor, Lu Hao, was in the capital to attend the National People's Congress (NPC), one of the most important events on China's political calendar, thousands of furious coal miners marched through the streets of Shuangyashan, demanding to be paid more than two months of wage arrears owed by Longmay Group, a state-owned enterprise laden with debts in an industry struggling under excess capacity.⁴⁰ To make matters worse for Governor Lu, the protest had been precipitated by his false claim days earlier that Longmay had made its wage payments.⁴¹ The protest by Longmay employees was one of the largest in years by employees of a state-owned enterprise.⁴² The action forced the local government to ensure the company paid the workers' wage arrears,⁴³ but the authorities also made

it clear that such protests would not be tolerated. On March 13, police flooded into the town, arresting many miners and releasing images of at least 75 wanted “criminals.” The central government’s zero-tolerance approach was about maintaining the appearance of toughness and resolve in the hope that this would deter protest leaders in other areas.

In the immediate aftermath of Shuangyashan, the general offices of the CCP Central Committee and the State Council introduced new public security measures that made prevention of large-scale mass incidents the sole responsibility of local government officials.⁴⁴ The measures essentially enacted a zero-tolerance policy for major mass incidents, meaning that the occurrence of such incidents could directly lead to resignation or removal from office for top officials in a given jurisdiction.⁴⁵

The latter half of the decade also witnessed a sustained crackdown on non-governmental labour organizations, mainly based in Guangdong, that had established a reputation over the preceding decade for providing local factory workers and others with the concrete skills they needed to take effective collection action. This sophisticated network of labour NGOs created a model for collective bargaining, based on forcing the employer to the bargaining table, that achieved several notable successes and highlighted the glaring absence of the official trade union when it came to defending workers’ rights. Several of these cases will be discussed in detail in the following chapters.

The crackdown on traditional labour NGOs left workers without a reliable *in situ* source of expertise and support that could guide them through their struggles. As a result, workers increasingly turned to online organizing, using the broad range of messaging and group chat applications at their disposal. In 2016, for example, Walmart workers staged several strikes and protests at the company’s plans to introduce a new flexible working hours system.⁴⁶ The in-person protests were limited, but an estimated 100,000 Walmart workers flooded into newly created online support groups that helped mitigate the sense of isolation felt by many workers struggling against a powerful employer. By organising online, workers could create a common identity where everyone, even colleagues thousands of kilometres away, faced the same problems and needed to find common solutions.

Similar strategies were later employed by tower crane operators and truck drivers in the summer of 2018 when they organised nationwide protests over deteriorating pay and working conditions. That same year, the workers at the Shenzhen Jasic technology factory went one step further by using social media to reach out to supporters in Marxist student groups and traditional Maoist organizations. However, online organizing also entails risks, as was demonstrated by the mass arrests and detentions of the Jasic workers and their supporters, and later by the arrest of food delivery worker Chen Guojiang in 2019 and again in February 2021.⁴⁷

Chen is known colloquially as *mengzhu* (盟主), a term meaning the leader of an alliance. Chen was arrested in 2021 after he set up an online mutual support network that reached more than 14,000 delivery workers. As an advocate for delivery workers’ rights, Chen posted videos that called out platforms for oppressing workers and violating laws and regulations by fining drivers for late deliveries. In September 2020, Chen expressed the hope that the authorities could take the lead in setting up a union-like organization for drivers that could negotiate with the platforms on behalf of workers and allow local government departments set the standards for the industry, rather than

arbitrary pronouncements from private companies like Meituan and Ele.me. His arrest is a warning about collective action, even that occurring online, and the building of influence outside of official structures, even as those structures remain ineffective in hearing workers' pleas.

The majority of worker protests at present are not particularly well-organized. They tend to be small-scale (less than one hundred participants) and short-lived, and focused on specific grievances. The aim of the protest is often more to bring attention to the workers' plight and hope for government intervention rather than staging a direct confrontation with the employer or the local government. Many workers do not even stage physical protests, but simply post appeals for help online. Help has rarely been forthcoming.

The Government Response

Perhaps hoping to avoid a repeat of the Shuangyashan incident, the central government in Beijing went to great lengths in the latter half of the decade to ensure that laid-off workers, particularly those in coal mining and iron and steel production, are paid in full and adequately compensated during the subsequent closure or contraction of major state-owned enterprises. Since 2019, as economic uncertainties have become increasingly prevalent, the Party has emphasized what it calls the "six stabilities." These place maintaining steady employment at the top of the priority list.⁴⁸ Xi Jinping has repeatedly emphasized the importance of the "six stabilities," stressing that "employment issues are the first priority."⁴⁹ Discussing the "six stabilities" in a May 2020 interview in the Party's official *Study Times* journal, Chen Qiqing, a professor at the Central Party School, the chief training institution for Party cadres, was more explicit: "If employment cannot be maintained, everything may take a turn for the worse," he said, "and even the bottom line of social stability might fail."⁵⁰

In early 2020, even before the Covid-19 pandemic deepened economic uncertainties, the primary concern of the authorities was to provide business owners with sufficient relief so that they would not have to lay off workers and create unrest.⁵¹ Lockdowns and lagging economic activity jeopardized employment further in the first quarter of 2020, and by March an estimated 27 million urban workers had lost their jobs.⁵²

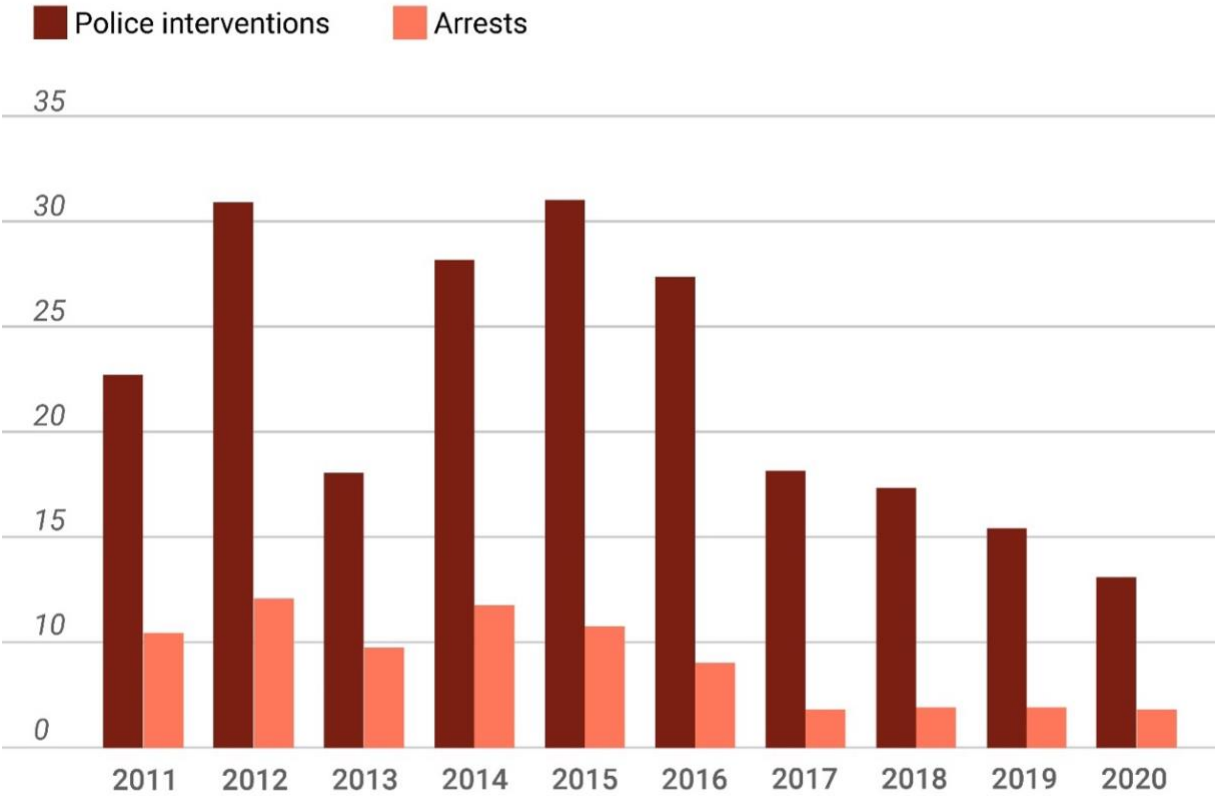
At the 2020 session of the NPC, held in late May after a delay due to Covid-19, China officially dropped its emphasis on GDP targets as a primary measure of growth. The priority instead was a target for employment⁵³ that was to be achieved by giving more tax breaks and incentives to employers and encouraging so called "flexible employment."⁵⁴ The government hoped that this would stimulate domestic spending⁵⁵ but official statistics soon showed that jobs remained scarce and wages had stagnated.

According to the Migrant Workers Monitoring Survey Report released in April 2021 by China's National Bureau of Statistics, the migrant worker population declined for the first time on record in 2020, dropping by 5.2 million to stand at 286 million. The average monthly wage increased by just 2.8 percent to reach 4,072 yuan, while the average wage for rural migrants working in the hotel and catering sector stood at just over 3,300 yuan per month. The survey shows that more and more rural migrants are moving away from the larger cities that can only provide a tenuous living, and they are seeking employment in smaller cities closer to home.⁵⁶

While the central government has focused on macro-economic and technological fixes to the social and economic problems it has identified, the local authorities who are at the sharp end of labour relations have almost completely failed to deal with labour disputes and worker protests as and when they arise, as shown in great detail on the CLB Strike Map. Local governments have largely viewed worker protests as arising from private disputes between employers and employees, and they see dispute resolution as a matter between those parties. The government, in other words, has often positioned itself either as a bystander or a supporter of capital when it comes to labour unrest.

Contrary to a lingering perception in the media that leaders have responded to labour actions with “a methodical crackdown,”⁵⁷ the majority of worker protests have not in fact been broken up by the authorities. In the decade as a whole, police were involved in 14 percent of the incidents recorded on the Strike Map, and arrests were made in 4.7 percent of cases. Those percentages were significantly higher during the first half of the decade, when there were a greater number of large-scale protests. From January 2011 to December 2015, the police intervened in 27.3 percent of incidents and made arrests in seven percent of cases.

Police interventions and arrests in collective labour protests (2011-20)



Source: China Labour Bulletin Strike Map

A closer look at workers' grievances and demands over the last decade shows that it has been the government's consistent failure to protect the rights and interests of workers that has forced workers to take to the streets and social media⁵⁸ to demand justice in the first place.

As it stands, the government's institutionalized inaction on the protection of labour rights has been the primary driver of worker unrest. By institutionalizing reactive approaches, responding only when matters have escalated, the government has engrained the conviction among workers that dramatic gestures are necessary, and that making a fuss is the only recourse. But imagine instead a situation in which bargaining is possible among the various parties involved, including workers. Legitimized channels for negotiation in a contractual spirit can minimize grievances that become open conflict.

In the cases that follow in the next chapters, we explore four fundamental problems that will require resolution before any meaningful progress can be made on labour rights.

Chapter 2: Fundamental Labour Rights

The Case of the Construction Industry

On July 7, 1994, several months after China's *Labour Law* was promulgated and the day after it was published in full in the CCP's flagship newspaper, the *People's Daily*, Zhang Dinghua, then deputy chairman of the All-China Federation of Trade Unions, wrote in the paper that the law's implementation would have "great and far-reaching significance for the protection of the legitimate rights and interests of workers."⁵⁹ In February 1995, after the law formally took effect, the country's labour minister, Li Boyong, wrote in the *People's Daily* that the law would have a significant role in "promoting reform, development and stability."⁶⁰

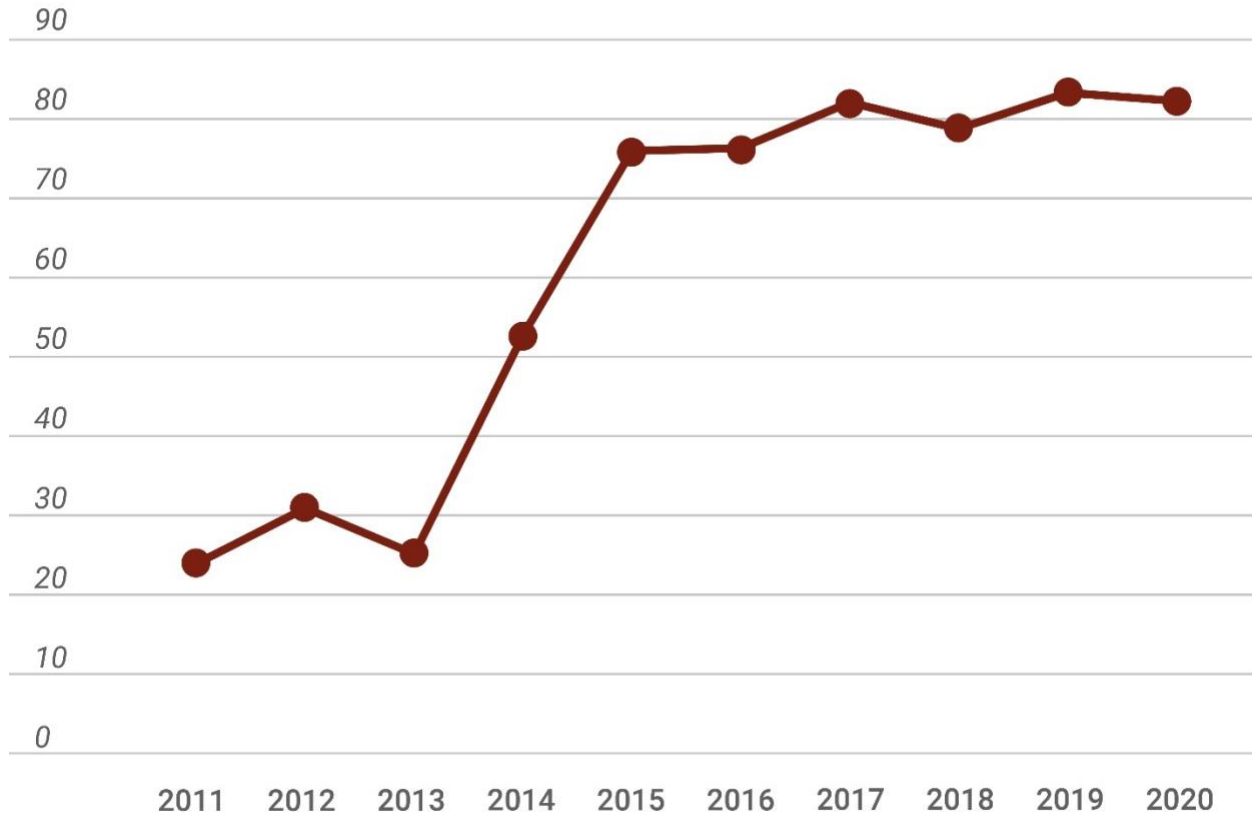
One basic aspect of China's *Labour Law*, which took effect on January 1, 1995, is the regular payment of wages to workers. Article 50 of the law states: "Wages shall be paid to labourers themselves in the form of currency on a monthly basis. The wages payable to labourers shall not be deducted or delayed without reason."⁶¹

A quarter century on from the passage and implementation of China's *Labour Law*, however, employers still consistently fail to pay their employees in full and on time. The authorities at all levels of government have issued endless directives and implemented countless policies with the purpose of ensuring workers are paid on time. In July 2019, for example, it took no less than seven central government organizations to issue a joint notice on eradicating wage arrears in the very narrow field of government-financed construction projects in which the primary contractor was a state-owned enterprise.⁶² Meanwhile, the payment of wages in arrears has been by far the most common and most consistent demand of workers in the last decade, and the issuance of government notices on the issue has become an annual ritual. This underscores the limitations of the top-down, reactive approach that lays emphasis on punishment and control. In fact, contrary to government assurances, the problem of wage arrears appears to be getting worse.

According to Strike Map data, the proportion of worker protests in which wage arrears were sought has hovered consistently around the 80 percent mark since 2015. Although demands for higher wages were a more common cause of labour disputes in 2011-2013 Strike Map data, wage arrears demands were likely under-represented during those years, owing to search biases in CLB's data collection at that time. Labour arbitration case data during this earlier period show that wage arrears are consistently the primary cause of disputes.

Labour remuneration disputes accounted for 446,572 of the 1,069,638 cases (42 percent) accepted by China's labour dispute arbitration committees in 2019, compared with the 209,968 labour remuneration cases out of a total of 600,865 cases accepted (35 percent) in 2010, according to the *China Labour Statistical Yearbooks*. The total number of disputes going to arbitration has increased steadily since the introduction of the *Labour Dispute Mediation and Arbitration Law* in 2008, but the proportion of workers securing an outright win in these cases is just one-third. In the vast majority of disputes, the outcome is a compromise settlement.

Proportion of protests in which workers sought the payment of wages in arrears (2011-20)



Source: China Labour Bulletin Strike Map

By far the worst offender in terms of wage arrears is China's construction industry. The problem is so endemic that construction workers accounted for 35 percent of all the protests recorded on the Strike Map from January 2011 to December 2020, and well over 90 percent of those protests were related to wage arrears. Every year, in the runup to the Lunar New Year, the frequency of protests increases dramatically as rural migrant workers, who make up the bulk of the construction workforce, clamour to get paid before they return home for the holidays.⁶³ These disputes can turn violent as workers confront police or security guards hired by the developer or the contractor to keep workers away. In desperation, workers sometimes threaten to jump from cranes or the tops of buildings as a means of forcing an employer to pay up, often with tragic consequences.

Just before the Lunar New Year in January 2015, the 14-year-old daughter of a labour contractor who was owed nearly a million yuan, roughly U.S. \$160,000 at the time, fell to her death from the 16th floor of the residential building her father and his team of construction workers had been working on for two years.⁶⁴ Domestic media in China reported that Yuan Meng had stayed home from school in Jizhou, Hebei province on January 19, eager to support her father, Zhang Hao, in his determined campaign to press the developer for the money he was owed. "I'll go with my dad and mom to demand the wages they are owed," Yuan reportedly told her family. Yuan and her

grandmother climbed up onto the skeleton of the building to continue their protest after Yuan's parents had an altercation with property sales staff on site. The *Huaxi Metropolitan Daily* reported that Yuan's aunt had attempted to coax them down, and the local fire brigade had readied an air mattress to break her fall. But Yuan sustained serious injuries and later died in hospital.⁶⁵

The incident in Jizhou came just one month after Zhou Xiuyun, the 47-year-old mother of a construction worker in Taiyuan, the provincial capital of Shanxi, died after being detained and beaten by police during a protest over 29,000 yuan in wages in arrears owed to her son and several other construction workers.⁶⁶ Captured on video, the incident caused national outrage and reportedly led to the arrest of one police officer involved, on suspicion of abuse of power.

On most construction projects, labour contractors (包工头 *baogongtou*) are largely responsible for sourcing materials and recruiting workers – generally migrant workers from the countryside working in the city – and often operating with those workers on a basis of trust and without formal contracts. When disputes arise, this casual arrangement puts labour contractors in an impossible position. Two cases from the mid-2010s painfully illustrate not only desperate efforts of labour contractors to get paid but also the toxic influence of local government officials.

The first case is that of Wang Jianhua, a labour contractor hired in 2014 to help develop the rural electricity grid in the mountainous Liangshan region of south-eastern Sichuan province, who in December of the same year was driven to drown himself as he was unable to pay his workers' wages.⁶⁷ The second case is the tragic suicide death in 2015 of Yu Honghua, who was hired as a labour contractor for a sewage pipe construction project in a rural township outside the city of Suzhou.⁶⁸ These cases are portraits of entirely preventable misery. And both cases led to relatively open soul-searching in academia and the media about the problems inherent in the contract labour system.

In 2012, scholars from Peking University and Hong Kong Polytechnic University released a report describing China's contract labour system as "no better than the system of enslaved labour a century ago," giving workers little recourse in cases of job-related injury or unpaid wages. "In the long run," wrote scholar Li Dajun, "abolishing the contract labour system, improving workers' knowledge of legal rights protection and strengthening grassroots unions among migrant workers is crucial to resolving difficulties in work injury rights protection."⁶⁹

Discussions like this one received fairly widespread coverage in China's media at the time, appearing in metropolitan newspapers as well as official state outlets like China Central Television, which wrote in January 2013:⁷⁰

On the one hand, we accuse labour contractors of being "black-hearted," and on the other we need them to recruit migrant workers. At this critical period of reform, such an awkward situation is hard to avoid, but it must be resolved.

From an operational point of view, all of those involved, including the State Council, could see that the system was irrational, even if construction companies and developers could still manage to profit. But in the end, trapped in a system that addressed symptoms but not root causes, the only answer was to react, endlessly repeating the same series of ineffectual gestures, like issuing documents and announcing campaigns.

Project Impossible

The former director of a state-owned sugar plant in the mountainous Liangshan region of south-eastern Sichuan province, Wang Jianhua was offered a new and promising opportunity in 2014. Though he had no previous experience in construction, he was well-connected as a member of the local government advisory body, the People's Political Consultative Conference, and he was able to secure a subcontract from Sichuan Electric Power Corporation, the provincial subsidiary of China's enormous state-owned utility, the State Grid Corporation of China.⁷¹ The contract meant Wang would be responsible for developing the rural electricity grid in the Liangshan Yi Autonomous Prefecture. The work primarily involved the installation of pylons and overhead lines in the isolated villages of Leibo county along the border with Yunnan province, a high-altitude region known for its treacherous road and weather conditions.

Wang had secured the subcontract for the construction project through a friend, the director of the electric power bureau in Liangshan, which covered Leibo county. Though the project was said to be valued at 14 million yuan, or about U.S. \$2.3 million, Wang had agreed to subcontract it from Sichuan Electric Power for less than half that, just 6.67 million yuan. With these funds, Wang was supposed to purchase all the necessary equipment and materials, as well as pay the more than 100-strong workforce required for the duration of the project. The workers hired for the project were all villagers from Wang's hometown, recruited through his brother-in-law. The contract was officially awarded by the Sichuan Electric Power Corp. to Sichuan Electric Power Transmission and Transformer Construction Co., Ltd. (SEPTTC), a local power construction company that since 2004 had also been involved in transmission line projects in Africa and Southeast Asia.⁷² But the truth was that Wang was solely responsible for the project's completion.

Wang signed on to the project expecting payment up front of 10 to 20 percent of the agreed-upon funds, with subsequent payments to be made on the basis of project progress. However, it was not until May 15, 2014, four months after the start of the project, that SEPTTC contributed any funds at all, and the initial May payment from the company amounted to just 100,000 yuan, less than two percent of the contracted budget. Getting the project off the ground demanded that Wang take on debt to cover initial expenses, including wages for his workers. Between May and August, Wang managed to obtain a further 2.7 million yuan from SEPTTC, but by this time he had already run up debts far in excess of this sum and had to borrow 1.2 million yuan from friends to cover his expenses, including the payment of several hundred thousand yuan owed to his five project managers.

By mid-December, nearly a year into the project, Wang Jianhua's crew had completed 80 percent of the work, and he had received nearly 70 percent of the contracted amount from SEPTTC. But this still meant he owed more than two million yuan. The pressures of the project were taking a heavy toll on Wang. On December 23, a colleague went looking for Wang in his room, and upon opening the door found only a pool of blood on the floor.⁷³ There was no sign of Wang.

After his family posted a plea for help online, people from Wang's home village joined search efforts. However, when the family reported Wang's disappearance to local police, they refused to mount a search of their own, claiming instead that he had absconded with the money owed to his employees. Despite this serious accusation, the police did not even launch a criminal investigation

or otherwise involve themselves in the case. The blinkered view held by the Public Security Bureau was shared by the Leibo county government, which offered no assistance to Wang's family, who spent 300,000 yuan organising a search. Two weeks later, on January 7, Wang's body was located in the Jinsha River. It was assumed that Wang had slit his wrists in the room before stumbling to the nearby river and throwing himself into the current. At the time of his death, Wang was just 43 years old.

In an interview with CLB Director Han Dongfang broadcast on *Radio Free Asia* soon after Wang's death, his sister, Wang Xiaohua, painted a picture of a decent and dedicated boss who had been crushed under his subcontract arrangement and was heartbroken at his failure to support his workers. "He owed wages to these workers, but he was a very honest, sincere person," she said. "But he was badgered left and right, told he owed people money one day and again the next day, and having made promises he couldn't keep over and over – he just couldn't face his workers."

The family was given 400,000 yuan from the local government as a one-off settlement to cover funeral costs, and further benefits were paid to support Wang's dependents and ageing parents. This support, however, barely even covered the costs Wang's sister had incurred to organise the search. Local authorities were no doubt eager to sweep the case under the rug. After all, Wang's tragic death had exposed not only the ills of the contract labour system and the precarious conditions it created for bosses and workers alike, but also it risked casting unwanted light on corruption in the use of public funds.

Wang had been left to install power lines in Leibo county for less than half of the funds provided for the project. So, what had happened to the more than seven million yuan cut right off the top of the 14 million yuan in project funds reportedly offered to SEPTTC? Why would Wang Jianhua accept such a doomed project? Wang's family had no idea, and they were too frightened to ask such questions openly. "They are trying to buy us off," Wang's sister told Han Dongfang. "They are telling us to take the money and go. If we don't do that, then this or that might happen, they say. The police, the government, they are all putting pressure on us."

The local authorities pressed Wang's family to sign a gag order preventing them from discussing the incident on social media. They were warned against using the media to comment on Wang's death or the project. And they were told in no uncertain terms that legal action would be pursued if they acted against the interests of the companies concerned. The law, in this case, worked only in one direction.

Asked why they signed such an agreement, Xiaohua explained that the circumstances offered them little choice: "This matter has dragged on and on, and only now have they offered us a settlement proposal. Our family couldn't deal with the pressure. If we hadn't signed, we would have gotten nothing. We are just rural labourers, and we haven't even gotten back the money we sank into this project."

Han Dongfang countered that they had a right to simply tell the truth. "Sure, we have the right," she said. "But they have the power."

The Cost of Revitalization

Just as Wang Xiaohua's family was claiming its bitter compensation in Sichuan province, another tragedy of the contract labour system was coming to fruition more than 2,000 kilometres to the east, in a rural township outside the city of Suzhou.

Two years earlier, in 2013, Yu Honghua had been hired as a labour contractor on a sewage pipe construction project in Jinting Township. The project was under the local government's rural development and revitalisation drive,⁷⁴ part of a patchwork of nationwide policies to push urbanization in rural communities and build a "new socialist countryside."⁷⁵ Working directly under another subcontractor with only a verbal agreement – a fairly common arrangement in the construction industry – Yu had hired 60 local labourers for the project, which began in March 2013. When the project was completed ten months later, in January 2014, Yu had still not been fully paid for his team's work. When he approached the other subcontractor, Liu, about payment, he was suddenly told that the wage rate had been halved, and there was little recourse. As a result, Yu was unable to pay his workforce and ended the project with 151,600 yuan out of pocket.

Understandably upset, Yu's labourers constantly pursued him about payment. Yu's wife later explained, "People were coming to the door every day, so my husband had to call the police. The police said that they weren't interested in the case, and they referred us to the labour bureau."⁷⁶

The labour bureau, the local government administrative body that is supposed to ensure workers' rights are protected, refused to raise a finger in Yu Honghua's case, on the grounds that he had no formal employment contract. Yu tried to argue that he was a *de facto* employee of Liu's, and the latter eventually did acknowledge a working relationship. Liu, however, claimed that all outstanding payments had been made. In fact, Liu was working as a subcontractor for Xu Minggang, another subcontractor who had full management of the project under an overall contract with the township government. This web of legally tenuous relationships made it impossible for Yu to seek any relief. As the labour bureau and other local government offices closed the door on any formal path to reclaiming his funds, Yu turned to an informal settlement negotiation as his last resort. For this, however, he required people to take his side and help argue his case. Those he approached for support, however, sided with Liu.

Yu finally managed to arrange a meeting about a possible settlement with the bureau of justice, the local office responsible for legal affairs. But by this point, Yu was completely desperate. He had little hope of resolution in his favour. He arrived at the Bureau of Justice for his meeting with a hopeless contingency plan in the form of a bottle of pesticide. As his wife later explained, the meeting had proved another humiliation. Justice officials sided with Liu and cast blame on Yu for botching the arrangement. If he had realized he couldn't do the job for 15 yuan per metre of sewage pipe – the price Liu had eventually paid – then he should have pulled out, they said.

At this point, Yu Honghua saw no way forward. He opened the bottle of pesticide he had brought along and guzzled it down right there in the Bureau of Justice.⁷⁷ For 19 agonizing days, as Yu struggled in the hospital, his medical bills stacked up. His treatment cost was around 10,000 yuan per day, nearly 40 percent more than the average monthly wage in nearby Suzhou.⁷⁸ As part of his

treatment, Yu underwent haemodialysis, his blood extracted mechanically and filtered through an artificial kidney before being re-infused into his body. He passed away on February 9, 2015.

In an effort to quiet things down in the wake of this tragedy, the township government offered Yu's family 625,000 yuan in "humanitarian aid." This was more than four times the amount Yu had sought in the first place to pay his workers and bring the project to a satisfying end. For Yu's family, it was too little and far too late.

The tragedy of Yu Honghua's unnecessary and preventable death illustrates the mindset of local government officials, who are more interested in maintaining power relations and vested interests in their jurisdictions – and avoiding unwanted scrutiny – than they are in ensuring the fair and proper management of the infrastructure projects they commission. All too often, local infrastructure projects are used simply as a way to enrich friends and family members.

The endemic corruption and unfairness within the system is a recipe for desperation that, in many cases, can take a violent and destructive turn. A dramatic example is that of Ma Yongping, a young labour contractor in Ningxia Hui Autonomous Region who set fire to a public bus during morning rush hour in the city of Yinchuan in January 2016, killing 17 people.⁷⁹ It later emerged that Ma, a college graduate who had studied abroad in Japan, had been refused payment by a company that had sub-contracted him for an engineering project.

Ma's debts had run to more than 300,000 yuan, much of it for salaries to pay his workers.⁸⁰ Ma's friends and family had repeatedly warned the authorities that the case had made Ma dangerously unstable and that he could do something violent, but local officials ignored the warnings and did nothing until it was too late. Ma's father and a friend had separately made reports on two occasions to the police station in Yinchuan, but they were told by local police that they would need to file reports 80 kilometres away in Shizuishan, Ma's place of household registration (户口 *hukou*). The police were only the last link in a chain of failures. In a post on WeChat the night before the attack, Ma reportedly wrote: "Let all of this pass. But will it cause the government and society to reflect on the wage arrears of migrant workers?"⁸¹

Why are multiple layers of sub-contracting, which add opacity and inefficiency to the process, tolerated so universally? Because this is an effective means of embezzling public funds and other sources of lucre, as was very likely the case with the seven million yuan missing from Wang Jianhua's project in Sichuan province.

The solution to such unfortunate situations is not difficult to imagine, at least in principle. If all contracts in such cases were genuine, their terms enforced by courts with a real interest in the rule of law, and if project funds could be guaranteed, then what reason would there be for labour contractors or workers to go unpaid? Under such conditions, if disputes did arise over the quality of the work, contracts would be sufficient to determine the responsibilities of each party and provide the appropriate remedies.

Such basic solutions cannot happen in cases like Wang Xiaohua's and Yu Honghua's for the simple but intractable reason that local governments perpetuate and legitimate the unspoken rules of the system, which expediently benefit those in power. The Wang and Yu cases also show, however, that the system exacts costs that are woefully unnecessary. In the cases above, local governments ended

up paying more to hide the mess they created than might have been required to avoid them in the first place. It goes without saying that the outcomes were deeply and needlessly tragic for the families involved.

China's contract labour system is a mechanism that perpetuates abuses like those detailed above. But how did that system come to be?

The Gristmill of Rural Labour

While in the Mao years, and especially during the Cultural Revolution, large numbers of construction workers were peasants hired as "contract workers" or "temporary workers," the construction industry in the early stages of the reform era in China was primarily the reserve of state-owned companies. But the industry changed dramatically in the 1990s, as private companies took on the bulk of construction work for every type of project imaginable. Today, private companies are involved not just in residential and commercial property development, but in a vast array of infrastructure projects: airports, subway systems, highways, and even the country's high-speed rail network.

To complete these projects, private contractors rely on the tens of millions of underemployed rural labourers recruited in the countryside and brought to urban centres for particular projects. The general understanding under this arrangement, which dates back to the period before the CCP came to power in 1949, is that these labourers will be paid once a project is completed. There are also longstanding cultural factors that come into play here. In rural China, it was customary in the past for wages to be paid out once a year, ahead of the annual Lunar New Year. Given such deeply-rooted practices, migrant workers from rural areas have often accepted this traditional arrangement, despite the fact that it contravenes the *Labour Law*.

In many cases, however, the general contractor fails to guarantee sufficient funds for the project before construction starts. One of the most common practices in China's construction industry is so-called "capital contracting" (带资承包 *daizi chengbao*) or "advance contracting" (垫资承包 *dianzi chengbao*), which essentially means the downstream contracting parties for a project must bring their own capital to the table as a condition of involvement, with the result that the financial risk of a project is passed down through the sub-contracting chain. Ultimately, it is the lower-level contractors, including labour contractors, that take on the greatest risk under this arrangement. The process works as the general contractor secures the bid for a given project, then brings on specialist subcontractors and labour subcontracting companies it can rely on to join with the necessary funding for the project. These subcontractors in turn demand guarantees from their subordinate labour contractors, and from the construction workers they bring along to the work site.

When construction projects happen through capital contracting, the process is upside-down, with financing promised first from the bottom. Migrant workers accept arrangements with labour subcontractors by which they agree to accept full payment once projects are completed, assuming the risk of eventual non-payment. Meanwhile, the labour subcontractors who recruit them, like Wang Jianhua in the Sichuan case, borrow money for labour and supplies, taking on substantial risk in order to fulfil their arrangements with subcontractors further up the chain.

Beginning in the 1990s, the capital contracting method was used both by local governments and construction enterprises, and local investment projects were often given the green light by regulators even in cases where funding sources were as yet unrealized. Entire projects could be built on the shaky foundations of sub-contracted risk.

In a joint notice issued by several government ministries in 2006, China formally prohibited the process of capital contracting. The official Xinhua News Agency published a release on the policy, citing an official from the Ministry of Housing and Urban-Rural Development (MOHURD):

In recent years, certain local governments and departments have demanded that construction enterprises build new development projects through the capital contracting process; at the same time, some construction enterprises have used the promise of capital contracts [bringing their own resources] as a method of competition in undertaking government investment projects. The behaviour as described severely interferes with the state's macro-control of fixed asset investment, disrupts the order of the construction market, and at the same time, owing to the difficulty of managing over-budget funds, results in the failure to make payment of both project funds and migrant workers' wages.⁸²

This could have been the moment when the nature of construction financing changed, and construction workers no longer had to fear the problem of wage arrears. Adequate top-down enforcement of the policy would go a long way in ensuring workers have access to justice over their basic labour rights. But a bottom-up model – the ability for workers to collectively negotiate their contracts with employers, sign industry-wide agreements to ensure wages and workplace safety practices annual – would likewise allow the construction sector to be a pilot for workers and entrepreneurs together contributing to common prosperity. But instead, the practice of capital contracting has continued unabated.

In late February 2020, more than 15 years later, as the government began to turn its focus from the immediate work of Covid-19 epidemic prevention to re-starting the economy, MOHURD issued a notice promoting the "orderly resumption of work by enterprises."⁸³ In a section on "lessening the financial burdens of enterprises," the notice particularly noted the problem of capital contracting as a driver behind "the formation of new arrears." Once again, the practice was "strictly prohibited," but this time the prohibition was specific to government and state-invested projects, indicating that the authorities knew it had remained a widespread problem.

The obstacles to reform of the construction industry in China are immense, as the persistence of the capital contracting model demonstrates. The industry is enmeshed with vested interests, and powerful state-owned companies have little incentive to change their behaviour. Many of the founders and early investors in China's private property companies are now among the richest individuals in the country, maintaining close connections among the political elite and serving as delegates to the country's political advisory body.⁸⁴ In a 2015 investigation, *The New York Times* revealed how the family members of top Party leaders had made billions through stakes obtained in the company of business tycoon Wang Jianlin – then the richest person in Asia and the founder of China's largest real estate company – ahead of its initial public offering.⁸⁵

Meanwhile, millions of construction workers still struggle to get paid. Through their startling similarities, the cases collected on the CLB Strike Map, though just a fraction of the total cases,

paint a picture of an unbalanced system in which workers ultimately shoulder the risk. In a case recorded on February 7, 2021, a subcontractor from the city of Bengbu in Anhui province took to social media to plead for help as two general contractors had failed to pay project funds, resulting in wage arrears. “We ask that web users pass this on, and we hope relevant government departments can assist us in resolving this issue, giving back the hard-earned money of the people.”⁸⁶

The next day, February 8, 1,400 kilometres to the south, construction workers in the manufacturing centre of Dongguan protested wage arrears by threatening to jump from a building under construction.⁸⁷ The outcome of this latter case is unknown, and the social media post archived by CLB has since been censored. But cases like this one are frighteningly familiar, so much so that by the early 2000s, the special term “malicious wage claims” (恶意讨薪 *eyi taoxin*) had emerged in the media and in government documents to describe the phenomenon.

In one particularly egregious 2001 case, Song Yanglu, a contractor in the city of Luoyang in Henan province, employed a team of more than 100 workers to complete a sub-contract for a renovation project under the local Xigong district government. When the general contractor refused to pay Song the 1.5 million yuan previously agreed, citing complaints over quality, Song had no way to pay his workers. In response, Song rallied his workers, intending block the entrance to the general contractor’s office. Before he could execute his plan, he was dragged into the company and severely beaten as a local police official reportedly looked on. When the case came up for review by Luoyang’s politics and law committee, local police claimed that key evidence had gone missing. In an act of desperation, Song Yanglu’s son tried to force the general contractor to pay up by kidnapping him. The son and six others, including Song Yanglu, were subsequently given hefty jail sentences for kidnapping. The workers were never paid.

In this case, as in many others since, the phrase “malicious wage claim” scapegoated workers desperate for justice. Not surprisingly, such cases have persisted through the Xi Jinping era. In June 2020, a strikingly similar case occurred as a team of migrant workers in Liaoning province faced eviction from their dormitory while due more than 40 days of wage arrears. When the workers resisted eviction and demanded their wages, they were viciously attacked by unknown individuals hired by the company. Injuries resulted on both sides, but several workers were detained by the police and charged with assault and sentenced to 10 months and 11 months respectively, while the company boss and his hired hands went free.⁸⁸

Even when construction workers do get paid, their salary is barely enough to provide a decent life for their families. According to the 2020 survey of migrant workers released by China’s National Bureau of Statistics, the average wage for rural migrant workers in the construction industry is just 4,699 yuan per month, around U.S. \$720.⁸⁹ Although this is a considerable improvement on the average wage for construction workers in 2011,⁹⁰ which was 2,382 yuan a month, it was only just above half the average wage in 37 major cities in China in 2019.⁹¹ Moreover, construction work tends to be better paid than other types of work, if only because it is a very hazardous occupation (see Part Two).

Meanwhile, other categories of workers – the subject of the next chapter – can barely earn subsistence level wages.

Chapter 3: Decent Pay for Decent Work

The Case of China's Sanitation Workers

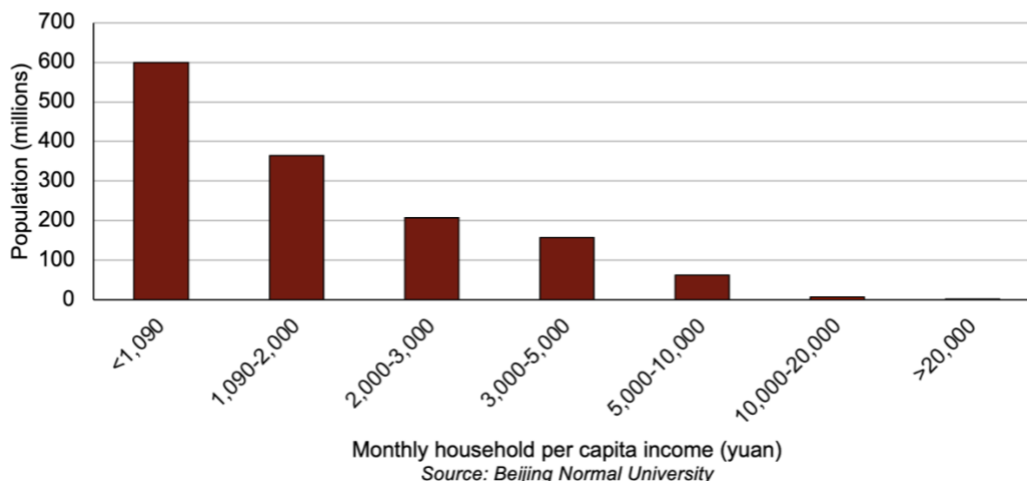
In May 2020, China's Premier Li Keqiang surprised many observers when he announced during a press conference at the end of the annual National People's Congress that there were still 600 million people in China with a monthly disposable income of 1,000 yuan or less.⁹² Coming in the midst of the epidemic and the year during which China pledged to eradicate absolute poverty, a major political goal that had been set in 2015, Li's statement surprised with its frankness.

*China is a populous developing country, and our per capita annual income is 30,000 RMB. But there are 600 million low and middle-income people who earn an average monthly income of around 1,000 yuan. In a mid-sized city, 1,000 yuan would make it difficult even to pay rent, and now we are also facing an epidemic.*⁹³

This was a dose of sober reality in the midst of triumphant propaganda about China's victory over absolute poverty.⁹⁴ However, the premier's statement was based on publicly accessible official statistics. And further analysis has revealed the extent to which a very small percentage of the population has benefited disproportionately from economic reforms, while the vast majority have seen incomes rise only marginally and out of step with rising cost of living.

An analysis of the 2019 national data conducted by a team from Beijing Normal University showed that in that year 43 percent of the population, around 600 million people, had incomes of less than 1,090 yuan per month, while 69 percent had incomes under 2,000 yuan per month and 84 percent earned less than 3,000 yuan per month.⁹⁵ In fact, 95 percent of China's population earned less than 5,000 yuan per month, a level roughly on par with the country's per capita GDP in 2019.⁹⁶ Meanwhile, only the top 0.6 percent earned more than 10,000 yuan per month. China's economic strength, broadly measured, disguises deep inequality, with the numbers skewed by a tiny minority of the super-rich. China had close to 400 billionaires in 2019, with tech entrepreneur Jack Ma heading the list with a net worth of U.S. \$38.2 billion.⁹⁷

Monthly household per capita income in China (2019)



Moreover, official data from the National Bureau of Statistics shows that income inequality in China's cities has been steadily worsening over the last decade. The annual average per capita disposable income of the richest 20 percent in China's cities increased by nearly 34,000 yuan in the seven years from 2013 to 2019, while the disposable income of the poorest 20 percent in urban areas grew by just over 5,500 yuan during the same period. Rural residents, those with "rural" household registrations who are working in urban areas as part of the migrant labour force,⁹⁸ make up 75.6 percent of those earning less than 1,090 yuan per month, according to the 2019 Beijing Normal University report.

When rural residents are taken into account, the wealth gap becomes even starker. The gap between the annual per capita disposable income of the richest 20 percent in urban areas (91,683 yuan) and the per capita disposable income of the poorest 20 percent in rural areas (4,263 yuan) in 2019 was 87,420 yuan, more than double the gap (39,288 yuan) between the same two sample groups in 2010.

One of the most consistently underpaid groups in China over the last decade has been sanitation workers. China's street cleaners and refuse collectors are predominantly elderly and female rural migrant workers with little formal education. They are employed mainly by private contractors who often pay less than minimum wage, which is itself far from a living wage in most cities. The minimum wage is, according to national regulations, supposed to be set at between 40 and 60 percent of the local average wage, but for most cities, it is between 20 to 30 percent. The same regulations state that the minimum wage should be adjusted at least once every two years, but today adjustments are routinely delayed for three years or more.⁹⁹ On top of this, private contractors often set unrealistic work standards in order to penalise sanitation workers who labour all year round, in freezing winter temperatures and the stifling summer heat, often with only minimal protective clothing.

When Reform Is All About Cutting Costs

The plight of sanitation workers often elicits sympathy from members of the public, and yet these workers have largely been ignored by local governments and trade union officials. They have had to rely on their own resources and determination to improve their pay and working conditions.

One of the best-known champions of sanitation workers' rights is Yu Wucang. Yu, a migrant worker from Hunan province, had cleaned the streets of downtown Guangzhou for 13 years, until he was sacked in 2013 for openly resisting the discriminatory work system enforced in the city's central Yuexiu district.

Yu and others like him were doing cleaning work for the district in what was essentially a public service. Their profession had changed dramatically a decade earlier, in 2003, through a round of so-called "marketisation." Market principles, however, were not the essential spirit of these changes, a process of privatization by which public services were outsourced to private companies with government contracts. The contractual spirit stopped when it came to the sanitation workers themselves, who were given no opportunity to negotiate for their own interests. This was justified in the name of broader administrative system reforms, with the government to play only a supervisory role.

Under the so-called "1+18" system in place after the 2003 reforms, competition for service contracts below the district level was fierce. With 18 sub-districts, each having their own sanitation branch, the private contractors responsible for work seemed to change constantly. Workers were often caught in the middle, like bits of flotsam carried on the tide. The result was sometimes an obvious disparity of treatment between sanitation workers in different parts of the district, a fact that ultimately prompted Yu Wucang's online complaint.

Yu learned that not only were workers at Yuexiu's main operations centre, managed through a private company, paid more than the sanitation workers labouring in the 18 sub-districts, but also that salary and benefit arrangements varied widely between sub-districts. According to Yu, the income gap among sub-districts could be as high as 800 yuan a month,¹⁰⁰ a substantial disparity in a city where the cost of living was steadily rising.

The worsening conditions for workers under the 1+18 system is a prime example of the cascading problems created by inflexible top-down mandates in the name of principles like "reform" and "marketization." Before the 2003 reforms, Yu's three years as a sanitation worker had followed an acceptable routine. He could wake up and start the workday at a reasonable time, chatting with the street vendors over breakfast before working his way along Beijing Road and Da'nán Road, the area under his charge. It had been possible for him to earn a living wage even after deduction of social insurance.

By 2006, staffing cuts made in the name of reform meant that Yu's team of ten was slashed to just two. Yu had to start work two hours earlier just to complete his work quota. Sometimes, family members even chipped in so that the work could get done. There was no pay for overtime work, and now Yu was paid only the statutory minimum wage, which meant his income was reduced most months by at least one-third, even as the work required of him grew.

By 2013, the dramatic inequalities created by the 1+18 system had become the final straw for Yu Wucang. He decided to step up and negotiate with the sanitation company on behalf of his fellow workers, raising several basic demands that he also pressed through social media. Overtime should be paid, he said, if actual working hours exceeded eight hours a day. The company should also compensate for overtime hours already worked. Yu demanded that the pay of sanitation workers not be reduced to make up for fines resulting from routine government inspections of district cleanliness. As in the construction contracting cases, it was the workers at the bottom who were often asked to shoulder the costs of an unfair system, so that private contracting companies fined for failing to meet government benchmarks recouped these costs from the wages of workers like Yu.

Yu's negotiation did manage to wrest a settlement from the sanitation company, including around 6,000 yuan in compensation for each worker. But soon after, the company cancelled Yu's contract, claiming that he had been absent for work for three days. In response to his unjustified dismissal, Yu took a stand. He picked up his broom and went to work on Beijing Road as usual. He refused to accept that he had been fired at all: "If they want to play hardball, I can play hardball too! Why should I just let them get away with it?"¹⁰¹

As an advocate, Yu was conscientious and compassionate, always working out of concern for the conditions of his fellow sanitation workers in the city. "I just hope everybody can enjoy job security

and a safe retirement,” he told a local blogger at the time. “No matter how badly I’m treated, I will still carry on.” He pored over local government policies, getting a clear picture of exactly how much money went to each district for sanitation, how much was spent on social insurance payments and overtime rates. Yu said he had become an activist mainly because he felt he was in a position to speak up where others might remain silent and resigned to their fate.

Yu’s father was a graduate from the famous Whampoa Military Academy in Guangzhou, and he had inherited his father's military bearing and sense of duty, he said. Yu said he felt responsible for others and wanted to ensure, even if it meant stirring up a bit of trouble for himself, that the country developed in a stable and harmonious manner. Moreover, Yu saw his advocacy work as being in line with Xi Jinping’s drive to root out government corruption, highlighting the systemic nature of abuses within the sanitation industry:

We do the hardest and dirtiest jobs. But people often look down on us and we don’t get paid what we deserve. It’s things like this that can lead to social unrest. We are just doing what we can. Xi Jinping’s anti-corruption drive is a big thing, and we are just making a small contribution. If we sanitation workers don’t get a decent wage, we won’t work hard and the streets will not be cleaned properly. And this harms the interests of the taxpayers who ultimately pay our wages.

Even after his dismissal, Yu continued to independently support his fellow sanitation workers through 2013 and into 2014. And when what would ultimately prove one of the decade’s most important labour disputes in Guangzhou unfolded in August 2014, Yu stepped in to provide expertise and assistance.

Trouble in University Town

The administrative reforms introduced by the local government in the early 2000s brought new sources of volatility, and sanitation workers, who were never consulted in the process, bore the brunt of it. A strike broke out in August 2014 involving more than 200 sanitation workers in University Town, a modern, purpose-built complex of ten higher education institutes located on an island south of Guangzhou’s city centre. What happened next provided a stark illustration of problems endemic to the industry and underscored the prescience of Yu’s statement that, “It’s things like this that can lead to social unrest.”¹⁰²

The sanitation workers at University Town had been employed by GrounDey Property Management, a sanitation company under contract with the local sanitation branch of the sub-district under the 1+18 system. As the September 1 end date of the company’s contract approached in the summer of 2014, GrounDey suddenly informed its employees that it would not seek to renew. The company presented the workers with two equally unpalatable choices: either they would be laid off, or they would agree to relocate themselves with the company to another part of the sprawling city.

As they began their protest action, GrounDey employees pushed two basic demands. First, they wanted to ensure that they received reasonable severance pay from the company as they ended their employment relationship. None wished to accede to the company’s option two, a complete relocation, which in any case came without guarantees. Second, they sought guarantees from the

local government that the new company being contracted for cleaning services for University Town would hire the existing workforce in full.

With the help of activists like Yu Wucang as well as the nearby Panyu Workers Service Centre, a labour NGO run by activist Zeng Feiyang,¹⁰³ workers devised a clear set of demands and elected 18 representatives. As an advocate for workers in Guangzhou, Zeng had assisted countless workers through the process of collective bargaining, winning back around 200 million yuan in rightful benefits, including overtime pay, high temperature subsidies, compensation for labour contract termination, social security contributions, housing funds and so on.

When the company refused to meet with the worker representatives or discuss their demands, the workers went out on strike on August 26. The strike quickly gained local media attention, with reports from the scene by Guangdong Television, and even relatively critical reporting by Guangzhou newspapers.¹⁰⁴ A report in early September 2014 from the *Yangcheng Evening News*, a daily commercial tabloid under the provincial CCP leadership, looked at the impact of administrative system reforms on sanitation workers, a rare case of introspection on the adverse impact of the government's own reform steps.

The report, "Strike By Sanitation Workers at Guangzhou's University Town Again Exposes Blind Spots in the Government's Purchasing of Services," examined a range of problems in the sanitation sector, including poor oversight by the government and the failure to adjust budgets for contracted services to allow for minimum wage guarantees, social security payments and other obligations. The report also revealed the problem of corruption below the district level, with cost accounts from 2004 for one sub-district recording that 426 sanitation workers had been paid monthly wages of 3,826 yuan (totalling 19.6 million yuan), while workers themselves reported that only 200 employees had been engaged at that time, with monthly wages of 2,000 yuan (4.8 million yuan in total). This was a discrepancy of nearly 15 million yuan. So where had the money gone?

At a time when local and national media could still, with a level of caution, cover labour issues, news coverage of the strike by University Town sanitation workers attracted concern and sympathy from the public. Within a week, more than 900 students from local campuses had signed the letter supporting the workers' action and many brought water and food to the striking workers. They created a strike fund to support the workers, and had quickly donated more than 4,000 yuan. In a surprising and colourful gesture of solidarity, a farmer faraway in Beijing shipped 18 cartons of fresh peaches down to Guangzhou to boost the morale of the strikers.¹⁰⁵

As the strike went on, local government officials came out to meet with the striking sanitation workers. The officials offered to mediate the dispute, but the workers insisted on bargaining directly with GrounDey, the sanitation company. The local government responded by arranging a collective bargaining meeting that took place on September 2, with officials at the head of the table. Two weeks of negotiations followed, after which GrounDey agreed to pay the workers 3,000 yuan in severance pay for each year of service at the company, in addition to social security and housing fund contributions in arrears. In total, the company paid an estimated three million yuan to settle the dispute.

The University Town sanitation workers' strike was a rare victory. On the morning of September 13, every one of the striking workers signed their severance agreements with GrounDey, and all were

paid in full by the company, before reporting for work with their new employer, Guangzhou Suicheng Construction and Property Co., Ltd., which had taken on the contract with the sub-district.

One element of this victory was the involvement of the Panyu Workers Service Centre, a local labour NGO in Guangzhou, which had encouraged the University Town workers to approach the district union for representation. As a core strategy, the Panyu Workers Service Centre trained the workers to seek union involvement, whether that meant representing the workers, actively participating in negotiations, or just being present during the negotiation process. In the end, though the process took some time, the trade union agreed to participate in the negotiation. As a condition of their involvement, however, the union asked that the members of the workers service centre not appear in the negotiation room.

The presence of the district union exerted substantial pressure on the company, which finally agreed to settle the case. Incredibly, the local trade union official is reported to have said as negotiations began, “Where is the chair of the enterprise union at GrounDey? The union is a workers' union and shouldn't take orders from the management!” This illustrates the potential for the positive impact for workers of the involvement of the official union, whether proactive or at the request of workers.

Isolated Victories, Persistent Problems

The problems sanitation workers faced at University Town in the wake of the settlement only emphasized the fact that fair treatment could be only a hard-won exception, never the rule. The workers' new employer, Guangzhou Suicheng Construction, immediately created problems. It insisted against hiring elderly employees and said it would not take on those who did not have local household registrations. This meant that rural migrant workers were excluded, and chiefly those from neighbouring Hunan province, who were seen as troublemakers. Such decisions flew in the face of the company's contract with the sub-district, in which it had explicitly agreed to take on all former GrounDey employees who wished to continue working at University Town.

The workers believed Suicheng was attempting to weed out those who had been involved in the strike and might create problems for the company in the future. Many of those who had served as worker representatives were migrants from neighbouring Hunan province. All had lived and worked in Guangzhou for many years, and all considered the city home. But none had been granted local household registration, a process that for the vast majority of migrants was virtually impossible then¹⁰⁶ and remains difficult today under a points-based system that takes into account such factors as property ownership and education.¹⁰⁷

Wang Ruolong, a leader in the negotiations with GrounDey who was from Hunan but had worked in sanitation at University Town for nine years, said the new company's actions were “a dirty trick designed to weaken the workers' solidarity.” He said, “In our mind, there are no locals or non-locals. The striking sanitation workers at University Town are one big family, and we stand together.”

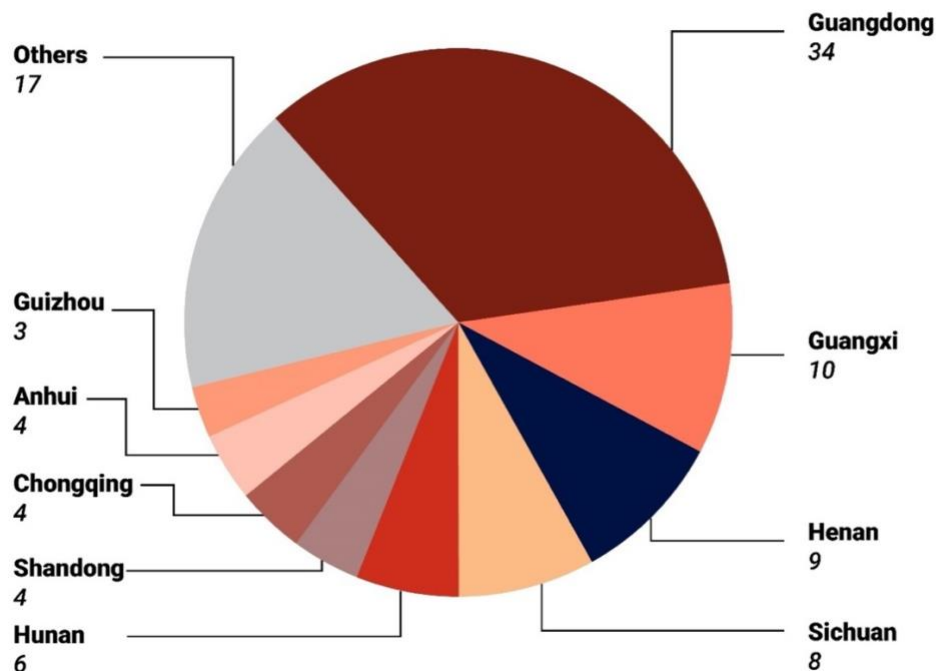
Although the eligible workers returned to work, they initially refused to sign new contracts unless the company agreed to hire all of the original staff members, as pledged in the strike negotiations. Negotiations with Suicheng began immediately after the settlement with GrounDey, and it was several weeks before the new employer finally relented, agreeing to hire all the workers and

providing new employment contracts. It was October 12, almost exactly one month after the signing of severance agreements with GrounDey, before the last group of workers were able to sign their new contracts.

The sanitation workers at University Town had demanded that new protections be included in their contracts with Suicheng, and the company eventually accepted most of these. Clear definitions were added, for example, concerning work hours, work location and job duties, so that the company could not assign employees to work in other districts or for excessively long hours, practices that had been common under GrounDey. Another concession dealt with protective equipment, which in the past the employees had been obliged to pay for themselves. Now, Suicheng would provide the workers with the equipment necessary to do their jobs safely. A final concession reflected in the new contract was that good faith negotiations between the company and the trade union or the workers' representatives should be held in the event that disputes arose over workers' rights.

Though the actions of the University Town sanitation workers drew public attention in 2014, they were just the tip of an iceberg of social unrest generated directly by the systemic failure to grapple with underlying issues. Guangzhou and the wider province of Guangdong have been the primary centres of sanitation worker activism in China, a fact that is reflected in CLB's Strike Map data. Of the 99 collective protests by sanitation workers recorded on the Strike Map during the last decade, more than one-third (34) were in Guangdong province, and 15 in the city of Guangzhou alone. The next highest total was ten, in neighbouring Guangxi Zhuang Autonomous Region, followed by Henan and Sichuan provinces.

Sanitation worker protests by province (2011-20)



Source: China Labour Bulletin Strike Map

The problems of low pay and harsh working conditions faced by workers in Guangdong are replicated in just about every city in China. Every case is a reminder that companies and local government authorities have the power to act with near impunity when it comes to workers' rights. And in the majority of cases, the only force capable of protecting workers' rights and limiting abuses by companies and the government is public pressure, brought to bear in the rare situations in which social media posts can gather sufficient attention.

In April 2019, for example, local media reported that a company in the eastern city of Nanjing called West River Environmental Services had forced its workers to wear smart bracelets that emitted an alarm telling workers to 加油 (*jiayou*) – meaning intensify their work, literally “add oil”- if they remained still for more than 20 minutes at a time. Following a public outcry on social media, the company initially defended the use of the devices on the grounds of “greatly improved efficiency,” but it soon bowed to public pressure and discontinued their use.¹⁰⁸

The “add oil” scandal was just one example of the way privately-run sanitation companies have endeavoured through whatever means possible to squeeze their employees in the name of increased efficiency and reduced costs. Companies taking over existing contracts will often assign one worker to an area previously covered by two workers, and then will impose fines on that worker if they fail to complete the cleaning work in the time allotted. Workers have sometimes been fined for the most miniscule of oversights, such as a single cigarette butt found lying on the street or for other matters completely beyond their control.

Like workers in other professions, sanitation workers are regularly denied proper employment contracts and social insurance benefits, as well as legal compensation when their employment is terminated. Many workers are denied these benefits because they are over the official retirement age of 50 years for women and 60 years for men. After retirement age, they are regarded not as employees but as “service providers” who are not covered by the country's labour laws.¹⁰⁹

The lack of consistent protections and the priority given to largely political or bureaucratic standards of cleanliness that are impossible to uphold in busy urban environments means that sanitation workers are often tasked with the impossible. A 2013 report from Zhengzhou, the provincial capital of Henan, documented how sanitation workers in one area of the city were urged on by a sanitation official while working along a busy and dangerous section of road and told it should have been swept clean by 7:30 in the morning. “These cars just fly past,” one female worker whispered to the reporter. “They prefer a clean road to my life as a sanitation worker.”¹¹⁰

In another illustration of the absurd standards to which sanitation workers can be held from their perch at the bottom of the social ladder, the municipal government of Shanghai instructed workers on 41 designated streets in early November 2020 to avoid sweeping away fallen leaves as the workers cleared litter. Why was this order given? Because city leaders wanted to ensure that residents could enjoy the picturesque yellow soapberry, willow, and ginkgo leaves artfully strewn across the pavement before the wet and dreary winter enveloped the city.

Thanks again to top-down decision-making that prioritized political expedience over consultation, Shanghai's sanitation workers were suddenly being tasked with carefully landscaping what they ordinarily would be hard-pressed simply to clear away within the space of their workday. One

worker, surnamed Liu, explained the extreme care and extra time required to fulfil this mandate from on high: "Not sweeping the leaves doesn't mean that we don't need to do our work. On the contrary, we are now spending more time sprucing up the fallen leaves." Moreover, Liu and his colleagues had the added task of sorting through the leaves for potential fire hazards, such as smouldering cigarette butts amid the twigs and leaves.¹¹¹

As leaders in Shanghai were focused obsessively on minor details, creating unnecessary difficulties, sanitation workers in the city of Wuhan, more than 800 kilometres upstream on the Yangtze River, took to social media to seek wage arrears owed by an apartment complex. In the midst of the Covid-19 epidemic, as Wuhan was under strict lockdown, they had been among the essential workers keeping the premises clean and sanitary, even cleaning rooms used as temporary housing for medical personnel. In a post on Weibo, they desperately sought to draw attention to their predicament by tagging the city's mayor as well as major news programs from the national television broadcaster, China Central Television. "As Wuhan hid from the epidemic, we protected you with our lives," they wrote. "And now you want to cause our deaths."¹¹²

In the construction industry, wage arrears have been a persistent problem, and yet the government has seemed more confident in resolving this issue in the context of state-invested projects with which they have a connection. Private enterprises, on the other hand, present more of a headache for officials, who are often at a loss about how to involve themselves. The above-mentioned cases in Panyu, in which the workers were employed by government sub-contractors, suggest that if workers can be properly represented, with union intervention to ensure fair wages and conditions, then solutions can be found. The private sector presents its own set of challenges. But these challenges too can be resolved through simple and low-cost means that involve China's workers.

Chapter 4: Adequate Social Security

The Case of Guangdong Factory Workers

When Cui Tiangang, a worker who cut and glued rubber soles at a Taiwan-owned shoe factory in Dongguan, injured himself on the job in 2014, he assumed his social insurance was a safety net that could catch him.¹¹³ His social insurance contribution, paid according to law by his employer, Yue Yuen Shoe Factory, one of the world's largest producers of athletic shoes, included medical and work-related injury insurance.

But Cui quickly discovered that there was a problem. Yue Yuen had been underpaying pension contributions for its employees, dating back decades. This discovery would soon put him on the front lines of one of China's largest factory protests of the decade, lasting for two weeks and involving as many as 40,000 workers.¹¹⁴ The strike was directly related to Yue Yuen's deliberate underpayment of pension contributions and fears that the Dongguan complex would be closed as the company shifted production inland and overseas.

The strike at Yue Yuen highlighted one of the most fundamental institutional failures in the protection of workers' rights: the fact that official trade union generally represents the interests of the local government and private companies at the expense of workers. Workers like Cui stepped up to become labour leaders where the official trade union was absent. "We expect at least an explanation, to give us an answer," Cui said in an interview with international media. "We will keep on striking if there is no offer."

Filling a Legal Gap

On July 1, 2011, as China's new *Social Insurance Law* formally went into effect, there was a torrent of praise and excitement from government officials, experts and state media. A representative from the Ministry of Human Resources and Social Security called the law a "revolutionary breakthrough" in bringing about social justice, "letting all people live prosperous and happy lives on equal footing."¹¹⁵ A legal expert from the Beijing Municipal High People's Court was only slightly more restrained: "This law fills a gap in our country's legislation on social security, and represents an historic step forward in guaranteeing the peoples' livelihood," he wrote.¹¹⁶

In fact, the law was based on existing national and local provisions that had been in effect and were evolving for a number of years, and as one expert from a joint EU-China project noted, it was "evolutionary rather than revolutionary."¹¹⁷ But the law did, for the first time ever, codify a comprehensive framework that, on paper at least, guaranteed all employees a social welfare safety net that included pensions, medical and work-related injury insurance, unemployment insurance and maternity insurance.

The system was based on employer and employee contributions paid into funds administered by local governments. The bulk of the contributions were to come from the employer. Rates varied according to local government regulations, but, generally, employers paid 20 percent of their total wage bill into the pension fund and up to 12 percent into the medical insurance fund. Employees contributed eight percent of their individual wage to the pension fund and two percent to the

medical insurance fund. Unemployment contribution rates for both employers and employees were very low, and contributions to the work-related injury and maternity insurance funds were made solely by the employer, at rates determined by the local authorities.

The intended net effect of the system was to fill the social welfare gap created by the reform of China's state-owned enterprises from the late 1990s, which resulted in mass layoffs affecting 34 million workers and brought an end to the so-called "Iron Rice Bowl" employment security guarantee previously offered by the state (affecting a further 67 million workers).¹¹⁸ State-owned enterprise reform had been the latest phase in a gradual reform process that had "chipped away at the social contract between urban state-owned enterprise workers and the state."¹¹⁹

The first glaring defect in the new social insurance system was its almost total reliance on private capital, which meant the viability of the system depended on the willingness of employers to actually pay into the insurance funds, and the willingness of local governments to enforce the law even as they sought to attract private capital to reach growth objectives. China's double-digit economic growth in the 1990s and through much of the 2000s was predicated on low-cost labour and its resulting economic advantage. Employers were reluctant to undercut that advantage by adding to their labour costs by handing over 30 percent of their wage bill to the local government in order to provide their employees with social welfare benefits. Meanwhile, eager to encourage investment in their area, local governments were reluctant to enforce the law. If employers paid any social insurance at all, it was at a lower rate negotiated up front with local government officials. One common ploy was to base the contribution rate on the employees' basic salary rather than their actual wage after overtime and bonuses, which could reduce contributions by as much as half.

The second major defect of the system was that it failed to adequately account for the fact that hundreds of millions of rural migrant workers are highly mobile and do not necessarily live, work and retire in the same location. Initially, it was virtually impossible for migrant workers to transfer their pension back to their hometown, the rural area where they had their household registration. The alternative was to seek a lump sum payment when they left their employment, a process that could prove extremely difficult. Even though rural migrant workers are covered by the *Social Insurance Law*, the actual rate of coverage has remained low through the decades since the law took effect. The last official figures, released by the Ministry of Human Resources and Social Security in 2017, reveal that just 22 percent of migrant workers had a basic pension or medical insurance, only 27 percent had work-related injury insurance, and just 17 percent had unemployment insurance.

One of the major economic trends in China since the early 2010s has been the closure and relocation of factories in the traditional manufacturing centres of Guangdong. As the wave of closures and relocations struck the migrant workforce, forcing staff layoffs or relocation, the failure of employers to pay into the social insurance funds became an ever more salient problem. Migrant workers, especially middle-aged women who were unlikely to find new employment in the area and were approaching the retirement age of 50, felt hard-pressed to take decisive action to protect their pensions.

Disputes over social insurance arrears and underpayment consistently feature in CLB Strike Map data. In September 2020, workers at a private company in the city of Zhuhai held a protest to

demand payment of six months of social insurance funds that had been deducted from employees' wages but never paid. The company had placed some employees on leave without pay, they said, using the excuse of the Covid-19 epidemic. Is it reasonable, they asked, for a company to force unpaid holidays, claiming the epidemic as grounds? "Companies need to survive, but the workers at the lowest level of our society also need to survive!"¹²⁰ The Strike Map recorded two similar cases in Sichuan province and one in Fujian province within the same one-month period.

The Contractual Spirit

The strike at Yue Yuen in 2014, like so many other cases dealing with wages or social security contributions, exposed another key deficiency: the lack of contractual spirit. This is the basic idea that workers and employers should engage on a basis of equality, with both sides bound by the terms of the contract, and with both sides having the right to consultation and participation in the contractual process.

When the Guangdong Federation of Trade Unions sided with the company and the local government in the Yue Yuen case, seeming to encourage the suppression of the striking workers, this violated the contractual spirit. And while it might seem that the workers were the immediate losers, this violation was, in fact, damaging to all parties involved, including the government. As one worker said: "In the end, three sides suffered losses in this strike – workers were suppressed, the employer had to pay billions in compensation and fines, and the legitimacy of the government was eroded."

In the wake of the Yue Yuen strike, the Guangdong Provincial Federation of Trade Unions tried to burnish its already tarnished image by vowing to make Dongguan the focus of a round of organising efforts with the hope of instituting a new and more democratic system of trade union representation.¹²¹ At the time, workers almost universally viewed the enterprise union at Yue Yuen – which like all such unions was neither run by workers nor the Party, but by company management – as being fundamentally at odds with their interests, and just 1,500 out of 40,000 employees had opted to join. Huang Yebin, the head of the provincial federation, told the *Southern Workers' Daily*, a publication directly under his union, that developing a more representative and "democratic" trade union at Yue Yuen was essential to "building harmonious labour relations," reducing labour disputes as much as possible, and providing a "stable environment for management." The goal, said Huang, should be to allow workers to raise demands through the union, which could then negotiate with companies on workers' behalf.

Imagining that in spite of its less than stellar past on workers' rights, the union could play an instrumental role in mobilising greater participation in this newly democratic process, the federation said it would dispatch organising teams to encourage membership. It would then ensure democratic elections, and that a stable mechanism for resolving labour conflicts and negotiating wage increases could be put in place. The federation hoped the project would gradually fan out to other regions in the province.

The federation's newfound interest in the democratic representation of workers in Guangdong revealed just how out of touch it was with factory workers in the region and with prevailing labour trends like those outlined in Part One. Not only had the Guangdong Provincial Federation of Trade

Unions ignored decades of rights abuses by employers across the province, itself playing a key role in entrenching bad practices, but also it failed to grasp the essential fact that factories were closing down and moving away, and that its primary concern should now be making sure that laid-off workers were adequately protected.

As the official trade union tried to play catch-up on worker representation, it fell to the small number of civil society labour organizations established in Guangdong in the 2000s to help workers deal with the most pressing issue facing them: the protection of their pension rights as companies shut down in the area or moved on to other regions.

Holding the Boss to Account

In August 2014, nearly four months after the massive strike at the Yue Yuen Shoe Factory in Dongguan, the nearly 3,000 workers employed at another large shoe factory on the south side of Guangzhou learned of their company's plans to relocate. Panyu Lide Shoes Co., Ltd., a Taiwan-owned company, produced shoes and other goods for leading global brands, including the American luxury design house Coach.

Lide had operated for years from its Panyu location, conveniently situated just 10 kilometres south of Guangzhou's urban centre, and many of its workers had shaped their lives in the area. As word got around that Lide management planned to relocate the entire facility further south to Nansha, across the Pearl River Estuary from Shenzhen and at least an hour's journey away, workers grew concerned that those unable to uproot themselves and move with Lide would simply be left behind, denied the years of social insurance and housing fund arrears owed them by the company.

In what would eventually draw out into nine long months of contention, around 20 worker activists from the Lide factory sought out the help of the Panyu Migrant Workers Service Centre, a grassroots labour organisation in Guangzhou that was already known for its relative success in fighting for factory workers' pension rights.¹²² After meeting with staff at the centre, the activists worked out a strategy for negotiating with the company that focussed on securing the payment of social insurance and housing fund arrears for those workers who could not relocate with the factory. Company managers refused to negotiate with the representatives, and for the next three months the workers met among themselves, working with the centre, trying to work out an effective counter-strategy.

By November, it was clear that Lide was determined not just to refuse negotiation with the workers, but to actively head off any further social insurance claims. On November 26, company managers presented workers with new labour contracts on which the dates had been falsified, essentially shortening the length of service for certain employees. This minimized the social insurance and housing fund arrears owed to the workers. Pressed to sign the new contracts, workers at Lide felt they were now out of options.

On December 6, hundreds of Lide workers went on strike, flooding the street outside the factory in Panyu. Lide initially seemed to relax its resistance to compromise, and worker representatives were able to work with the company's human resources department to confirm accurate lengths of service for every employee. On December 13, however, the management surprised workers with a unilateral notice limiting the lump-sum compensation to be paid for annual leave, overtime and

high-temperature subsidies – government mandated payments to workers subjected to hot working conditions¹²³ – to just 2,500 yuan per employee.

The workers immediately rejected these limitations and decided to resume their strike action, protesting the company's refusal to negotiate in good faith. Four days later, on December 17, management agreed to resume negotiations. The company said it would raise its annual leave, overtime and allowance compensation offer to 12,000 yuan per worker. But tensions continued into 2015, and by April of that year management still had not published its final relocation plan detailing the payments to workers. In response, the workers went out on strike again on April 20, hoping to maintain the pressure on Lide to act. The company management agreed at last to sit down with worker representatives, who demanded the timely resolution of all outstanding grievances, including social insurance and housing fund arrears, and also relocation compensation based on length of service; local government officials also attended the meeting, pledging to facilitate future dialogue between the workers and management.

The strikes continued throughout the negotiations, and after three days of sustained pressure from the workers, Lide and the local government issued a joint statement promising to address all of the workers' demands. On April 25, 2015, the company paid the workers the relocation compensation and housing fund arrears owed and promised to complete the payment of social insurance arrears by the end of June, payment having already been partially made in April. After many months of strikes and negotiations, with the assistance of the Panyu Migrant Workers Service Centre and CLB, roughly 2,750 Lide workers received a total of 120 million yuan in compensation. In mid-May, 120 Lide workers joined local labour activists in a celebration dinner organised by the Panyu Centre.

Demonising Activism

The Panyu Migrant Workers Service Centre was established in 1998 by migrant worker Liao Xiaofeng. The following year, trained lawyer and labour activist Zeng Feiyang took over as director. Initially, the centre focused on advising migrant workers on their legal rights and providing assistance in individual workplace injury cases. By the turn of the decade, it was concentrating more on the collective needs of workers.

One of the first successful cases occurred in 2013 at the First Affiliated Hospital of the Guangzhou University of Traditional Chinese Medicine, in which the centre helped nursing and security staff obtain long overdue social insurance payments. One security staff member at the hospital was Meng Han, whose experience on his own social insurance complaint led him to become a full-time labour rights activist working for the Panyu Migrant Workers Service Centre.

Later, the centre's activities focused on the many jewellery factories in the region that had been underpaying workers for decades. But its crowning achievement was undoubtedly the Lide Shoe Factory. This success, however, was a step too far for the local government that had been largely tolerant of the centre's activities up until this point.

In December 2015, the local authorities, with backing from Beijing, launched a massive crackdown. It targeted not only on the Panyu Centre directly, but also around 30 labour activists associated with it. Most activists were released relatively quickly, but the centre's director, Zeng Feiyang, and three senior staff – Zhu Xiaomei, Tang Huanxing, and Meng Han – were formally arrested and prosecuted.

Like Meng Han, Zhu Xiaomei had found her way into labour activism via the workplace. In 2013, she had organised her fellow workers at the Hitachi Metals factory in Guangzhou, where she was a manager, to demand payment of social insurance premiums. Her actions put her on a collision course with the company, which terminated her employment contract in January 2014.¹²⁴ Later that year, she joined the Panyu Centre.¹²⁵

Zeng was sentenced to three years in prison, suspended for four years. Zhu and Tang were given 18-month sentences, suspended for two years. Meng, who had been appointed a representative in the case, refused to confess to any crime. He was sentenced to 21 months' imprisonment. Even after serving a second prison term on September 3, 2017, Meng would remain committed to fighting for the cause of workers' rights in China. "The workers own this country," he wrote in a blog entry shortly after his release. "If our actions are a crime, then I'm willing to take that risk and continue helping the workers solve their problems!"¹²⁶

Shortly after the December crackdown, the state broadcaster CCTV and the official Xinhua News Agency ran what seemed a clearly coordinated series of attacks on Zeng and his colleagues.¹²⁷ The *Xinhua* story painted Zeng as a one-dimensional villain who had "cursed and threatened" workers in the midst of the Lide strikes in order to prevent them from "going to work as normal." And he had invited international attention to the strike: "After the strike began, certain outside media and websites all at once did huge reports with images, maliciously hyping the story and pointing their fingers at the government."¹²⁸

In addition, the *People's Daily* specifically mentioned the Panyu Centre's well-established cooperative links with China Labour Bulletin. In response, CLB Executive Director Han Dongfang published a letter to the newspaper's editor-in-chief, Li Baoshan, in which he explained the rationale for CLB's work with labour activists in mainland China and highlighted the beneficial results that had been attained. In particular, he noted that every aspect of CLB's five-year cooperation with Zeng Feiyang and the Panyu Centre, which had helped workers regain nearly 120 million yuan, much of it contributions to social insurance, was known from its outset and largely tolerated by the security authorities in Guangzhou. Han's letter questioned the confrontational mindset of the newspaper, and appealed to a greater sense of fairness and shared ideals:

*It's as though, in the eyes of the People's Daily's editor-in-chief and his staff, our world and our country admit only one kind of relationship in which one either manipulates or is manipulated. According to this cynical view, we are either cheats or fools, bystanders or troublemakers. Has the idea of comradeship and purpose truly died in your hearts? Do you no longer believe it possible to fight for shared ideals? Have you no sympathy any longer for the working class? Will you just look on coldly from the side-lines as the workers of China suffer hardship?*¹²⁹

The December 2015 crackdown marked the beginning of a sustained campaign against civil society labour groups which culminated in the round-up of supporters of the workers at Jasic Technology in Shenzhen in 2018,¹³⁰ and the arrest of several prominent activists in Shenzhen and other regions of China the following year.

Changes were also evident in media treatment of labour issues. Local media in Guangzhou had been rather active in covering the collective action of sanitation workers at University Town in 2014. But there was no coverage at all of the Jasic Technology story by domestic media between the start of the labour rights dispute on July 27 all the way through to the appearance on August 24, nearly one month later, of a highly critical report from the official Xinhua News Agency. That report sought to smear the actions of the workers by suggesting they had been planned and financed with overseas funds.¹³¹

In the wake of the *Xinhua* report, only three reports on Jasic appeared anywhere in mainland Chinese media, all on August 25. Two of these were re-runs of the *Xinhua* story, including in Guangzhou's *Southern Metropolis Daily*, a paper known in the past for its relative professionalism and unlikely to simply parrot a *Xinhua* exposé.¹³² The third was a commentary in the Central Propaganda Department's *Guangming Daily* that read like the leadership's final word on the incident, concluding that "this was not a simple case of rights defence by workers, but an incident with intervention by foreign forces, with an opaque background, demands that are impure, and means that are illegal."¹³³ In fact, one foreign correspondent who followed the story told CLB that local reporters in Shenzhen and Guangzhou were very interested in the Jasic story, relaying that "a few agonised over whether to just visit the students and workers, even if they knew they wouldn't be able to write about them."

Relief for Businesses

Even as the government has tried to close the book on labour activism over the range of violations committed by companies and local governments when it comes to basic social benefits, in recent years it has responded positively to pressure from the business lobby, which has sought to lower the rates for employer social insurance fund contributions. Several pro-business provincial governments, including Guangdong, took the initiative in slashing pension contributions as early as 2014 by adjusting the base figure on which contributions are calculated.¹³⁴

In 2019, Premier Li Keqiang stated in his work report to the annual session of the National People's Congress, at a time when China's economy was facing strong global headwinds, that employer contribution rates across the country could be lowered to 16 percent, down from a high of 20 percent. Many provincial governments like in Guangdong had already pre-empted this move, so the announcement was more of an endorsement of local initiatives than a proactive measure.¹³⁵ It was part of wider set of responses at the time intended to reduce tax burdens on businesses in the hope that this would spur economic development. As the Covid-19 epidemic lockdowns and shutdowns further broadsided businesses in 2020, the government moved to put further concessions in place, including an exemption of up to six months on all social insurance payments.

While the government was giving in to the business lobby on social insurance contributions, China's declining workforce and rapidly aging population were putting tremendous pressure on the country's main urban workers' pension fund, with one report from the Chinese Academy of Social Sciences predicting that the pension fund could be depleted by 2035.¹³⁶

At present, the overall balance of the pension fund seems healthy. Cracks are already starting to appear, however, in poorer provinces such as Heilongjiang in China's northeast, which at the end of

2019 had an overall account deficit of 43.4 billion yuan. Expenses considerably exceeded revenue in all the north-eastern provinces in 2019, and, even in the relatively prosperous coastal province of Zhejiang, expenses outstripped revenue by 10 billion yuan, while in Shandong province the deficit for 2019 was 8.8 billion yuan, according to the 2020 China Statistical Yearbook.¹³⁷

In July 2019, the central government embarked on a regional pension redistribution plan under which 485 billion yuan will be collected from seven richer provinces and redistributed to 21 poorer regions that have seen significant outflows of labour.¹³⁸ At this late stage, these types of changes do little to reassure younger workers, those born in the 1980s and 1990s, that there will even be a state pension left by the time they retire. Their fears are exacerbated by the increasing difficulty of finding a job that provides any kind of social welfare benefits or offers any kind of job security.

Chapter 5: Excessive Working Hours and Job Security

The Case of China's Exhausted Tech Workers

Over the past 10 years, China's economy has shifted from manufacturing to services, discussed in Part One. Economic growth in China had slowed significantly by the middle of the last decade, and for government officials and market analysts alike, the growth of consumer spending was "deemed essential for continued, robust economic expansion."¹³⁹ Compared to household consumption in the United States in 2007, household consumption in China had already risen from just 13 percent of U.S. levels to 34 percent in 2017.

But as a share of GDP, household consumption was still low.¹⁴⁰ As China's leaders have sought in recent years to manage the economic transition and create new jobs – the key to stable consumption – technology growth has been placed at the centre of planning for long-term development. The technology sector is an essential source of alternative employment as China's low-cost factories close down or move overseas. According to a report from the China Academy of Information and Communications Technology (CAICT), the digital economy employed more than 190 million people in China in 2018, accounting for a quarter of all jobs.¹⁴¹

Though the government's turn against tech giants in 2021 was a clear sign of changing priorities, the government has for almost two decades placed tremendous faith in the entrepreneurial spirit of China's new tech companies, hoping their innovative market solutions could in turn solve the problem of steady employment and open up a bright new future for ordinary working families. This faith was epitomized by Premier Li Keqiang in 2015 as he met with young entrepreneurs in a coffee shop in Beijing's hi-tech hub of Zhongguancun. During the meeting, Li stressed that "entrepreneurship is not a privilege of a small number of people but the choice of many."¹⁴² He marvelled at a new app that helped soccer players find teammates and play games. Betraying a high degree of trust in the power of market forces to offer innovative economic solutions, he said, as quoted in the government-run *China Daily* newspaper, "We never knew the public needed such services, but the market knows. Trust the market. That is the essence of public innovation."

As technology came to dominate China's economic growth story and increased employment opportunities, the market could also be brutal for the country's tech workers. Through to the end of 2020, these contrasts were often stark. On the one hand were the country's tech moguls, billionaire founders like Alibaba's Jack Ma and Tencent's Pony Ma, who symbolized the promise of China's tech dream: the idea that if you just work with determination, you can accomplish anything. On the other hand, there was just about everybody else, living out the harsh reality of gruelling hours and poor growth prospects in a fiercely competitive tech industry.

We deal in this chapter, as well as in Chapter 8, with specific cases in the tech industry that speak to the growing pressures facing workers in many of the jobs at the heart of the Chinese economy, bearing in mind that the digital economy made up close to 40 percent of the country's GDP in 2020.¹⁴³

Up Against a “Wolf Culture”

For much of the last decade, jobs in China’s burgeoning tech sector have been highly sought after.¹⁴⁴ Relatively high starting salaries and performance bonuses have encouraged staff to push themselves, working longer and longer hours, blurring the lines between home and office. As one industry observer based in Guangdong told CLB, a high salary means that “the boss basically owns you.”

Competition for jobs has likewise been fierce. In early 2018 it was not uncommon for start-ups in the hottest emerging areas of the tech sector, including AI, to lure talent away from more established firms by offering pay raises of 50 or even 100 percent.¹⁴⁵ But intense competition in the market means companies expect employees to keep to gruelling schedules, and generally those over 30 years old, viewed as incapable of sustaining the work, are not hired.¹⁴⁶

Increasingly, the dream and lure of the tech industry represented by successes like Alibaba, Tencent, ByteDance and a host of other start-ups came up against the harsh reality of just how hard those in the tech industry must work. Jack Ma and other tech moguls have continued to endorse an extreme overtime culture, called “996” – meaning that employees should expect to work from 9AM to 9PM six days a week. “I think everybody can be successful if you really try hard,” Jack Ma told an audience at a tech conference in Paris in 2019. At the same conference, he claimed his company had created “close to 40 million jobs directly and indirectly in China.”¹⁴⁷

By 2019, many of the programmers and beta testers slaving away at tech start-ups day after gruelling day had become sick of it. Owing to a number of factors, including the ongoing trade war with the United States and falling incomes at many firms, the tech industry was in trouble.¹⁴⁸ As staff were laid off, remaining staff were forced to work even harder than before. Thousands of tech workers began organizing in protest against the excessive working hours demanded of them.¹⁴⁹

Some launched the “996.ICU” campaign, the name referring both to the notorious 996 culture and to the intensive care unit, where overworked programmers had been known to end up.¹⁵⁰ The campaign called on tech workers to create a blacklist of companies who enforced excessive working hours or had an abusive work culture. It also proposed that companies should agree to an “anti-996 license” as a condition for using open-source software.

The campaign attracted a lot of media attention both domestically and internationally. In the end, however, it had a limited impact on changing the work culture at tech companies. Tech bosses seemed to shrug off concerns about overworking their employees. Even as tech companies faced criticism on the back of the 996.ICU campaign, Alibaba’s Ma doubled down on his message of sacrifice: “I personally think that being able to work 996 is a huge blessing,” he wrote on the company’s WeChat account.¹⁵¹ “How do you achieve the success you want without paying extra effort and time?”

But the 996.ICU campaign allowed many younger tech workers to voice their criticisms of the entrepreneurial myth that hard work necessarily leads to a better life. Instead, they demanded a better work/life balance, and they rejected abusive or exploitative work environments such as the “wolf culture” pioneered by tech giant Huawei, that stress loyalty and dedication to the company above all else.¹⁵²

Attitudes toward work seem to be changing among white-collar workers. A survey published in late 2019 revealed that younger workers felt little sense of loyalty to their employers, and most changed jobs within three years.¹⁵³ The overwhelming majority of survey respondents said the most important aspect of any company culture should be respect and fair treatment, and only a minority said they could accept a “wolf culture” stressing devotion. “When it comes to respect, ‘overwork’ is at present the number one enemy of white-collar workers,” said a media report on the survey. “With the popularity of smartphones making communication convenient, white-collar workers can be called on to work at any time, and they hope to escape a cycle of 24/7 work.”

Up Against the Algorithm

While the push to innovate and outmanoeuvre the competition in the tech industry culture has translated into harsh working conditions for many white-collar workers, those working at the other end of the digital consumer economy – as food delivery workers, ride-hailing app drivers and other services – have found themselves ensnared by the very tech innovations meant to bring convenience. They can essentially become slaves to the algorithms deployed by tech platforms to digitize operations and drive down costs.

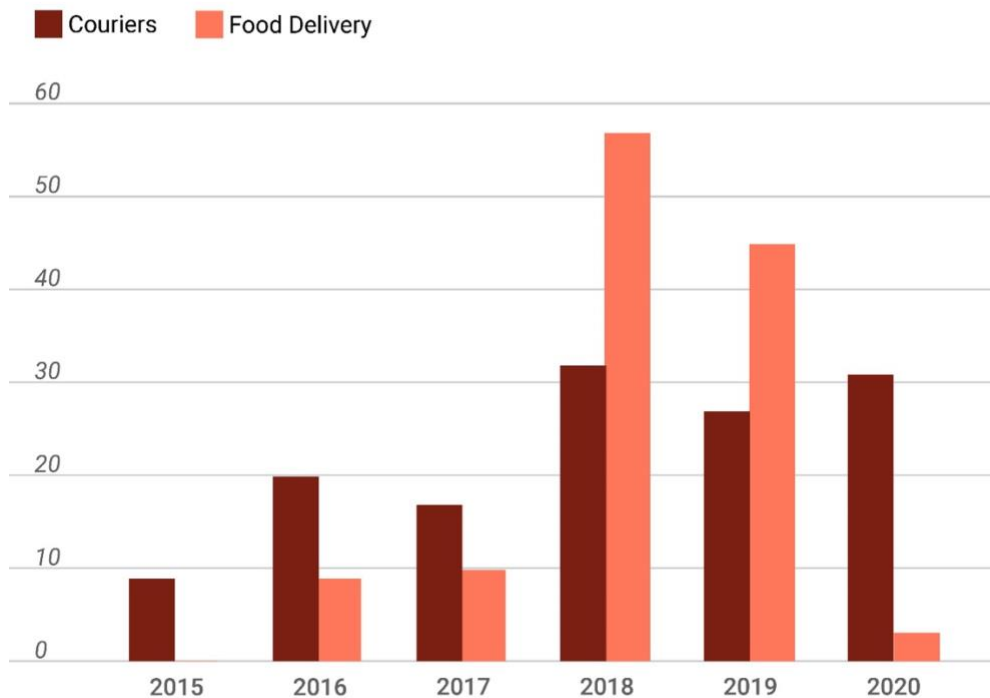
Major tech companies and their supporters in government often claim that the gig economy provides workers with the freedom to work when they want and as they want, thus achieving a better work-life balance. But for workers who depend entirely on the gig economy and who must work excessively long hours just to earn a living wage, the promise of freedom could not be further from the truth.

One of the fastest growing sectors in China over the last decade, the food delivery market was valued at U.S. \$86.2 billion in 2019.¹⁵⁴ The market is largely controlled by two major companies, Meituan and Ele.me, which have been in a constant battle for market domination in takeaway delivery since the late 2000s.¹⁵⁵ But the competition began in earnest in 2016, as the industry really started to take off. To attract more customers, the platforms increased spending and reduced prices, recouping their losses by cutting driver remuneration and increasing the fines charged to drivers through their delivery apps for late deliveries.

Such policies and practices have had a direct impact on the lives of delivery drivers. In two of the more extreme cases, one 43-year-old delivery worker in Beijing died from exhaustion in December 2020. Although the worker, surnamed Han, had purchased accident insurance through Ele.me's platform before his death, the company claimed afterward that he had not been directly employed. The company offered Han's family just 2,000 yuan in compensation.¹⁵⁶ Less than two weeks later, on January 11, 2021, Liu Jin, a 47-year-old delivery worker in the city of Taizhou, set himself on fire outside the local Ele.me franchise office after the company refused to pay him 5,000 yuan in wages. Liu had worked for more than 12 hours a day, but was still classified as a contractor.

CLB's Strike Map provides a snapshot of the impact that policies at these platforms have had on the lives of delivery drivers. The number of protests by food delivery workers on the Strike Map rose rapidly from 10 recorded in 2017 to 57 the following year and 45 in 2019, while protests by package couriers have been a constant feature of the urban landscape since 2016.

Protests by couriers and food delivery workers (2015-20)



Source: China Labour Bulletin Strike Map

Consider, for example, the month of October 2019, when the Strike Map recorded eight protests by delivery workers, including seven protests in seven cities that were the cascading effect of financial problems at one major company, Shanghai's YTO Express Group. On October 12, hundreds of drivers for OTP Express in Beijing, a subsidiary of YTO Express, held a sit-in to demand compensation after the company suddenly announced its pending closure.¹⁵⁷ The next day, OTP Express drivers in the municipality of Chongqing protested the closure, demanding compensation by holding a sit-in and even blocking roads.¹⁵⁸ On October 14, protests related to the OTP Express closure broke out more than 700 kilometres to the north in Xi'an.¹⁵⁹ The next day, October 15, related protests began in the city of Wuhan, in Hubei province,¹⁶⁰ and also in Shanghai, 800 kilometres to the east.¹⁶¹ Less than a week later, on October 21, employees of another local subsidiary of the parent company, YTO Express, in Xiangtan, a city in Hunan province about 400 kilometres south of Wuhan, held a protest to demand several months of wage arrears. "I wonder," asked a post on Weibo, how such a big company can default on wages?"¹⁶²

In Chapter One, we noted that in recent years there were fewer large-scale protests unfolding in China. This is largely as a result of broader economic changes that make it less likely that large numbers of workers will be employed at a single location. But the October 2019 protests related to the YTO Express Group offer a glimpse at how labour unrest in the era of the digital economy, though dispersed, can still involve many thousands of workers, with implications that are more national in scale. It is important to note, moreover, that the wage arrears and other problems experienced by the workers in these cases resulted directly from the atmosphere of extreme industry competition, which had providers like YTO Express slashing margins in 2019 in order to attract customers and maintain or gain market share.¹⁶³

The protests among food delivery drivers reflected in the Strike Map dropped in 2020, due to the massive influx of new drivers laid off from factories and other businesses shuttered by the economic contraction and the Covid-19 pandemic. Newer drivers were desperate to make a living and had not yet experienced the sudden changes in working conditions older drivers were all too familiar with.

But the relative lack of collective action in 2020 should not be taken to suggest that conditions in the industry improved. An exposé published in the monthly *People* magazine in September 2020 graphically described the intense working conditions endured on a daily basis by workers in the industry.¹⁶⁴ The article, “Delivery Riders, Trapped in the System,” revealed how food delivery workers were essentially slaves to their platform algorithms, with little or no chance of meeting targets unless they deliberately violated traffic regulations, putting their lives in danger, or were fortunate enough to encounter no obstacles, such as bad weather, delays from office building security personnel, or customers unavailable for pickup.

The *People* exposé brought a wave of public outrage at the conditions facing delivery workers, who were seen as essential and valued workers by many in the midst of the epidemic. As a result, delivery platforms made what appeared to be – on the surface at least – certain concessions to the workforce.¹⁶⁵ On September 10, Ele.me announced that it would provide an additional service option for customers to indicate willingness to wait an additional five minutes, thereby giving drivers more latitude. For its part, Meituan announced it would extend its delivery time by eight minutes.

Food delivery workers were not impressed with these apparent concessions, which merely placed the burden of more humane expectations on the backs of consumers, absolving service providers of any responsibility to their workers. These quick fixes, said the drivers, failed to address more fundamental problems in the industry. By papering over the cracks, the platforms sought to alleviate some of the public criticism and attract more workers to the industry, people who might later become trapped in the system.

What might the company have done instead? If delivery workers were invited to sit down with the company on a regular basis, for example, annually, to discuss issues of concern such as safety, social security and fair remuneration, this might help lay the foundation for real progress. Certainly, such an approach would not be a catchall solution. But regular discussions and negotiations between workers and their employers would help to avoid the most dramatic of consequences.

Not unlike in the manufacturing and construction industries, the lack of real representation of workers’ interests in the gig economy means they are asked to underwrite so-called efficiencies such as lower costs and faster delivery times and bear a disproportionate burden of risks. We can see this at play in other areas of the gig economy, including China’s ride-hailing market, worth an estimated 300 billion yuan. The market is currently dominated by Didi Chuxing, which has a 90 percent market share.¹⁶⁶ The platform has also been under constant pressure from new rival start-ups, including service aggregators that allow users to hail a ride from various platforms simultaneously. In order to maintain its competitive advantage and market share, Didi has cut drivers’ pay and introduced restrictive work practices to ensure driver loyalty, placing the burden of competition directly on the drivers themselves.

In June 2018, for example, Didi introduced a new policy making it more difficult for drivers to claim their bonuses at a time when they were already facing a serious burden in rising fuel prices. The Didi policy prompted a six-day strike by drivers in Hunan province, who posted a detailed list of ten demands and grievances online that revealed how they too were trapped within the algorithm.¹⁶⁷ The strike coincided with the National College Entrance Examination, and given the inconvenience caused by the strike to young test takers and their family members, drivers posted public statements pleading for support and understanding.

On June 8, drivers staged a demonstration outside the company's head office in Hangzhou, protesting a new "guarantee scheme" Didi had rolled out two months earlier. The scheme, which claimed to provide drivers with a stable income, required them to work a minimum of ten hours a day.¹⁶⁸ When drivers refused to join the new scheme, Didi responded in what seemed a retaliatory manner, by reducing the orders of those drivers. Understandably, the company's arm-twisting tactics sparked anger among drivers who wanted to maintain a more flexible work schedule. One driver said in a social media post that the new Didi system had directly resulted in a 5,000 yuan drop in his monthly income. After expenses such as fuel, the driver was left with just a few thousand yuan a month. Even those drivers who had managed to maintain a high customer rating through their personal service found that they were unable to secure orders until they relented and joined the new scheme.¹⁶⁹

Changing Winds

The story for tech firms and their bosses has shifted dramatically since late 2020. For most, 2021 was a year of reckoning. And this was not about painful market correction that Premier Li had feted five years earlier. Rather, the correction – which has been broadly characterized in international media as a "tech crackdown"¹⁷⁰ – came from the government, which since late 2020 has unleashed a barrage of regulatory measures and punitive actions designed to tame the sector and bring its ambitious moguls to heel.

The reality of the crackdown on China's tech industry is complicated, and the various actions taken by the authorities have been explained as serving numerous priorities: checking the power of tech giants and their hold on data; protecting data privacy; reining in anticompetitive behaviour;¹⁷¹ lowering the educational burden on families, and so on.¹⁷² State media report that many of these actions are ultimately about the larger CCP political objective of achieving common prosperity, which Xi Jinping has billed as an equality-promoting measure by which "all can share the fruit of economic and social progress."¹⁷³

The talk within the leadership of common prosperity is not new, having been used in the early Deng era to describe the ultimate goal of letting a few get rich.¹⁷⁴ But as it has been trotted out and redefined under Xi, its aim is reportedly to "reduce inequality by wealth redistribution and improved welfare," according to Xinhua News Agency.¹⁷⁵ The country's tech gurus and companies have leapt out in support, recognizing the need to safeguard their personal and business interests by signalling obedience to the CCP's calls for social responsibility.¹⁷⁶ Tech companies in China have now pledged tens of billions of yuan for initiatives related to common prosperity.¹⁷⁷

What will this top-down campaign of “common prosperity” mean for China’s tech workers? On the one hand, some signs are encouraging. In December 2021, for example, the government released new guidelines meant to regulate the gig economy, with new rules on workers' rights in the ride-hailing industry.¹⁷⁸ The rules, introduced by the country's transport ministry, specified that drivers working for ride-hailing firms must not earn less than minimum wage, and that they must have access to social insurance. In many cases, however, workers at ride-hailing platforms like Didi are not hired by the company directly, but rather are engaged through various labour agencies at the city and county levels. The government may urge the signing of formal labour contracts, but it is generally left to the agencies to implement these well-meaning policies, and agencies continue to have a clear interest in undercutting the benefits of drivers. There is also the practical question of how the government plans to monitor small and medium-sized labour agencies.

So far, the leadership’s approach to common prosperity, while perhaps well-intentioned, is a re-application of the top-down administrative approach to achieving broad agendas. Some, including perhaps Huawei, may feel a certain *schadenfreude* as tech firms face punitive measures from the government. But the only long-term solution to the problems facing workers in the tech industry, as in any industry, is an atmosphere of mutual respect between labour and management. Real solutions require not a spirit of vengeance but a spirit of contractual relations, with both companies and workers bound and protected by contracts in which both have freely participated and that are respected and enforced by the government and the courts.

The top-down push for common prosperity may seem at first glance to benefit workers, and it is certainly pitched in this way by the state media.¹⁷⁹ If the fruits of economic development are shared by all, then by definition workers must be included. But the push for common prosperity repeats a familiar pattern by which workers are not consulted in the framing of policies directly impacting their lives. Nor does the drive address systemic issues that will need to be resolved before workers can achieve stronger and more stable protection. Tech companies may now look weak, grovelling at the feet of the government. But unless workers are permitted to represent themselves through the union and bargain directly with their employers, they will remain weak in their dealings with tech companies large and small, the issue most relevant to the protection of their interests.

As many cases in recent years have made painfully clear, workers in the tech sector are extremely vulnerable in a competitive environment that pushes them constantly to increase their productivity. Consider the case in December 2020 of a female employee at e-commerce giant Pinduoduo, who died after working well past midnight; or another Pinduoduo employee who committed suicide just weeks later, prompting the company to respond by announcing psychological counselling services for its workers.¹⁸⁰

Despite the actions facing tech companies through 2021, it is clear that the growth of the tech sector will continue to be a source of future development and employment. Without more fundamental efforts to ensure that workers are involved in decision-making and negotiation about the nature of work in a changing economy, the goal of common prosperity will remain elusive. For now, the climate that prevails in the tech industry is determined by broader economic, cultural and institutional factors that perpetuate problems for workers.

As well-intentioned as the broad objectives behind the push for common prosperity may be, such broad measures are likely to sweep right past the most immediate concerns of tech workers. New guidelines, like those meant to tighten scrutiny of the gig economy, might appear progressive, with their intentions in the right place. But where is the scrutiny to come from? And who will be empowered to act? The answer, unfortunately, is that once the smoke clears for China's tech companies, it will still be these same companies that largely determine the fate of workers in the sector.

But as employment relationships in the high-tech sector demonstrate, it is insufficient to rely entirely on the conscience and good faith of employers when promoting workers' rights and the ultimate goal of common prosperity. The most important question is not whether the government's intentions are good or bad. Rather, it is how the role of government should be defined in relation to China's workers. At present, the government involves itself only in a post-facto manner, after unfairness has had its day. Workers, on the other hand, are allowed no role, and therefore no say, in the terms and conditions of their labour – even though it is they who have the clearest view.

The reactive posture of the government on workers' rights serves neither workers nor the government. But there are simple solutions for both that make a real impact, allowing for progress toward common prosperity for China's workers while avoiding recurrent conflicts and tragedies that prompt reactions.

Technological innovations have the capacity to improve human lives. For delivery drivers, for example, technology can potentially provide greater freedom and flexibility in employment.¹⁸¹ Technology can also be applied as a solution for one of the most persistent problems facing Chinese workers: the prevention of work-related accidents and deaths. The government, for example, has promoted further mechanization and automation as ways to curb serious accidents.¹⁸² And in 2016, the State Administration of Work Safety, at that time the non-ministerial agency responsible for occupational safety and health in China, released a document that proposed "tackling major technological problems in work safety" in order to "effectively enhance the ability to prevent and control the risks of production safety and to effectively curb the momentum of frequent serious accidents."¹⁸³ But as we discuss in Part Two, the obstacles to safety for China's workers are deep and complex, requiring much more fundamental change.

PART TWO: Safety First Versus Profit First



Photo credit: Shutterstock / Jihao Pan

No visitor to China, where construction sites loom around every corner, could fail to notice the country's apparent obsession with safety. Emblazoned over the top of industrial facilities, unfurled from the skeletons of apartment blocks under construction, the slogan is ubiquitous: "Safety First!" (安全第一 *anquan diyi*). This slogan conveys an extremely important message: all workers must feel that they are as safe as possible as they go about their jobs. But in an era of rapid economic development and fevered construction, during which development has been of "overriding importance," according to Deng Xiaoping,¹⁸⁴ the words "Safety First" have become an act of self-deception. As one Chinese professor and expert on work safety wrote in the journal *Enterprise Economy*:

"Safety First" has been an integral component of China's policy on production safety, with a history going back a half century in China. "Safety First" has become deeply rooted as a concept in people's hearts, especially at enterprises where it has for employees become a stock phrase. But for many years, people in safety management have said "Safety First" is just a slogan, that it is difficult to put into practice. Many leaders just talk the talk, and the real operating [principle is] profit first.¹⁸⁵

The concept of “Safety First” under the CCP goes back to the founding of the PRC, the term having appeared for the first time in the *People’s Daily* on November 10, 1949, when the first task in dealing with the widespread injury of workers in mines was “for cadres at various levels to first understand the concept of the importance of safety, and raise ‘Safety First’ to a high-level principle.”¹⁸⁶

One reason “Safety First” could thrive as a slogan in the 1950s, as the country pursued intensive industrial growth based on the Soviet model of state ownership, was that safety was a benchmark to be reached within state-owned enterprises, which were not beholden to the profit motive. Therefore, the state-owned enterprises had little incentive to compromise safety in order to drive down costs. In other words, there was little need to balance safety against other priorities. The situation changed rather dramatically with the start of economic reforms in the late 1970s. As the economy and the workplace were transformed, and safety became one priority to balance against the costs of production, the slogan “Safety First” nevertheless persisted, though the gap between talking the talk and taking action grew steadily worse.

For many workers in China, the gap between “safety first” and “profit first” can today prove deadly. In 2020, China reported 27,412 deaths from so-called “production safety accidents,” according to the Ministry of Emergency Management.¹⁸⁷ And although these fatalities are just a fraction of what they were a decade ago, owing to the closure of many traditionally hazardous industries such as small-scale mining operations and manufacturing sweatshops, they continue to point to an atmosphere of systemic neglect when it comes to workers’ safety.

In the chapters that follow, we look at cases of work-related accidents and occupational illness, exploring the root causes of their persisting reality for China’s workers. Many of these cases have been archived through China Labour Bulletin’s Work Accident Map, which since December 2014 has tracked workplace accidents in various industries. These include cases like the death of a mine worker in Jiangxi on December 23, 2020, in what was referred to simply as a “transport accident;”¹⁸⁸ the death the next day of two workers and the injury of four others at a sea terminal in the city of Nantong, as their ship overturned while doing dredging work;¹⁸⁹ and the death of two workers at a construction site in city of Haining in Zhejiang province as a structure collapsed on Christmas Day,¹⁹⁰ leaving workers trapped in a tangle of steel.¹⁹¹

These deadly accidents, which occurred over three consecutive days, were too commonplace to gain widespread attention. But with some regularity, such cases do become national news stories in China, prompting public hand-wringing from officials and the media over work safety.

When an explosion occurred at the Hushan gold mine near the city of Qixia in Shandong province on January 10, 2021, 22 workers were trapped deep underground.¹⁹² A commentary appearing on January 13 in the *Guangming Daily*, a national newspaper published under the Central Propaganda Department, called for full investigation into the causes in order to avoid similar tragedies in the future. “We must know that ‘Safety First, Life Above All’ has never been just an abstract slogan,” it said. “But only by putting it into practice in the safety norms of every enterprise can we make it real.”¹⁹³

The sentiment might have seemed genuine enough, but such calls for a reckoning on “Safety First” are in fact as old as the People’s Republic of China itself.¹⁹⁴ The slogan was applied as early as 1950

out of concern for the “constant occurrence of accidents” in the coal fields of Chahar, in an area that is now part of Hebei and Inner Mongolia.¹⁹⁵ Turning the call for “Safety First” into truly safe workplaces is not only possible but also realistic.

But for this to happen, a number of assumptions need to be challenged in practice and mechanisms must be put in place to ensure that all parties involved, including workers, companies and the government, play their necessary roles. First, it is unlikely that employers, whether state-owned or private, are willing to voluntarily and without oversight respect laws on work safety when this means sacrificing convenient profit. Second, top-down actions by political and administrative powers are likely to be effective in pressing employers to improve safety and working conditions. Finally, instead of assuming that workers can only be potential violators of health and safety laws and regulations, policymakers should understand instead that they can serve as effective monitors.

As we will discuss in the cases that follow, real and lasting progress on work safety is prevented at every turn because these failures are enabled by a system devoted to a profit-first mindset and a system in which workers are denied a voice – a subject we deal with in more depth in Part Three. Interestingly, the important question of worker representation was also present from the beginnings of the “Safety First” slogan in China. The discussion in 1950 around safety in the coal fields of Chahar prioritized ensuring “democratic management” that involved the workers. That idea, too, has been lost in the politics of profit first.

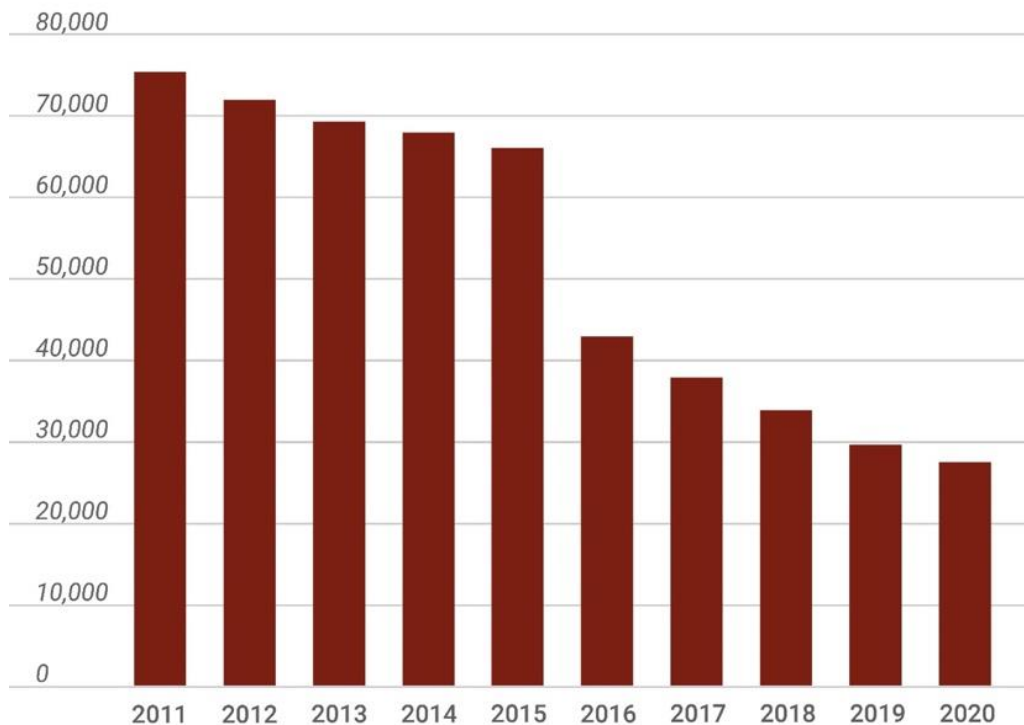
Work-Related Accidents: The Numbers in Context

Following some of the general economic trends discussed in Part One, including a move away from manufacturing toward services, the number of work accidents and deaths in China has declined significantly over the last decade, even in the absence of real action by employers and local governments to improve safety conditions. According to official statistics, the number of production-related deaths in China in 2011 was 75,572. In 2020, that figure is 27,412, a more than 60 percent decline.

A 60 percent decline may sound like progress. But in reality, the risks have simply been transferred to new segments of the economy as the general economic picture has changed. New safety hazards have been created in the service sector. For example, in the food delivery industry, workers are routinely injured and even killed in traffic accidents while rushing to deliver lunch and dinner orders. Owing to a 2015 change in the way official statistics account for work-related accidents, these “traffic accidents,” or “non-production accidents,” are not always included in the official statistics.

Even if we take the government’s accident and death statistics at face value, there were still 74 work-related deaths on average each day in 2020.¹⁹⁶ An examination of CLB’s Work Accident Map, which has catalogued more than 3,200 major incidents reported in the media since 2014, shows just how widespread and commonplace work-related accidents remain. Accidents occur on a regular basis in every region of China and across a broad range of industries. While large-scale incidents such as explosions and fires with large death tolls and extensive damage receive the most media coverage, these incidents represent a relatively small proportion of the total. Explosions, for example, account for just 11 percent of incidents recorded on CLB’s Work Accident Map.

Work-related deaths in China (2011-20)



Source: National Bureau of Statistics, Ministry of Emergency Management

The vast majority of work accidents are relatively small-scale and mundane. Consider, for example, the series of fires and collapses that happened across the country in early December 2020: a fire in a factory in Zhongshan on December 6, resulted in injuries but no deaths;¹⁹⁷ a factory collapse in Shanxi province on December 7 killed two and seriously injured others;¹⁹⁸ a crane collapse at a construction site in the city of Ningbo on December 8 killed two workers and injured another;¹⁹⁹ a collapse at a construction site in Hunan province on December 10 injured three;²⁰⁰ a factory fire in Sichuan province, also on December 10, injured nine workers.²⁰¹ Reports of such incidents in the local media, as in the Ningbo crane collapse incident, generally state only that “the reasons for the accident are under investigation.”²⁰²

But whatever the immediate causes in the mine, on the construction site or on the assembly line, work-related accidents continue to occur with regularity in China because fundamental causes have not been dealt with. The prevention of accidents has not been prioritized across industries. The focus instead has been on post hoc punishment, including the short-term closure of work sites and the fining or imprisonment of management and local officials. The government has not provided sufficient oversight and enforcement of safety laws and regulations on the workplace level. And official trade unions, which are supposed to be rooted in every workplace, have failed to monitor potential work hazards before they have tragic consequences. This is not surprising. After all, the workplace is where safety failures are happening, and if trade unions are not in the workplace, how can they possibly offer solutions? These fundamental failures all come into play as we discuss three sectors in particular: coal mining, construction and food delivery.

Chapter 6: The Vicious Cycle of Heroic Rescue

Repeating Patterns of Neglect in the Mining Sector

Coal mining has a reputation as one of the most dangerous industries in China. This owes in part to media coverage of mining accidents and extended rescue efforts and multiple fatalities, like the death in December 2020 of 18 miners in Chongqing as a result of a gas leak while workers were dismantling equipment underground.²⁰³ But, in fact, the safety record of the coal mining sector has improved notably since the 2000s, when up to 7,000 coal mine deaths occurred every year. In the space of just five months between October 2004 and February 2005, there were three major accidents, all gas explosions, in Henan, Shaanxi and Liaoning provinces that killed 528 miners in total. The annual death rate had fallen to below 1,000 by 2014, and in 2018, China reached the milestone of fewer than 0.1 deaths per million tons of coal produced.²⁰⁴ That figure declined further in 2019 to 0.083 deaths per million tons.²⁰⁵ In 2020, the official death toll for the year was 225, or .058 deaths per million tons of coal produced.²⁰⁶

The drop in accident and death rates has been hastened by the mass closure and consolidation of mines at the end of the 2000s, especially in the coal heartland of Shanxi province. This was followed by a drop in the price of and demand for domestic coal in the late 2010s, part of a government initiative to cut excess capacity, which led to the layoff of 1.8 million miners.²⁰⁷ Mechanization in China's larger mines has also contributed to the fall in death rates. But despite the more encouraging numbers on accidents and deaths as a result of these broader economic changes, the basic causes of poor mine safety have never been dealt with. Far from celebrating, we should anticipate the next cycle of accidents, both major and minor.

In a 2014 study drawing on five years of data from fatal gas accidents in China up to 2010, domestic experts noted that while the total death toll in China's coal mining industry was down, the industry still "bears the worst safety record in the world."²⁰⁸ In the period covered by the study, gas accidents in China's coal mines were happening at a staggering rate of one every 3.8 days. The study noted a lack of sufficient safety personnel, equipment and systems at mines, and this applies at the national, provincial or township levels.

Safety inspections at the workplace level, moreover, are a point of serious neglect. One response to this problem might be the addition of trained safety inspectors. That process could begin with a determination of how many full-time inspectors are needed across the entire country, then how much these inspectors would cost in training and employment. It is a simple calculation, but the deeper problem is that there is likely an insufficient number of mining safety experts in China. Many regions suffer from a severe shortage of inspection staff, and in many major mining regions, one supervision department can be responsible for the inspection of hundreds of mines.

Safety experts may be lacking, so why not enlist China's rank-and-file workers to be directly involved in the monitoring process? Workers, knowledgeable about mining processes and safety, could operate as inspectors in the field without adding additional cost, so long as they are empowered to do so. Not only would this approach be low-cost and effective, but also it would help to eliminate another problem, namely the hijacking of the role of work safety inspectors by political and economic interests. "Driven by their own interests," the 2014 study on fatal gas accidents

noted, “local administrations might overlook the violation of regulations and standards of some [township mines]. In addition, corruption has also appeared in the safety supervision process.”

When an explosion struck the Hushan gold mine near the city of Qixia in Shandong province on January 10, 2021, each of these factors were at play. The explosion at the mine, owned by a subsidiary of Zhaojin Mining, China’s fourth-largest gold mining company,²⁰⁹ left 22 workers trapped deep underground, their communication completely cut off from the surface. According to a subsequent report,²¹⁰ two consecutive explosions occurred in the mine as a result of the illegal use and storage of explosives and “improper operations.” However, it was nearly two days before the incident was reported by officials to the local emergency department in Qixia, and even after it received attention, officials concealed key details.²¹¹ In the end, 10 miners died in the incident, and 11 miners were brought up to safety on January 21,²¹² the end of a dramatic 10-day rescue campaign that was eventually livestreamed by domestic media.²¹³ As the results of an official investigation were released, 45 people were singled out for responsibility, including Qixia’s top local officials. Municipal Party Secretary Yao Xiuxia and Mayor Zhu Tao were both removed from their posts and criminally investigated.²¹⁴

The removal of top local officials and disciplining of scores of other local administrators and company bosses following the tragedy at the Hushan gold mine seemed to bring the case to a satisfactory conclusion by the end of February 2021. But the government’s “investigative report” on the incident omitted the most important details and avoided the most important questions. Beyond the initial cover-up by local officials, company bosses and others, how had these safety lapses been permitted in the first place? What would be done to ensure these lapses did not happen again in the future, causing the deaths of yet more workers? Revealingly, the media coverage of the report did not linger on such questions, focusing instead on the punitive actions and particularly the detention of top local officials.²¹⁵ A commentary in the official Xinhua News Agency in the midst of the rescue effort had epitomised this emphasis on the punishment of evildoers by referring to those involved in the initial cover-up as “enemies of the people.”²¹⁶

Such outpourings of moral indignation distract from the core problems in these cases. But we might return to the heart of the issue by asking a simple question: Would the workers who lost their lives recognize justice in the punishments meted out to officials, or would they prefer instead that no one be punished and their lives be spared from senseless and avoidable tragedy?

In fact, the disaster in Qixia followed a terribly familiar pattern. First came the initial failure to provide adequate safety systems and personnel, then the failure to ensure compliance with safety regulations through regular and serious inspections, and the enabling of local corruption between the government and mining operations. This was followed by the initial cover-up and slow response to an inevitable tragedy. Finally came the obscuring of real insights about the causes of such tragedies and the means to preventing them, done through propaganda campaigns and sloganeering about safety and through the demonizing of local officials and company bosses to defend the very system that had failed workers in the first place.

Transforming Tragedy

China's workplace safety implementation has become muddled in recent years. In March 2018, China's State Administration of Work Safety was merged into the newly-created Ministry of Emergency Management (MEM) under the State Council. The MEM is a new mega-ministry that replaces the former State Administration of Work Safety. The mandate of the MEM is to oversee, in addition to work safety, the management of a wide range of natural and made-made disasters from forest fires, to earthquakes, floods, and explosions. Under this reshuffling, workplace accidents are now treated as "emergencies" rather than predictable and preventable occurrences.

The State Council itself conducts surprise workplace visits in known dangerous industries, contributing to a climate of fear and confusion about responsibilities and consequences. On the local level, many government departments have a hand in workplace safety and accident response: the labour bureau, the discipline inspection commission, the ministry of emergency management, and the weather authorities, to name only a few. Since the State Council reshuffling, a new pattern has emerged: after an accident occurs, resources and public attention are diverted to promoting the local government's timing of emergency response, the number of personnel and vehicles deployed, the technological advances relevant to the rescue, and the heroic nature of the effort. This new emergency response ethos has been described by citizens online as "obscenely glorifying the tragedy" (把丧事办成喜事 *ba shangshi bancheng xishi*).

The initial focus, exactly as seen in the case of Qixia, is always on organizing a no-expense-spared rescue effort, often with provincial or even national government leaders at the helm in major disasters. This is followed by a detailed forensic investigation into the technical causes of the accident and the identification and punishment of those deemed responsible. Very often, all the mines in the locality will be ordered to suspend production while an investigation and rectification campaign is carried out. During this time, mines found to be in violation of work safety ordinances will be fined and ordered to bring production back up to code. In most cases, however, the rectification orders are ignored and unsafe work practices continue as they did before, right up until the next accident occurs. When a tragedy like that in Qixia unfolds, no one asks what went wrong, even though the details sound all too familiar.

Beyond obscuring of root causes, official media coverage around mining disasters and other work-related tragedies is generally designed to defend the legitimacy of the system and insulate it from criticism. In the case of the Qixia disaster, this was taken to absurd extremes by Xinhua News Agency, the *Global Times* and other state media. While the miners remained trapped, a small drill hole had been opened to relay supplies and even run down a telephone line. On January 19, media reported that the trapped miners had passed a handwritten note through the channel that read: "Please send another phone as a backup. If we are unable to connect, we won't be able to reach the Communist Party."²¹⁷ This story prompted disbelief from some readers on social media. Was it reasonable to suppose miners had sent up a physical note praising the Party when they might just have used the first phone to call and ask for a second? Nevertheless, the post became viral propaganda, even shared on the social media account of the *Worker's Daily*.²¹⁸ As a Xinhua News Agency post summed up the takeaway message, "In times of trouble, the Party and the government always provide the strongest support."²¹⁹

This transformation of tragedy into loyalty and celebration has for decades been the final word when it comes to disasters of all forms in China. Three days after a mine collapsed in Henan province's Shan county in 2007, trapping 69 miners, the group was rescued without loss of life. It was a moment worthy of celebration. But the last miner to emerge, still blackened with coal dust, mysteriously shouted into a television news camera: "Thanks to the CCP Central Committee! Thanks to the State Council! Thanks to the Henan provincial government! Thanks to all the people of China!" Remarking the unnaturalness of the scene, so lacking in credible humanity, Hong Kong columnist Leung Man-to wrote: "If this brother worker was sincere in yelling out these four expressions of gratitude, this can only mean that he has read too much news and has internalized a reaction that conforms to an old model of reporting."²²⁰

This "old model of reporting" is fundamentally about distraction. The role of the media like Xinhua in such cases is not reporting of the most essential facts but rather the most favourable ones, turning attention away from the most dangerous question of all: What role should the Party have had in preventing this tragedy?

The nature of these accidents and the government response reveal a great deal about the failings of the system when it comes to fundamental guarantees for worker safety. This reactive "old model," which treats incident response as a question of defending regime legitimacy and managing public opinion, has helped to make more rudimentary progress difficult, if not impossible. And conspicuously missing in the response from the government and official media are the voices of the miners and workers for whom safety issues are most immediate.

In the case of the Qixia disaster, the mining company failed to prioritise work safety, and the government was absent when it came to adequately enforcing work safety laws and regulations. But what should the role of the official trade union be when it comes to supervising work safety?

The Official Union Looks Away

A series of laws and regulations in China clearly define the key role of the official trade union in supervising safe production in all workplaces. These include the *Work Safety Law*, the *Mine Safety Law*, the *Coal Mine Safety Supervision Regulations*, the *Trade Union Law* and the *Trade Union Charter*. Clause Six under Article 28 of the *Trade Union Charter*, for example, which deals with the chief responsibilities of the All-China Federation of Trade Unions, states that the union will "assist with and supervise the enterprise administrative side in doing a proper job in terms of wages, production safety, the prevention and control of occupational disease, and social insurance, and will promote the implementation of employee welfare benefits."²²¹ The same clause states that the ACFTU will take part in the "investigation and handling" of work accidents, as well as cases of occupational disease.

Owing to a poor understanding of its own role, however, and to the systematic disregard of the union by the government and enterprises, the union has been entirely absent when it comes to work safety. This is one of the key reasons why accidents continue to repeat in a vicious cycle. One response that might have a real impact on work safety is for the government to transform its administrative-led thinking. This could happen by activating the supervisory function of the ACFTU.

But this, admittedly, is something that could prove exceptionally difficult in China's risk-averse political culture.

In December 2020, following two major accidents in Chongqing resulting in the death of 39 miners in the space of just three months, China Labour Bulletin conducted its own investigation into the poor safety record of the mines involved. The two accidents followed a familiar pattern of neglect, tragedy, and official investigation, like wheels running along the same rut.

The more recent incident occurred on December 4 at the Diaoshuidong coal mine in Chongqing's Yongchuan district. After two months of suspended operations imposed by local environmental regulators, the mine experienced a carbon monoxide leak while 24 workers were dismantling underground equipment.²²² After a 30-hour rescue effort, just one worker survived. The next day, December 5, the Work Safety Committee of the State Council announced it would take on the accident investigation. On December 6, the committee called an emergency video conference on national coal mine safety work with the Ministry of Emergency Management (MEM), an agency created through departmental mergers in 2018 as the chief ministry on work safety and emergency rescue. Later that afternoon, the MEM joined the National Mine Safety Administration to hold discussions with the municipal government in Chongqing. Within two days, the incident was registering as a major national priority, with the central government taking charge.

But all of this was eerily familiar. Just two months earlier, on September 27, an underground fire at the Songzao Mine in Chongqing's Qijiang district had killed 16 workers. The Work Safety Committee of the State Council still had an investigation pending on that incident when it announced the measures related to the Diaoshuidong incident. Within a two-month period, two major accidents in Chongqing's coal mining industry had killed 39 people. The top-down imposition of what was meant to be a robust supervision system had had a negligible effect on awareness of work safety and accident prevention where it truly mattered: down in the mines themselves.

Publicly available information from the Energy Bureau in Yongchuan District, reviewed by CLB, shows that in March of 2020, just nine months before the tragic accident of December, the Diaoshuidong coal mine was fined the paltry sum of 1,000 yuan, about U.S. \$150, for violating Article 17 of China's *Regulations for the Implementation of the Mine Safety Law*,²²³ which specifies that "safety measures shall be taken to prevent mud-rock flows and other hazards; in tailings, there shall be safety devices for preventing accidents such as collapse."²²⁴ This disciplinary action against the mine followed other citations and fines from the Energy Bureau on December 15, 2019, and on June 20, 2019, including one involving the mine exceeding maximum permitted gas levels.

It had been an unrelenting game of cite and fine, cite and fine, at the Diaoshuidong coal mine. In just under the nine months between June 20, 2019 and March 2, 2020, the mine had been fined a total of 64,000 yuan by the Energy Bureau, and the mine's chief boss had personally been fined 4,000 yuan. What more could have been done? Even if the Energy Bureau has no way of improving safety at mines under its jurisdiction, this does not mean that there is no institutional space for better supervision and effective prevention of tragedies like that at the Diaoshuidong coal mine.

When it comes to ensuring the safety of workers, it has long been common sense internationally that the involvement of the trade union in the work of supervision is critical. The only way to ensure safe production is to focus on prevention, and effective prevention relies on supervision that is

reliable and routine at the workplace level. In the design of such a system, the trade union is the obvious choice as the principal organization within the workplace to ensure accident prevention. And the obvious choice of people to carry out the work of accident prevention are the frontline workers themselves.

With regard to these repeated work safety violations at the Diaoshuidong coal mine, on December 8 and 9, 2020, CLB Executive Director Han Dongfang contacted the local unions at every level in Chongqing, from the city and Yongchuan district down to the subdistrict and Ji'an township. It was just days after the deadly incident that had killed 23 workers, and Han wanted to learn whether the Diaoshuidong coal mine had an active enterprise union, and whether the union, as the main body responsible for implementing daily supervision of safety production and preventing safety production accidents, had actually carried out its supervision responsibilities after the violations in 2019 and 2020.

The responses from local union representatives were not encouraging. Nor were they particularly surprising, given a history of neglect and evading responsibility. Xiao Han, the staff member who answered the phone at the Yongchuan District Federation of Trade Unions office, the grassroots department responsible for overseeing the establishment of trade union organizations and the training of trade union cadres, said he was unsure if there was an enterprise union at the Diaoshuidong coal mine. He suggested calling the next day to ask another staff member. The next day, another staff member answering the phone at the district union office was more definitive. But he would only say that all the questions about the incident, including whether there was a union at the Diaoshuidong coal mine and what its role and actions had been, could be answered only by the propaganda department of the Yongchuan District CCP Committee.

Finally, at the Service Development Department of the Yongchuan District Federation of Trade Unions, an office responsible for worker skills training, consultation on wage issues, factory affairs, "democratic management" and other related work, a staff member indicated to Han that there was indeed an enterprise union at the Diaoshuidong coal mine. Asked about the repeated citations the mine had received, however, and about the trade union entering the mine to perform its duties in regard to work safety supervision, the staff member dissembled. Because this was a "major accident," they said, all queries had to be answered by trade union officials at the municipal level. The district union was not authorized to accept interviews or queries.

Repeated calls from CLB to all available numbers for the Chongqing Federation of Trade Unions went unanswered. Finally, CLB managed to reach the union office of the Chashan Zhuhai Subdistrict, one administrative level below Yongchuan District. The call was answered by a man surnamed Huang, the director in charge of union affairs. Asked the same questions about the existence or not of an enterprise union at the mine and what role it might have played in safety supervision, Director Huang responded in a helpless tone. "The district federation of trade unions has issued orders that all interviews must go to the propaganda department of the district party committee," he said. "So, I can only do what my superiors ask. Whatever questions you ask me, I cannot answer you."

Given the emphasis generally given in the wake of work-related disasters to managing the narrative to circumvent unwanted questions of cause and responsibility, it may seem understandable that

questions in Chongqing were referred back to the district's propaganda department. But when CLB reached out to the propaganda department, asking the same questions, the person on the line was clearly startled. "We don't have a grasp of such things here; we aren't clear either," they said. As Han Dongfang pressed on with his questions, they repeatedly volleyed back their own question: "We are the propaganda department. How would we know about the organization of labour unions at coal mining enterprises?"

This complicated tale illustrates how no one in this system is willing to step up to provide answers, much less to ask the tough questions needed to prevent work-related incidents in the first place. In every instance, at every level of the bureaucracy, the answers are uniformly about avoidance of responsibility (不归我管 *bugui woguan*), meaning passing it off to another bureaucrat, to another department, to another level of administration. The default position of trade union officials was that they had no responsibility for work safety, but only to follow the lead of the local government. If anyone was to blame, it was the coal mining enterprise, which had failed to adhere to government orders.

Do China's top leaders, including General Secretary Xi Jinping, understand this bureaucratic mindset, which is perpetuated throughout the system? They certainly do. Discussions and criticism of the phrase, "This is not my responsibility (这事不归我管 *zheshi bugui woguan*)" – so often heard in local government administrative offices – have been published consistently in the Party-state media for years.²²⁵

In December 2021, speaking to a class at the CCP's Central Party School, it was Xi himself who said that these young trainees must dispense with "This is not my responsibility" and put a stop to half-hearted work.²²⁶

All three of the failures outlined at the outset of this chapter can be seen working in concert in the Chongqing coal mining tragedies, as in many other incidents. The employers at the Diaoshuidong coal mine had not prioritised work safety and had brushed off citation after citation that only incur minimal fines – in many cases no more than officials and bosses might spend on a single banquet-style dinner – that hardly threaten to undermine the profitability of the operation. For its part, the government had encouraged this profit-first mindset by ignoring underlying safety concerns and repeated warnings. Finally, the frontline workers, those in the mines with the most to lose and with the clearest understanding of conditions underground had been removed from the process and given no voice as the official trade union had dodged its responsibility to supervise work safety and monitor potential work hazards.

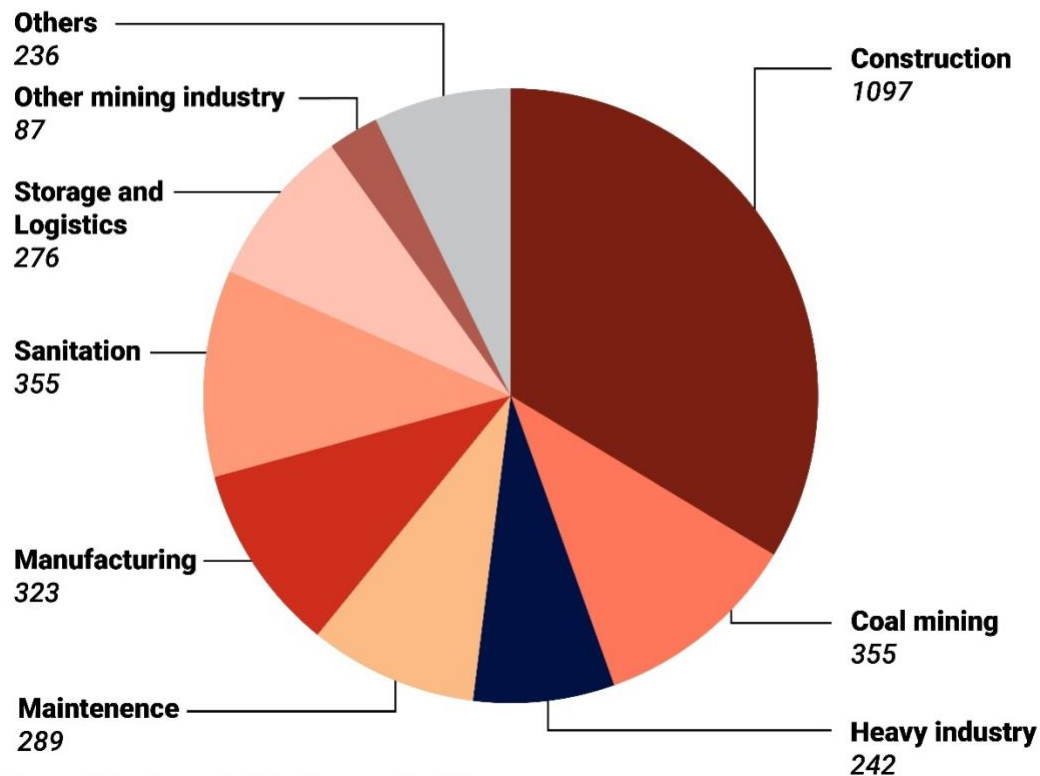
For trade union officials, the calculation is a simple one: avoid assuming responsibility for work safety as part of their official remit, and avoid culpability when something goes wrong. When we turn to other industries, we find a similar pattern of denial of responsibility for work safety at all levels. And one of the most obvious examples is the subject of the next chapter, the construction industry, which for many years has remained the most hazardous profession in China, but has rarely seen the same level of media scrutiny as the mining sector.

Chapter 7: China's Most Dangerous Industries

Local Governments and Private Capital Ignore Workplace Hazards

Around one-third of all the incidents recorded on CLB's Work Accident Map between 2014 and 2020 were in the construction industry. The vast majority of these accidents involve just a few workers, but they continue to occur on a daily basis at construction sites across the country. Usually, they are caused when unsecured workers fall from heights, when there are structural collapses or mechanical failures – such as the malfunctioning of worksite elevators or tower crane collapses – or when workers are struck by falling debris or are electrocuted.

Distribution of work-related accidents by industrial sector (2014-20)



Source: China Labour Bulletin Work Accident Map

Occasionally, major accidents garner widespread media attention and lead to large-scale and time-consuming investigations, such as the scaffolding platform collapse at a power plant construction site in Fengcheng, Jiangxi province, on November 24, 2016.²²⁷ The accident killed 73 workers and injured two others. In this case, a court ruled in April 2020 that 28 people, most of them construction company managers and local officials, were liable for the accident. They were sentenced to prison terms of up to 18 years.

In the Fengcheng case, a thorough investigation was made into the causes of the accident, and relevant people were held responsible through a process involving China's courts. That process,

which took three and a half years, found that local officials had conspired with the main construction project partners to expand the scale of the power plant construction work and accelerate the process without the necessary safety measures. According to the court ruling, these negligent actions were the chief cause of the accident.

The ACFTU took part in the 2016 post-accident investigation, but the final report made no mention of the union's role in supervising work safety.²²⁸ However, the longest prison sentence doled out in the Fengcheng case, 18 years, was given to a man named Deng Yongchao.²²⁹ And Deng's opaque identity speaks volumes about the patterns of corruption and neglect when it comes to work safety. At Jiangxi Investment Group, the provincial-run company holding a 55 percent stake in the power project, Deng was the project's construction director. He was also a member of the investment group's CCP Committee, meaning that he was among its top leadership, with a clear vested interest in pushing the power project forward at all costs. But in addition to these roles, Deng was the head of the official trade union at Jiangxi Investment Group, making him one of the most senior local trade union officials.

The court found Deng guilty of corruption, bribery, and the abuse of power representing a state-owned enterprise. The official investigation, however, failed to note his confluence of roles or find any contradiction in the fact that Deng was to embody, all at once, the province's political and investment interests and the protection of workers' rights and work safety. In fact, it is not at all uncommon in China for union officials at enterprises to also hold senior management positions. This impossible dual role of union official and manager, which routinely leads to the side-lining of workers' rights, is at the core of China's appalling record on work safety.

Unlike the case in Fengcheng, most accidents do not give rise to investigations, and there is generally little or no attempt to remedy salient and long-standing problems. Construction site tower crane collapses, for example, have become appallingly common over the past decade. One factor has been cost cutting and the resulting neglect of routine equipment maintenance.

In the 2000s, crane operators were skilled workers attached to state-owned construction companies. They worked in regular shifts, allowing for more adequate rest. During the infrastructure boom in China that followed the 2008 global economic crisis, however, there was an uptick in the number of private crane leasing companies that hired rural migrant workers who lacked proper training as crane operators. Today, many crane leasing companies do not hire operators directly but outsource recruitment to labour contractors of the kind discussed in Part One. Both costs and risks are down-sourced, with contractors and migrant workers bearing the primary burden of risks on both accounts.

The retirement of more experienced crane operators and the corresponding influx of younger operators at low salaries and often with excessive working hours, have only compounded the problem throughout the industry. The regular shift arrangement more common before 2008 has been replaced by all-day crane operators, leading to fatigue and much higher risk of accidents. All operators must possess operation certificates issued by the relevant government agency before they can be hired as operators. But lax enforcement of these standards is the unfortunate reality. Meanwhile, the interests of the crane operators themselves have fallen by the wayside in the face of increased competition among crane leasing companies and inevitable cost cutting. Structural

cracks, loose bolts, joint failures and other problems for routine and essential maintenance are now more likely to be neglected.

By the end of the decade, tower crane accidents occurred on an almost daily basis. In the 11 days between May 14 and May 24, 2019, for example, there were eight tower crane accidents recorded on the CLB Work Accident Map. The most serious accident occurred on May 22 in the coastal city of Weifang in Shandong province. One worker died and a second was injured as a tower crane on a large-scale construction project suddenly collapsed and crashed into another crane. Four days earlier, another worker died when a tower crane collapsed at a construction site in Anhui province's Xuancheng Economic and Technological Development Zone. The collapse resulted in such extensive damage that construction work had to be suspended. Fortunately, the other incidents that May did not result in deaths. In one of the more dramatic examples of escape, a crane operator managed to climb to safety after a crane collapse in Changsha when his cab lodged up against the side of the building under construction.²³⁰

As safety standards have fallen at construction sites across China, the response of government officials to the high degree of risk faced by construction workers has been bureaucratic. Instead of addressing underlying problems, officials have been making a concerted effort to ensure workers on construction projects are covered by the state-mandated work-related injury insurance scheme. The effort began in the 2010s, and by 2017, the Ministry of Human Resources and Social Security claimed that 99.73 percent of all new construction projects that year were covered by work-related injury insurance and that about 40 million rural migrant construction workers (out of a total of about 50 million) had insurance.²³¹

This rate of coverage may sound encouraging. But employer contribution rates for work-related injury insurance are relatively low, so it only makes sense that employers would opt to pay for the insurance, particularly given the high rate of accidents on construction sites. The insurance means very little out-of-pocket expense for employers, and it provides basic protection for workers in a dangerous profession. The high rate of coverage of workers by work-related injury insurance in the construction industry masks a more serious problem: how to ensure that workers injured on the job actually receive the compensation to which they are entitled.

Making the Questions Go Away

The work-related injury insurance scheme, though well-intentioned, ultimately falls victim in many cases to the same fundamental issues that perpetuate unsafe work environments, including collusion between local governments and powerful local businesses, and the lack of real union representation.

In many cases, settlements are made outside of the work-related injury insurance system. The key problem has always been that verification and assessment of work-related injuries is a very complicated and time-consuming process. This is especially true if workers do not have a formal employment contract stating clearly who was their employer at the time of the accident. Many claims are rejected on simple technicalities. In other cases where the employer is found liable for compensation payments, it can often be impossible for the administrative or judicial authorities to enforce their rulings.

Taking effect in July 2011, the *Social Security Law* created a system of advance payments from the work-related injury insurance fund. The purpose of this system was to protect workers from employers who were delinquent in providing insurance and paying accident compensation. However, there have been very few cases over the last decade of workers successfully applying for advance payments. More often than not, the courts will collude with local social security offices to delay or avoid payments altogether.

Collusion between local governments and powerful local businesses has always been a major factor in denying workers the compensation to which they are entitled. This is especially true in cases of occupational illness, a topic examined in the next section. But it is also true in work injury cases where the employer was clearly at fault or negligent. One such case is that of Zhang Jiangdong, a construction worker from Hubei who was travelling to work on the morning of March 29, 2013, with 15 co-workers in the back of an unlicensed agricultural vehicle arranged by his employer. Zhang and three others were killed instantly when the vehicle, which was traveling too fast, crashed. A fifth worker later died in hospital, and other survivors were left with lifelong disabilities.²³²

Zhang, who was 54 years old at the time of the crash, had three adult children. When all three rushed back to their hometown the next day, they were immediately intercepted by members of a “special taskforce” set up by local officials. They were reportedly pressed to accept 580,000 yuan in compensation offered by the authorities, according to what sources told CLB. The condition, they quickly learned, was to keep quiet about the accident and avoid asking any further questions. They were told that if they accepted the offer immediately, being the first of the five families to do so, they would be “awarded extra compensation and have their funeral expenses waived.”

When Zhang Jiangdong’s children asked exactly how the accident had happened, officials from the special taskforce insisted that the sole culprit was the unlicensed driver. There was “no point making trouble,” officials insisted. But when the Zhangs persisted with their questions, the officials lowered the compensation on offer to 150,000 yuan. As Zhang’s younger daughter, Lihua, told CLB’s Han Dongfang in a subsequent radio interview:

It's either 150,000 yuan or nothing, they said. In addition, we were asked to forfeit our right to pursue any legal action or complain to the government authorities. The village party secretary threatened all our relatives to get them to persuade us to cremate the body... When we disagreed, the traffic police told us that they would do it for us. It was right after my father died. The guy told us he was just taking orders from the mayor.

It later transpired that the main contractor for the road construction project on which Zhang had been working had been involved in a very similar accident just nine months earlier. In that case, an agricultural vehicle carrying nine workers from a worksite to their homes crashed, killing three and injuring six. The contractor was never prosecuted and continued to be awarded local construction projects.

Why had the construction company avoided responsibility? It was common knowledge in the region, Zhang Lihua said, that the local transportation bureau and four other local government departments had shares in the company. The company’s boss was the personal secretary to the city’s mayor and had close relationships with local officials and judges. This was the only reason,

said Zhang, that the government had stepped in to pick up the tab for the accident. “All the compensation has been paid out of the treasury,” she told CLB. The government had been continually footing the bill, to the tune of millions of yuan, for “reckless profiteering of this private corporation.”

Endless Wrangling in the Courts

When the Zhang family pursued civil litigation against the contractor, the lower courts ruled that the driver of the unlicensed vehicle was solely liable for the accident. As the driver could not afford to pay any compensation, the matter was effectively closed. The Zhangs appealed all the way up to the Hubei High Court in the provincial capital of Wuhan. What follows is only a summary of the eight years of legal procedures the family went through to litigate liability for their father’s death.

The case was accepted by the court on April 9, 2014, just over a year after the accident. A few days later, the presiding judge called the family and urged them to withdraw the case, saying they had little hope of a favourable ruling.

From June to July of 2014, the Zhang family lawyer had a number of conversations with the Hubei High Court about the resolution of the case. The court’s position was consistently that no labour relationship had existed between Zhang Jiangdong and Zhongxiang Traffic Engineering Company, and therefore it was impossible to provide compensation for work injury. The court advised the lawyer to seek remedy instead by bringing a separate civil lawsuit.

The Hubei court’s determination did not accord with a provision for the trial of administrative cases on work-related injury insurance released just weeks earlier by the Supreme People’s Court, the country’s highest court. This provision made clear that a direct labour relationship was not a precondition for eligibility for work-related injury insurance, stating that “if the employing unit subcontracts the contracted business to an organization or natural person that does not have the qualification of employing work in violation of laws and regulations, the employing unit is the unit responsible for work injury insurance.”

This meant that the question on which the Zhang family case had turned in both arbitration and in the Hubei courts – whether a direct labour relationship had existed with the main contractor, Zhongxiang Traffic Engineering Company – was an irrelevant one. Illegal subcontracting, which the main contractor had engaged in, did not constitute a labour relationship. But Zhang Jiangdong’s work for the project meant that the main contractor was responsible as the “employing unit,” according to the Supreme People’s Court provisions.

On August 26, 2014, the Hubei High Court once again organized mediation as it delayed issuing a ruling, and at this point the Zhongxiang Traffic Bureau stepped in and proposed that Zhongxiang Traffic Engineering Company pay 200,000 yuan in relief money (救济款 *jiuji kuan*) to the family of the deceased, Zhang Jiangdong. But the legal saga in what should have been an open-and-shut case, given the guidance from the Supreme People’s Court was far from over.

In early 2017, Zhang Lihua’s lawyer encouraged her to re-file her application for work injury eligibility recognition. On March 14, 2017, however, the Human Resources Bureau of Zhongxiang City decided it would not recognize the work injury claim. Once again, the argument was that no

labour relationship had existed between Zhang Jiangdong and Zhongxiang Construction Engineering Company. Dissatisfied with this conclusion, Zhang Lihua filed an administrative lawsuit with the Zhongxiang Municipal Court on March 23, and the case was heard in court on April 26. While the court in this case recognized the provision of the Supreme People's Court, it argued on the basis of what it called a "strict application of the law" that the Zhang case did not meet the subcontracting specifications outlined by the language. The verdict was against Zhang Lihua.

A series of appeals, all unsatisfactory to the Zhang family, followed through 2017, until, in February 2018, Zhang Lihua submitted an application for the re-examination of the case to the Jingmen City People's Procuratorate, requesting revocation of the administrative ruling of the Hubei High Court. One month later, Zhang Lihua's application was accepted, but many months followed in which original documents from the previous cases had to be submitted and reviewed. Finally, on August 19, 2018, the family received notice that the procuratorate had filed for an appeal. It was then almost a year before news came that the provincial-level procuratorate in Hubei had formally filed a protest with the Hubei High Court, requesting a retrial.

On June 15, 2021, more than eight years after the tragic accident, Zhang Lihua returned to court with her lawyer, attending a retrial at the Hubei High Court. The provincial procuratorate explained that the Jingmen court had, in its first-instance decision, gone against the legislative intent and purpose on work-related injury conditions under illegal subcontracting arrangements. The purpose of regulations on work injury insurance, it argued, was to protect the legitimate rights and interests of workers, but the interpretation applied by the Jingmen court essentially violated the equal protection of workers and sent the message that offenders stood to gain from such illegal acts. If work-injury liability could be avoided through illegal subcontracting, then this was essentially a green light for such behaviour.

The Hubei High Court was nevertheless impervious. In an administrative ruling issued on August 9, 2021, it ruled that the Supreme People's Court provision should apply only when a worker is "directly engaged in the contracting business," and cannot be "extended to instances of traffic accidents on the way to and from work." While the court affirmed that employers should bear the adverse consequences of illegal employment of workers, it argued that these consequences should not be "extended arbitrarily." The court's conclusion, therefore, was that Zhang Jiangdong had been killed in a traffic accident on his way to work, a circumstance outside the Supreme People's Court provision. The Hubei court's primary concern in the case was that such an extension might be unfair to the employer, ignoring the deep unfairness to the worker as a result of the employer's illegal activities.

Up Against the Faceless Corporation

In the case of the tragic death of Zhang Jiangdong in Hubei, family members had some sense of who and what they were up against in seeking compensation. They were familiar with the web of personal and political connections that worked to keep the incident quiet and perpetuate vested interests. But as shifts in China's economy have transformed the nature of employment, as outlined in Part One, millions of gig workers and others in the service sector may not even know who is pulling the strings when it comes to work-related injury compensation. And the families of workers

killed in accidents on the streets of major cities can encounter even greater difficulties as they go up against the faceless corporations that employ their loved ones.

The case of Yang Song, a 23-year-old food delivery driver who was killed while rushing out lunch orders in downtown Chongqing, is unfortunately an increasingly typical case in China. Around noon on August 12, 2017, Yang lost control of his motorcycle and crashed in a busy intersection, suffering severe cranial damage. He died in hospital the next day.²³³ Yang's employer, China's leading food delivery company Meituan, denied any responsibility, claiming that he only started working about six weeks earlier, on July 4, and had yet to receive his first pay cheque.

An investigation by the Chongqing police released in late September found that Yang's motorcycle, which he had purchased himself under his own name, with no link to Meituan, had not yet been registered or insured. The report noted that Yang's driver's license did not apply to the operation of a motorcycle like the one he had been driving, and, moreover, he had been driving without a safety helmet and without third-party insurance. The report's conclusion: "Yang Song is the sole responsible party for the accident."

Yang's mother insisted that her son had been working under a formal employment contract with Meituan and that the company therefore had some responsibility. She was also convinced Yang had an insurance policy, though the documents to prove this could not be found. Hoping to get to the bottom of the matter, she phoned the local Meituan branch in Chongqing where Yang had worked, but the branch manager would not answer her calls. On October 25, one month after the release of the police report, the manager shut down the branch and disappeared. Soon after, Yang's parents received a collection letter demanding settlement of the loan Yang had taken out to buy his delivery motorcycle.

At no point was Meituan – at the time the world's fourth-most valuable start-up worth around U.S. \$30 billion²³⁴ – ever held accountable for the death of Yang Song, or asked to explain the disappearance of its branch manager. Regardless of the fact that at the time of his accident Yang was delivering lunches ordered through the company's popular app, Meituan maintained that the incident was not its business.

In fact, this is a very common attitude taken by businesses large and small in China, and it is reinforced by the authorities, who routinely place the blame for accidents, fatal or not, on workers, whether they are miners, construction workers or food delivery drivers. Ignoring the systemic issues that lead to the recurrence of such accidents, they write them off as open-and-shut cases of personal misfortune. It is the system that is broken, offering opportunities at every turn for businesses and unscrupulous local officials to act in ways that are corrupt and irresponsible. But ultimately it is the workers who are sacrificed to provide a convenient rationalization for these shortcomings. When workers are denied a real voice and real participation, this makes them convenient scapegoats.

Working conditions in the food delivery industry are an obvious example of inbuilt safety hazards. For several years, even as the food delivery sector took off in China, safety questions were largely invisible and ignored and were rarely discussed in domestic media. That changed in 2020, as a number of reports drew greater attention to these issues, particularly during an epidemic and

forced lockdowns that highlighted the role of delivery drivers to society. One of the most detailed investigations was the aforementioned exposé published in September 2020 by *People* magazine.²³⁵

As the *People* article revealed, the very digital technologies that make online food delivery possible and convenient mean that riders are under extreme pressure to deliver as many orders as possible in the shortest amount of time. If they are late, not only are individual riders fined, but the entire station they are attached to receives a demerit from the system. To ensure riders can make their deliveries on time, the mobile-based system suggests the quickest route. However, the system completely disregards traffic rules and regulations. As one delivery worker in Guizhou province told *People* magazine:

“I had been a rider for about half a year and had already been told by the navigation system to go against traffic many times. One time when I was delivering food to a hospital, I had to make a U-turn, but the route on Meituan navigation told me to drive against traffic once I crossed the road.” According to the screenshot he provided, the system told him to drive against traffic for nearly two kilometres.

“Even more impressive, there are some places where there is no shoulder or sidewalk where I can drive against traffic. If there is an overpass, the navigation system will direct me to go over the overpass, even if it is an overpass that does not allow electric scooters. If there is a wall, it will tell you to go directly through the wall.”²³⁶

Such a system makes accidents inevitable, not just because riders are driving too fast against traffic on poorly maintained scooters, but also because they constantly have to check their delivery status on their phones.

According to local traffic police data in Shanghai, delivery rider casualties were occurring roughly every two days during the first half of 2017. In Shenzhen the same year, accidents involving delivery riders were recorded just about every week. In 2018, traffic police in the city of Chengdu reported 196 traffic accidents involving delivery drivers, with 155 casualties. Incomplete data from CLB’s Work Accident Map recorded 136 serious accidents involving food delivery workers in the four years from 2017 to 2020.

The responses delivery companies have made to the high incidence of traffic accidents among their riders have been largely cosmetic, if not cynically self-promoting. In response to the high number of accidents, Meituan ordered its riders to watch safety videos. It invited traffic police officers to give lectures at delivery stations, and in some cases organized teams of riders to undergo exams with traffic officer teams.

Meituan, whose logo features a kangaroo, also designed yellow kangaroo ears for riders to wear on their helmets with slogans that read: “No matter how busy, don’t forget about safety.” The ears might have done wonders in creating a new and marketable visual identity for Meituan’s supposed commitment to safety, but for the riders they only meant more trouble. As one rider explained, “As soon as I pick up a bit of speed, the ears will be blown off by the wind.”²³⁷ Once again, the slogans said, “Safety First.” But the reality of the profit-first mindset was coded into the digital platforms themselves.

While food delivery companies do enrol workers in accident insurance schemes, filing a claim can be a long and complicated process. For this reason, most riders do not even bother to file claims for minor accidents. And even in the case of major accidents, there is no guarantee of payment. *People* magazine described how one rider, Shi Shen, was struck by a small passenger van while making a delivery, fracturing his right ankle. The police deemed the van driver solely responsible. Following his surgery, however, Shi discovered that his account with the delivery platform had been cancelled because he had been in hospital for too long and therefore had not met his delivery quotas. This meant that he also lost access to the insurance claim log-in and could not file a claim. One year after his accident, Shi's account had still not been restored and he had received no compensation.

No One Benefits from Workplace Hazards

Ultimately, unless there is clear evidence that the employer is at fault, the responsibility for work safety and liability for accidents is shifted onto the shoulders of the worker. In a system that favours and protects the personal benefits of powerful local interests and major corporations over the rights of workers, employers can almost always find ways to evade responsibility. This is despite the fact that workplace accidents, injuries, and deaths are bad for business: production must stop, meals are left undelivered, the workforce is reduced, equipment and worksite materials may be destroyed, and profits are lost.

This evasion of responsibility is borne out in the legacy of 2016 construction site accident in Fengcheng that killed 73 workers, discussed at the opening of this chapter. In August 2020, four months after the courts rendered their verdict on the tragedy, three construction workers were killed in a tower crane accident while building a new police station in Fengcheng.²³⁸ Several months later, in December of that year, yet another construction site collapse occurred in Fengcheng, again recorded on CLB's Work Accident Map.²³⁹ The accident left one worker injured after he was buried under a pile of sand and rubble. The story was reported briefly on the local television news and in a related online report. But this report, in typical fashion, focused on the rescue effort involving 12 firefighters that eventually freed the worker.²⁴⁰ No mention was made of the cause of the accident, and no local safety officials, union representatives or others made any comment.

One of the simplest solutions in avoiding such accidents is to break through the pervasive silence, and to enable regular and systematic communication between workers and businesses. Imagine that workers, with direct knowledge of the conditions and risks in factories, offices, worksites, and city streets, could discuss solutions among themselves and suggest improvements to their employers. Or imagine, in the face of employer negligence, that workers could communicate problems to responsive local unions. Given such conditions, how could the work safety environment not improve?

Chapter 8: Occupational Illness and Overwork

An Unresolved Legacy Behind the Numbers

Just as narratives of heroic rescue and the spotlight on local negligence can distract from more fundamental problems and solutions, official statistics can often serve to whitewash labour issues that deserve greater attention. One outstanding example of this is China's official track record on occupational illness.

China's official statistics would seem to indicate that the country has an excellent record in preventing occupational illness. Out of a total working population of 775 million people in 2019, China recorded just 19,248 new occupational disease cases, or 0.002 cases per 100 employees.²⁴¹ By contrast, in the same year, the Bureau of Labour Statistics in the United States recorded 2.8 million nonfatal workplace injuries and illnesses in US private industry, equivalent to 2.8 cases per 100 full-time workers, the same rate as reported in 2018 and 2017.²⁴²

What can account for this rather pronounced discrepancy, given the unsafe environments workers routinely face in China?

The most important reason for the gap is that it can be extremely difficult, and at times impossible, for workers to get their illness formally recognised as an occupational disease. To do so, workers must demonstrate that they have or had a formal employment relationship with a specific employer and that the disease contracted was directly related to the working conditions at the worksite at the time. The diagnosis, moreover, must be made at a government-operated occupational disease diagnostic centre. As of 2019, there were just 550 such facilities in the entire country, or one for every 14 million workers. Moreover, the diagnosis centres tend to be in the same locality as the workplace, which means that if the employer has significant local influence, it can pressure the diagnostic centre to make an indefinite or negative diagnosis.

*Dying to Breathe*²⁴³

These problems are amplified if the worker is suffering from China's most prevalent occupational disease, pneumoconiosis. Pneumoconiosis is chronic respiratory disease caused by the inhalation of fine mineral particles, which, over a long period of time, clog the lungs and cause inflammation and fibrosis.

The disease, most commonly associated with mining, quarrying, construction and the gemstone industry – environments characterized by high levels of dust and only minimal worker protection – accounted for 15,947 of the 19,428 occupational disease cases registered in 2019, about 82 percent. The proportion of pneumoconiosis cases has remained at around 80 to 90 percent of the total for much of the last decade.

Workers who have contracted pneumoconiosis initially experience influenza-like symptoms, including coughing and shortness of breath. As the disease progresses to stage two, and finally to stage three, the body loses strength and workers are eventually unable to work at all. It is estimated that there are at least six million workers in China who have contracted pneumoconiosis, ten times

the cumulative total acknowledged by the government. In the vast majority of cases, workers have only managed to receive token compensation or charitable relief from local governments. In many cases, this comes only after unfavourable media coverage or drawn-out campaigns for justice have forced the authorities to take action.

One of the best-known examples of workers with pneumoconiosis struggling for official recognition and compensation involved construction workers from rural villages in Leiyang, a city in the southern province of Hunan. These construction workers had spent decades working as pile-blasters and drilling workers at various construction sites in Shenzhen, nearly 600 kilometres to the south, building the foundations for the city's skyscrapers and subway system.

One of the worker-leaders, Xu Zhihui, spoke to CLB Executive Director Han Dongfang and described the working conditions they had to endure. "For a high building with dozens of floors, you had to dig down to the bedrock layer," said Xu. "You couldn't do it with pick axes and so on; it had to be blasted apart. That was the part we did."²⁴⁴ Once the blasting was complete, the workers had to break the chunks of rock apart using their drills.

All of the work Xu described had been done underground, generally at a depth of 40-50 metres, in what amounted to unventilated caverns. The rock dust, kicked up by their high-pressure drills, would roil around their heads. Sometimes, said Xu, the dust would become so dense that "you couldn't see the person next to you."

The workers rarely had access to any safety equipment. At one site they were given masks, but much of the time this was little more than an empty gesture, as the boss and the labour contractor "only gave you a new mask when the old one rotted," said Xu. The high-pressure drills used by Xu and his team were outfitted with water hoses, meant to wet the dust and allow it to be sluiced away from the worksite as a fine slurry. But the workers were constantly moving from one worksite to the next, and installing the hoses became time-consuming. The contractor decided to save time by eliminating the system entirely, and the hoses were no longer used.

The workers had never been given safety training and were unaware of the dangers in handling the dust and not wearing the proper protective gear. And in any case, they were eager to have work and wary of getting on the wrong side of employers. "We were young and strong and didn't mind the dust," Xu said. "It was like this: if you nit-picked about this and that, the boss would fire you straight away."

By the end of the 2000s, hundreds of Xu's fellow workers were becoming sick. Already, 15 had died of pneumoconiosis. In May 2009, the first group of nearly 180 workers travelled back to Shenzhen to track down their previous employers and demand occupational illness compensation. Soon after arriving in the city, the workers went to the Shenzhen Occupational Disease Prevention Hospital seeking an official diagnosis. Without corroborating evidence from their employers, however, the hospital refused to confirm that their illnesses were work-related. As the hospital remained obdurate, the workers felt they had little choice but to take collective action. On June 15, 2009, they staged a demonstration outside the Shenzhen municipal government building.

Eventually, the Shenzhen government agreed to talk to the workers. The government provided them with daily allowances for medical examinations and even dispatched medical staff to Hunan

province to examine workers unable to travel to Shenzhen. Over a period of two weeks, however, the government staff confirmed only that 17 of the workers had worked in Shenzhen. On July 29, hoping to bring the situation to a swift conclusion, the government arranged for one-off “charitable” payments of 30,000 yuan each to those workers for whom occupational illness compensation eligibility could not be confirmed.

Unsatisfied with this attempt to buy their silence, the workers staged another protest in front of the municipal government building. Shortly after the protest, several workers became seriously ill. It was not long before one of these workers, Xu Zezhi, died.²⁴⁵ Shortly before Xu’s death, a staff member from China Labour Bulletin met with him on a visit to Shenzhen, witnessing first-hand the effects of the disease:²⁴⁶

[Xu] saw me coming and tried his best to stand up. His throat moved slightly, but he was unable to speak. He was skin and bone; a gust of wind could have blown him away.

I remember, on that very hot summer day, I held his hand tightly. He was different from the other workers who were all trying to get a word in; from the beginning to the end, he said nothing. It was not because he didn't wish to speak, but to open his mouth and speak was an act of extreme physical hardship.²⁴⁷

Angered by the city government’s continued refusal to deal seriously with their cases, the workers decided in August 2009 to file an administrative lawsuit against the Shenzhen Health Bureau. They accused the bureau of failing in its legal obligation to enforce laws and regulations on workers’ health.

The lawsuit proved in the end to be a turning point in the struggle. The Shenzhen government responded by revising its compensation offers for those workers whose employment relationship could not be confirmed. For those with stage-one pneumoconiosis, the compensation on offer was 70,000 yuan; for stage two, 100,000 yuan; and for stage three, 130,000 yuan. The total compensation package came to about 14 million yuan, including double the above-mentioned amounts for those 28 workers whose employment relationship had been confirmed.

But this was far from the end of the story. Three years after the workers from Leiyang secured their compensation in Shenzhen, a television crew from China Central Television’s *News 1+1* visited them in their home villages in Hunan province and found that most had already exhausted their compensation money after paying off existing debts and dealing with ongoing expenses for treatment of their illnesses.²⁴⁸ The crew interviewed one worker who relied on an oxygen tank to breathe. His wife was also ill and unable to find work, and their children were still young. This is how the worker explained their predicament:

I have spent almost all of the compensation and now I don't know what to do. I have no real aspirations anymore. We just live from day to day... We did a calculation and the lowest estimate of the cheapest medicines would be at least 100 yuan per month. As for the cost of hospitalization, if you have complications caused by pneumoconiosis, then every month you'd probably have to pay some extra expense of over 1,000 yuan. However, if you adopt the most effective and best treatment for pneumoconiosis, a lung lavage, you'd have to

*spend 10,000 yuan each time. So, is this one-off compensation payment sufficient?
Obviously, it is not!*

In the decade since the 2009 settlement in Shenzhen, more than 40 workers from Leiyang, including the group's leader, Xu Zhihui, have succumbed to the disease. In January 2018, about 200 Leiyang workers and their families returned to Shenzhen to press the city once again for a more sustainable solution to their woes. Aided by a group of citizen journalists and labour activists in Shenzhen, they engaged in a yearlong campaign, battling frequent harassment and intimidation by the authorities, before the city government finally relented and committed to a long-term economic compensation package that included coverage of their ongoing medical expenses and a modest monthly income.²⁴⁹

Soon after this success, however, three activists at iLabour, one of the groups helping the Leiyang workers, were detained and held incommunicado for several months by the authorities. Wei Zhili, Ke Chengbing and Yang Zhengjun had founded iLabour as an independent news and advocacy platform in 2013 to “promote economic democracy, safeguard labour rights, and build a just society.”²⁵⁰

For all of the workers involved and their families, seeking proper compensation for occupational illness was a long and painful process. Although the situation for the Leiyang workers in Shenzhen was ultimately resolved in their favour, this type of outcome is exceptionally rare. Further, the workers faced harassment from the authorities along the way, which hardly points toward more systematic resolution of what is a widespread and serious problem.

If the situation has improved marginally in China when it comes to pneumoconiosis, this owes to broader economic changes like those outlined in Part One. Today, many of the high-dust industries that gave rise to the pneumoconiosis epidemic in China have gone out of business, while some enterprises engaged in these industries have belatedly adopted low-cost measures to suppress dust output and provide better protection for workers.

Construction workers interviewed by CLB in April 2021, for example, said there have been some improvements in construction site dust control measures over the last decade. But these measures, such as the automatic monitoring of PM2.5 concentration in the air, appear to be aimed more at maintaining pollution control levels in urban areas rather than worker safety. Moreover, stricter dust control measures are largely confined to major cities. Standards are still very lax in smaller cities and rural areas.

Meanwhile, millions of the survivors and their families still await acknowledgement of their occupational disease and proper compensation from the government. In most cases, it has been the local governments in the poor rural areas from which the workers come, rather than the city where they worked, that have had to provide financial support. These rural governments, generally located in under-developed regions with limited financial resources, are the hardest put upon to provide relief. To make matters worse, the high financial and political costs of occupational disease claims and related collective or individual action has resulted in a cat-and-mouse game between local authorities and workers. Concerned about pressure from their superiors, local officials are often more concerned with maintaining social stability than resolving claims and offering genuine

help. As we saw in the case of Zhang Jiangdong in Chapter 7, whose children were intercepted on their return to Hubei by a local "special taskforce," officials deploy vast numbers of security personnel to monitor workers and activists in an attempt to ensure they stay hidden from public view and create no trouble.

Rather than taking the initiative in fixing the compensation for occupational illness, the government seems to be waiting for these workers to pass away, thinking that the problems they represent will simply die out too. But the government must face the problem head on in order to grapple long-term with not just pneumoconiosis but with a range of other serious threats on the government's official list of occupational illnesses. As of 2019, official figures for ear, nose and throat ailments listed 1,623 cases, and 778 cases of chemical poisoning were reported. These figures are almost certainly an underestimate.

First, the government must conduct a comprehensive national survey of the problem, assessing the needs facing those who have been affected. Second, China must change laws to designate all those who have contracted pneumoconiosis as having an occupational illness, regardless of employment relationship, so that the legal impediments to fair compensation can be removed. In reality, there are no other ways to contract pneumoconiosis than at work. Third, the government must establish a national compensation fund that is centrally managed and can cover all necessary medical expenses as well as basic living expenses. Fourth, a raft of measures must be taken to prevent pneumoconiosis in the first place. This includes the taxing of high-dust industries and mandating better working conditions and involvement of trade unions and the workers themselves in regular monitoring of conditions to ensure compliance.²⁵¹

Ultimately, these measures are about the central government accepting its responsibility for encouraging reckless economic growth at the expense of worker safety: of profit first over safety first.

The Toxic Workplace

Another common hazard facing workers in industrial facilities and factories is exposure to gas and toxic chemicals.

One of the most high-profile cases occurred in 2010 when scores of workers at a factory in the city of Suzhou producing iPhones and other products were poisoned by the chemical n-hexane, used to clean touch screens and other Apple components.²⁵² After exposure to the chemical, workers suffered dizziness, headaches, weakness and limb pain, and at least 62 workers had to seek medical care. Several workers had more serious effects and were hospitalised for months.

Workers still routinely risk exposure to gas or toxic chemicals at industrial facilities in China, as in 2018, when a gas leak at the Shaoguan Iron and Steel plant in Guangdong killed eight workers and seriously injured 10 others.²⁵³ Coal miners are still frequently at risk of carbon monoxide poisoning, as we noted in Chapter 6 with the death of 18 miners in Chongqing in December 2020.

Chemical exposure is a constant risk for repair and maintenance workers, who often work in cramped and poorly ventilated spaces such as sewers, where toxic gases can build up. Many such

examples are recorded on CLB's Work Accident Map. In April 2016, for example, a sewer cleaning project in the city of Huizhou in Guangdong province was subcontracted to a company that sent in a team of three workers. Exposed to toxic gases below ground, one of the workers lost consciousness. When his workmates tried to rescue him, they too were overcome, and all three died.²⁵⁴ Initial media reports said local officials were giving the case "high priority," and that "the causes of the accident are being further investigated." But no follow-up report or related measures on safety were ever introduced. In a virtually identical accident in April 2019 in the city of Luoyang, three maintenance workers were overcome by gas fumes and became trapped while working in underground sewers.²⁵⁵ In that case, the workers were rescued by local firefighters. The rescue effort became the focus of local coverage, which did not address broader safety issues.²⁵⁶

In both of these cases of gas poisoning, the workers were apparently unaware of the risks they were facing and lacked the protective equipment they needed. And despite the more immediate reactions, compared to the years of time it takes to develop pneumoconiosis symptoms for example, relating the symptoms to the workplace, gathering evidence, and filing for certification of workplace injury is no easy task. This is further demonstration of the need for workers to communicate over issues of safety and to receive the necessary training through unions at the enterprise level, a simple solution that could prevent future tragedies of this kind.

China Works to Exhaustion

As these cases have demonstrated, the systemic challenges to a labour environment that truly embodies the "Safety First!" slogan stubbornly remain, causing untold pain, even as China's economy transitions away from its traditional focus on manufacturing and toward service sector development, phasing out some of the most dangerous professions and conditions for workers. But as services come to dominate in China's newly digital economy, the threats to occupational health and safety are also transforming.

One increasingly salient occupational health and safety issue conspicuously absent from the government's list is illness and death related to overwork. Physical and mental health issues arising from overwork are of course not a new problem in China. In the 1990s and 2000s, as the manufacturing sector was booming and formed the basis of export-led economic development, factory workers often had to work excessively long hours. The struggle to keep up with demand led to exhaustion and repetitive strain injuries. Exhausted workers were naturally more prone to work-related accidents.

But while factory overtime has dropped on the back of manufacturing growth declines, exhaustion is increasingly becoming a problem in service industries and white-collar professions, particularly in the fast-growing tech sector. In Chapter 5, we discussed "996 culture," which places immense demands on tech workers through an ethos of sacrifice championed by tech entrepreneurs – an ethos that tech workers themselves actively oppose. Similar demands for sacrifice are now being pushed by business leaders in the service sector.

In late 2020, Jia Guolong, the CEO of Xibei Catering Group, which runs a chain of popular restaurants across China, infuriated many people when he posted on his social media account that employees should expect to work 15 hours a day for seven days a week in what he has termed

“715.”²⁵⁷ Writing on social media in response to Jia’s post, one internet user said that bosses like Jia were trying to “exploit a loophole in the law to oppress the weak.” Others bemoaned the “return” of “greedy capitalists.”²⁵⁸ But just as Alibaba founder Jack Ma defended 996 culture in the face of criticism, so did Jia maintain his position in the face of online controversy, suggesting workers should accept long hours with joy and a sense of struggle.

China now faces a growing epidemic of work-related fatigue. According to a 2018 survey by the job recruitment website Zhaopin, 85 percent of white-collar workers in China now regularly work overtime. More than 45 percent of those surveyed reported working more than 10 hours a week in overtime, despite the fact that the law permits no more than 36 hours of overtime per month. And the costs in health to the working population are growing ever more pronounced. Each year in China, half a million people die from heart attacks, and experts have cited work-related stress as a major contributing factor. Moreover, deaths by heart attack are appearing more frequently among young workers as the pressures of work increase.²⁵⁹

Lack of sleep is another chronic problem arising from an overworked society. The overwhelming majority of China’s citizens suffer from sleep disorders. Experts largely attribute this to work pressure and the fast pace of life.²⁶⁰ A report released by Beijing’s Health and Family Planning Commission in 2018 found that 60 percent of citizens get insufficient sleep. The report noted that this was an important contributor to other chronic health issues, including cardiovascular disease, anxiety and depression.²⁶¹

Statistics about death from overwork are scarce and generally unreliable, though some estimates in recent years have put the number of cases at around 600,000 per year.²⁶² The number of deaths directly attributable to overwork rather than a pre-existing condition may be impossible to calculate, though the issue has received more systematic study in certain professions. In a growing number of scholarly papers, for example, researchers in China have noted a statistically significant rise in the number of deaths among medical doctors from overwork, particularly from heart attack and cerebral haemorrhage.²⁶³

The inescapable reality of chronic overwork and exhaustion has persisted despite undercurrents of criticism in society, such as the 996.ICU campaign discussed in Chapter 5, directed by tech workers against the gruelling work culture. During the annual session of China’s People’s Political Consultative Conference (CPPCC) in March 2021, 996 work culture was singled out for rare criticism by one delegate, Li Guohua, who characterized it as “out of control” and called for greater scrutiny of overwork. The topic trended on social media networks on the heels of Li’s remark.²⁶⁴

From time to time, egregious cases rise to the surface and turn national attention to the deadly problem of overwork. On December 29, 2020, as Jia Guolong’s remarks about working “715” were still fresh in people’s minds – including his boast that his employees work “dark and light, going all night”²⁶⁵ – a female employee working at Pinduoduo, an e-commerce giant, died after a shift that had her working past midnight. The employee, surnamed Zhang, was just 22 years old.²⁶⁶ She collapsed while walking home from work with colleagues at around 1:30 in the morning and was rushed to a nearby hospital where she died six hours later.

In early January 2021, just two weeks after Zhang's death, another Pinduoduo employee, surnamed Tan, committed suicide by jumping to his death in his hometown shortly after requesting leave.²⁶⁷ The Pinduoduo deaths once again prompted debate about China's intense work culture and the excessive and ultimately dangerous pressures placed on workers in the country's highly competitive tech industry.

Eventually, the authorities took note, and, on August 26, 2021, the Supreme People's Court and the Ministry of Human Resources and Social Security issued a joint statement reminding employers that 996 is illegal if employees were not compensated accordingly for their overtime. Former Finance Minister Lou Jiwei, who is no friend of labour, also weighed in on the topic that day, saying excessive overtime not only violated labour laws, it also destroyed work-life balance and reduced the number of jobs available to others.²⁶⁸

As we discussed in Chapter 5 as we looked at growing resistance to the "996" overtime culture, work-life balance is a growing issue in China. In some cities, such as the tech hub of Shenzhen, there have been related efforts to promote the mental and physical health of residents.²⁶⁹ But as we discuss in the next chapter, efforts to achieve balance are often offset by a prevailing culture of sacrifice that is encouraged by the CCP, which routinely portrays work as a heroic contribution to the Party-state.

Chapter 9: “Little Bees” of Socialist Construction

Burying the Workers’ Struggle

From the 1950s onwards, the “nobility of labour”²⁷⁰ was trumpeted as its own reward and enshrined the image of the “model worker” as an ideal of self-sacrifice for the advancement of the nation and the project of socialist construction.²⁷¹ Even kindergarteners were taught, as one scholar has explained, to “embrace the spirit of the workers, who worked as a group and were said to be selfless and hard-working, just like bees.”²⁷² There was even a song relating workers in China to those tirelessly cooperative insects:

*Little bees, little bees,
Buzzing all around;
You are truly little labour heroes,
Making sweet honey for us all.
We will be as united as you, little bees.*²⁷³

Under the CCP, the history of the “model worker” (劳模 *laomo*), goes back beyond the founding of the PRC. In June 1946, more than three years before Mao Zedong’s proclamation from the top of the Tiananmen Gate, the *People’s Daily* reported that a conference on model workers had been held in the Communist area in Anyang, Henan province, where 250 “model worker heroes” were urged to lead the masses of the countryside in swiftly harvesting, threshing and storing the wheat crop.²⁷⁴ But beyond production-related matters, these “model workers” were to lead the masses in what was called *fanshen* (翻身), referring to the need to change one’s way of thinking and participate wholeheartedly in the revolution.

From the earliest days, then, the promotion by the Party of model workers was about modelling two objectives to the masses. They were to set an example, certainly, in terms of productivity. They were to be hard workers. But the most important objective was to model a sense of duty to the socialist cause and a sense of obligation to the Party as the leader of that cause. The role of the model worker was further entrenched in the late 1950s as China underwent an intensive process of socialization and industrial growth. As the government took control of industry, private companies were transformed into public-private enterprises under state control. For the model worker, time and labour were no longer converted into income but into honour, into their pride of place as symbols of the system and its successes.

Today, even as China has developed into a major modern economic power, the image of the model worker lingers, not as a relic of the distant past but as the aspirational image of the labourer struggling selflessly for a prosperous national future. The annual “Learn from Lei Feng Day,”²⁷⁵ a holiday celebrating the mythologized figure of a selfless army soldier, is an occasion to urge citizens to emulate Lei’s tireless work for the Party and the country.²⁷⁶ And at an award ceremony for model workers in November 2020, Xi Jinping spoke of the need to “carry forward the spirit of model workers” in order to “build a modern socialist country.”²⁷⁷

But in a modern economy driven principally by private business, in which workers are to be fairly compensated for their labour, what do these messages of selfless dedication actually mean? The

championing of longer working hours in the spirit of struggle and sacrifice for the nation are values tied up with the Party's historical claim that it is "the vanguard of the workers' class." But in today's context these slogans can lay the ground for a whole range of problems we have addressed already, including overwork.

Viewed through this ideological lens, the whole gamut of labour issues, from crushing overwork to dangerous working conditions, can be obscured in a cloud of glory, written off as heroic contributions to the Party-state.

This process is readily seen today, even at the highest levels of power. Riders for online food delivery platforms in China often face gruelling work conditions and are denied even the most basic protections. But here is how Xi Jinping described these workers in February 2019, on the eve of the Lunar New Year, as he stopped in a small Beijing restaurant during an inspection tour of preparations for the 2022 Winter Olympics:

Xi shook hands with them, and asked them about their work and life, wishing them a happy Spring Festival. Xi Jinping pointed out that the 'courier boys' work very hard, early in the morning, rain or shine, even busier when it is holiday time. Just like hard-working bees, they are the most hard-working workers, bringing convenience to the lives of everyone.²⁷⁸

Xi's words show just how little the Party's prevailing attitude toward work has changed even in the face of profound economic and social change. Hard work, regardless of the conditions, dignifies the worker and their role in society, contributing to general unity and prosperity. This thematic transformation of the worker's personal struggle into ideological grist is repeated constantly across the media.

In February 2021, *Workers' Daily*, an official trade union publication, profiled a courier for SF Express named Liu Kuo who had been appointed as a "model worker" and eventually named a "national excellent migrant worker." Liu was referred to repeatedly in the profile as a "little bee" and was praised for being "highly cooperative and team-oriented." The article closed with Liu's own, perhaps apocryphal, words, perfectly conforming to the narrative of self-sacrifice: "As long as one is able to contribute to others, to society and to the country, one will be equally accepted, recognized and respected. I will continue to pass on the happiness and joy of the 'little bee' through my own efforts, delivering each parcel to the customer safely and without fail."²⁷⁹

Several months earlier, in a front-page article in the *People's Daily* about the high priority given to "model worker work" (meaning the selection and promotion of these heroes), Liu had been quoted as saying he was happy with Xi Jinping's reference to riders as "little bees." "It warms our hearts," he was quoted as saying, at the tail end, no less, of a work shift that had already been more than 12 hours.²⁸⁰

"Model workers" and "little bees" are not just relics of China's past. They endorse practices that in many cases work against the well-being of workers. Media portrayals like the above amount to a tacit endorsement of exploitative work cultures like "996" and "715."

The role of China's official union in this messaging process is impossible to ignore. The ACFTU and its local federations, the very organizations meant to represent the interests of China's workers,

take the lead in the process of selecting and promoting “model workers,”²⁸¹ a fact that reveals a great deal about the union’s own priorities. The obvious problem in this arrangement, which we discuss further in the next chapter, is that the effectiveness of local trade unions in terms of protecting workers’ rights is chained to an array of political and economic interests at the local government level, many of which are not at all about workers’ interests.²⁸² Among those interests is the promotion of “model workers” and the ethic of self-sacrifice through labour.

If premised on the protection of workers’ rights, including through active participation in the union at the workplace level, the concept of the “model worker” could be a constructive one. Model workers could be workers contributing to the safety and welfare of their colleagues and working genuinely toward a sustainable “common prosperity.” But in the absence of such protections, the “model worker” concept and its ethic of workers’ sacrifice becomes a tool of rationalization for enterprises, whether private or state-owned.

In early 2020, as China responded to the Covid-19 outbreak in Wuhan and across the country, workers were actively encouraged in health care, construction, community service and many other professions to work longer hours in the spirit of national struggle. Sacrifice became the national mood, and workers’ rights, again, faded into the background.

The Covid-19 Pandemic

When Wuhan, the city at the centre of the initial outbreak in China, went into lockdown in January 2020, it was not just the frontline workers in the city’s hospitals who were put under immense pressure to combat the spread of the virus. An entire support structure had to be mobilised to ensure not only that the virus was contained but also that the city’s essential services could continue to operate.

As Wuhan constructed a new hospital at Huoshenshan with incredible speed, this earned praise from commentators both inside China and abroad. Coverage largely ignored the massive strain on construction workers, both in terms of workload and health and safety. A crew of 7,000 worked around the clock to get the facility up and running in less than two weeks.²⁸³ Initially, workers on site worked constantly, as there was not even a shift system in place. One worker told a weekly journal, *Freezing Point*, that he had arrived on the site at 8AM and had worked ten hours straight, with just a short break for lunch.²⁸⁴ As work progressed and more workers arrived on site, construction was handled in two shifts.²⁸⁵ Construction workers did 12-hour shifts every day, and administrative staff worked even longer.²⁸⁶

The vast majority of the construction workers at Huoshenshan were rural migrants trapped in Wuhan as a result of the quarantine imposed on January 23, who otherwise would have returned home for the Lunar New Year. Building the new hospital allowed them to earn more money, some said, and also made it possible for them to contribute to the fight against Covid-19 in the city. One labour contractor from Henan province told *Caixin* magazine that by working through the holiday he could earn double his usual pay.²⁸⁷ Taken at face value, this would amount to a clear violation of China’s *Labour Law*, which stipulates labourers working on public holidays must be paid at least 300 percent of their usual wage.²⁸⁸

In the media, stories of selflessness and heroism abound. One report profiled Wang Bo, a model worker working in Wuhan for the State Grid, China's state-owned electric utility corporation: "He and more than 260 construction workers have worked day and night, setting up the power lifeline for the Huoshenshan Hospital in just 5 days and 5 nights."²⁸⁹ Medical workers on the front lines were lionized as "white warriors," and in April the Hubei government honoured 24 of them as model workers, noting their selfless spirit, how they "did not calculate time, did not calculate money, did not consider momentary gain and loss."²⁹⁰

In addition to pay, conditions on the ground for workers raised serious questions. Workers were at greater risk of accidents and infection. Just as the new Huoshenshan Hospital prepared to open its doors, workers could be seen fixing a leaking drainage pipe on site, equipped in the midst of a raging epidemic with only thin masks offering little protection.²⁹¹ By early February, at least one construction worker at Huoshenshan had already been infected. In all likelihood, other such cases went unreported as workers were unable to seek treatment in Wuhan's overcrowded hospitals.

The construction of the Huoshenshan Hospital was presented by state-run media as a triumph of China's efficiency and resolve. The *Global Times* called it "the miracle of Huoshenshan."²⁹² But the project suffered from many of the chronic labour rights problems already discussed in this report. On February 17, 2020, two weeks after the completion of the hospital, the CLB Strike Map recorded complaints from construction workers at the Huoshenshan site that they had still not been paid for their work.²⁹³ The complaints, made to domestic media and shared on social media platforms, were quickly removed from the internet. One month later, on March 19, 377 construction workers who had struggled to achieve the "miracles" of the Huoshenshan Hospital as well as at Leishenshan, another temporary field hospital, staged a protest after they were unable to return home after a 14-day quarantine period. They were being held at a facility run by a subsidiary of the state-owned China State Construction Engineering, and since finishing their work they had been denied their quarantine reimbursements.²⁹⁴ One worker wrote:

We are construction workers from Leishenshan Hospital. We finished work more than a month ago already. Working at Leishenshan, we faced daily risk to our lives, starting early and finishing late, even working steadily through pouring rain, facing the constant danger of exposure to the virus. Lately, we've been quarantined at China Construction Third Engineering's Platinum Mansion [housing complex] for more than a month, some of us for six weeks. We're still physically fine, and we've passed our blood tests, but we're still not able to go, and they've shut us up in here. We can't get our problem resolved. Every day there are 70 or 80 guards keeping watch over us.

The security guards keeping watch over the quarantined population were hardly better off. The same day as the desperate appeal from the Leishenshan construction workers, security guards maintaining quarantine polices at Hubei University angrily confronted their employer over underpayment of wages. The security company, they said, was paying them 250 yuan per day, one quarter the amount mandated by the government for security personnel. "They openly admitted that the national standard for security work is 1,000 yuan, and for cleaning it is 1,200 yuan during times of special emergency," one worker said. "So where has the rest of it gone?"²⁹⁵

The state of national emergency meant greater risk for all essential workers. With bigger workloads and limited supplies, Wuhan's sanitation workers struggled to keep city streets clean, and now, in addition to their usual cleaning work, they were expected to empty mask recycling bins. They were required to sterilise their vehicles three times daily and to spray disinfectant onto the streets as well.²⁹⁶ As expectations rose and the risks became ever clearer, sanitation workers could still not afford to take days off. One elderly worker said she would be fined 150 yuan for each day she was absent from her shift, meaning she would make just 70 yuan a day after the deduction.²⁹⁷

Meanwhile, the march of heroic stories continued in the media.²⁹⁸ On April 16, 2020, just over a week after China announced an end to the lockdown in Wuhan, China Central Television told the story of "courier boy" Li Shun, who at the height of the epidemic had journeyed on average 100 kilometres a day to deliver supplies to people. The report played up Li's sacrifices, noting that he had worked 80 straight days without a single day off and that he had stayed away from his pregnant wife to avoid any impact on his family, sleeping at the delivery office. "In the midst of the epidemic," Li was quoted as saying, "everyone needs me more."²⁹⁹

Imagine that instead of being engulfed in this climate of sacrifice, delivery riders could work reasonable shifts, not subject to extreme fatigue that places them in perilous conditions on the busy roads. Imagine the same delivery workers capable of making a living wage without exhausting themselves, and being paid on time (as well as overtime) without facing penalties that gamify their labour. Imagine the construction workers building emergency field hospitals were given sufficient rest, with ample crews to accomplish whatever work was necessary. If these workers were properly protected, would their work be any less a contribution to the economy in a time of peace and prosperity, or to national well-being in a time of uncertainty?

The glorification of work as sacrifice does not credit workers. Quite the contrary, it cheapens them and invites their exploitation. Work and workers must be valued and protected in practice, whatever challenges a society faces. So how can this be achieved? This question leads us to the subject of Part Three of this report: The role of the trade union in China.

Administrative Approach to Work Safety Is Not Enough

China Labour Bulletin has long argued, and the global best practices have proved, that work safety in China will only really be improved with the involvement of the workers and the trade union in the monitoring and supervision of health and safety standards in the workplace. This is the only way that "Safety First" can be defended as a real priority over and against political imperatives and economic self-interest.

Legislation in China has clearly indicated the role of the union in ensuring work safety. Relevant pieces of national legislation include the 1992 *Trade Union Law* (amended 2001), the 2002 *Work Safety Law* (amended 2014 and 2021), the 2002 *Occupational Diseases Law* (amended 2011) and the 2004 *Work-related Injury Insurance Regulations* (amended 2010). These laws create a fairly comprehensive framework that should, in principle, create a safe working environment. Over the last three decades, however, China has relied almost exclusively on legislative and administrative measures to improve work safety and reduce the number of accidents and fatalities in the workplace.

But as the economy has matured, and as the private sector has become more economically and politically powerful, the shortcomings of this regulatory approach have become ever more obvious. Employers have been given virtual free rein to flout safety regulations, confident that government officials will turn a blind eye as they pursue other objectives – including economic growth, political advancement and, all too often, personal enrichment.

The deficiencies of the administrative approach were on full display in 2015, when an explosion at a warehouse storing hazardous chemicals, located close to a residential area in the port city of Tianjin, killed 173 people. The emergency response in the face of the tragedy was a complete failure, and the majority of those who died were firefighters, first responders who had not received adequate training and had no idea what chemicals they were dealing with.³⁰⁰

The government's immediate response was a blanket order from the top for the immediate closure or relocation of chemical production and storage facilities located too close to residential areas. The government identified nearly 1,000 such installations. But the action did little to curb major explosions. Just 11 days after the Tianjin incident, another explosion rocked a chemical plant in city of Zibo in Shandong province, killing one worker and injuring nine others. One week later, an explosion occurred at another Shandong chemical plant, this time in the city of Dongying, a little more than 100 kilometres to the south. That explosion killed 13 workers and injured 25 others.

Rather than strengthen safety in the workplace, these responses have worsened the situation by entrenching the mindset of emergency management and completely overlooking more sustainable prevention approaches. After the reshuffling of the MEM in March 2018, discussed in Chapter 6, the focus has been on the emergency and not on the workplace.

Over the longer term, none of the administrative actions taken in the wake of the Tianjin explosion have been adequate to address the problem of safety at chemical production and storage facilities. In the period since the Tianjin explosion, up until the end of December 2020, CLB's Work Accident Map has recorded at least 309 explosions (more than one per week) out of a total of about 2,900 workplace accidents. There were 92 explosions at chemical plants and another 10 at chemical storage facilities.

When agencies like the MEM do uncover violations of safety regulations, the general practice is to simply issue a fine to the enterprise concerned, along with a rectification order. When it comes to the process of rectification, enterprises are left to their own devices, and they generally carry on as normal without making any substantive changes to their production regime. Little surprise, then, that accidents often occur in workplaces that recently "passed" inspection or were cited for violations with no concrete action or follow-up.³⁰¹ In November 2018, for example, an explosion and fire at the Hebei Shenghua Chemical Co. plant killed 22 people. The plant had experienced two smaller incidents in 2013 and 2014, and a government inspection in 2015 had revealed numerous problems with the plant's chemical storage facilities.³⁰²

When local governments are incapable or are unwilling to ensure enterprises comply with basic safety standards, it should be incumbent on the trade union to step into the breach. As we discuss in Part Three, a trade union that is truly representative, with an active role in monitoring compliance, might work to create a sustainable, day-to-day safety regime in enterprises – as well as address the full range of other labour issues covered in this report.

PART THREE: The Elusive Goal of Trade Unionism in China



Photo credit: Shutterstock / TonyV3112

One of the most damning revelations in the aftermath of the 2015 Tianjin warehouse explosions that took the lives of 173 people was that, at the time, there was no dedicated trade union for firefighters in China.³⁰³ Of the 173 victims, 99 were firefighters. Of these firefighters responding to the blaze, 75 were contracted to the Tianjin Port Group and should have been represented by the Binhai District Trade Union.³⁰⁴ The local firefighting unit was poorly trained, underpaid and short-staffed. Most of the firefighters were not even formally employed by the local government. Instead, they were short-term contract workers, young and inexperienced.³⁰⁵

Touring the blast site in Tianjin, Premier Li Keqiang was asked about the safety and well-being of firefighters, the temporary worker issue having become a flashpoint of national anger and concern. He sidestepped the question by turning back to the familiar accident response playbook described in Part Two of putting glory before safety. He said, "Heroism does not depend on employment status."³⁰⁶ A more appropriate response might have been to say that the firefighters had acted heroically even without formal employment contracts, and in the future the government would ensure that all firefighters had full employment and benefits as well as proper training. Since the Tianjin explosion, in fact, a number of cities, including Beijing, have established dedicated trade

unions for firefighters and have sought to professionalize the force so that it can deal more effectively, and safely, with future disasters.³⁰⁷

But the lack of proper representation of workers through trade unions at the workplace level remains one of the biggest hurdles in solving not just endemic work safety and training issues but a whole range of other problems, from wage arrears to decent pay and social security. The need for workers to properly represent themselves through trade unions that have their rights and interests at heart is an argument we return to repeatedly in this report, because it offers the simplest and most sustainable path to common prosperity.

According to China's *Trade Union Law*, the union's first and foremost responsibility is to safeguard the rights of workers, including their health and safety at work. But in the wake of the Tianjin explosion, the local unions were derelict in their duty. A worker interviewed by *China National Radio* and employed by a dangerous goods warehouse near the explosion's epicentre admitted that he had no job qualifications and had received no professional training.³⁰⁸ The *Beijing Youth Daily* newspaper revealed that there were more than 1,800 companies handling dangerous chemicals in the area, suggesting immense potential for things to go wrong if workers were not properly trained and represented.

In the immediate aftermath of the tragedy, the Tianjin Municipal Trade Union and its affiliated Binhai District Union Federation failed to examine what had gone wrong in terms of its representation and protection of local workers, and therefore there were no efforts to consolidate the lessons and work toward preventive strategies. Instead, officials handed out air purifiers and self-help handbooks and offered psychological counselling to residents in the local community affected by the blast.³⁰⁹

In the chapters that follow, we address the unfulfilled promise of trade unionism in China, exploring the serious consequences this has had for the general welfare of the country's workers. Ultimately, the failure to embrace trade unionism at the workplace level has entrenched and intensified the issues we have dealt with so far in this report – from exploitative work arrangements under the labour contracting system, to wage arrears and overwork, to inadequate social security and unsafe working conditions.

However, before we address concrete cases that have underscored the government's failures with respect to trade unionism in recent years and explore how trade unionism might offer solutions to the range of issues impacting workers, we must first have a grasp of how the present system operates. We begin, then, with a closer look at the country's official trade union, the All-China Federation of Trade Unions (ACFTU).

A Union of Allegiances

Since the onset of reform and opening in the late 1970s, the former planned economy has been dismantled. And yet, vestiges of the old system persist, in many cases distracting from the essential work of protecting workers' rights. This can readily be seen in the still "uneasy relationship" between the ACFTU and the All-China Women's Federation (ACWF),³¹⁰ and in the relationship between the ACFTU and the Chinese Communist Youth League (CCYL). After the founding of the PRC, and with the institution of the planned economy, wages and benefits at the enterprise level

were determined by the State Council and provincial governments. As the role of enterprise managers was merely to implement the wage standards set by the government, they had no substantial conflicts of interest with workers. From that time, the ACFTU, the CCYL and the ACWF engaged in broad political mobilization, targeting their respective groups – workers, working youth and female workers. All were urged, according to the spirit of the times, to make contributions to the construction of the national industrial system, which meant participating in labour competitions and striving to become model workers.

The ACFTU has been through several incarnations since it was officially founded on May Day 1925 as a revolutionary workers' organization allied with the CCP. In its current form, the organization dates back to its re-establishment at the outset of the reform era in 1978, when it was one of a number of so-called "mass organizations" – including the ACWF and the CCYL – meant to coordinate social and political affairs under the leadership of the Party. Its *raison d'être* was to ensure harmonious labour relations, political stability, and smooth economic development. While the country explored new avenues of economic development – "crossing the river by feeling the stones," as Deng Xiaoping famously put it – the union was to push workers to ever greater heights of productivity to achieve the "great blueprint of a modern powerful socialist nation," as one union leader from the Daqing Oilfields put it to the first conference of the ACFTU in the reform era, held from April 22-24, 1978. "We Daqing people have just one thought," he told the meeting, "which is to plunge ourselves into the revolution, leaping forward and again and again for the sake of the high-speed development of China's oil industry."³¹¹

The short-lived Beijing Workers' Autonomous Federation, created during the Tiananmen Square protests in April 1989, was declared an illegal organization and disbanded in the wake of the military crackdown in Beijing on June 4, 1989. From 1989 onwards, the ACFTU has portrayed any attempts by workers to organize independently as a threat to the Party, characterising worker activism as the "Polish disease," referencing the Polish *Solidarnosc* (Solidarity) movement. By identifying this threat, the ACFTU demonstrated its loyalty to the Party and therefore, bolstered its own self-interest.

Just as was true at the time of its re-establishment, when the union was to follow the urging of Chairman Hua Guofeng in his August 1977 political report to the 11th National Congress of the CCP, and work to "rapidly develop productivity,"³¹² the ACFTU today is a reflection of the Party's objectives more than a vehicle for the participation of workers and the communication of their interests. In its current form, the ACFTU can best be described as a "state organ"³¹³ that derives its legitimacy from Party patronage rather than from representing the workers to negotiate for better pay – which is ultimately the foundation of common prosperity.

Recalling a speech delivered by Xi Jinping to the new leadership of the ACFTU in October 2018, Li Yufu, the organization's vice-chairman, noted in the *People's Daily* newspaper that the general secretary had "highlighted the need to adhere to the Party's leadership of trade union work." In his commentary, Li paid homage to Xi as the CCP's "core," and essentially chained the "labour movement" in China to the unshakable rule of the Party:

Judging from the historical achievements of the Chinese Communist Party, the most essential feature of socialism with Chinese characteristics is the leadership of the CCP, and

*the greatest advantage of the system of socialism with Chinese characteristics is the leadership of the CCP. Only under the leadership of the CCP can the cause of the labour movement adhere to the correct political direction, passing from generation to generation and constantly developing.*³¹⁴

While the AFCTU vice-chairman's remarks emphasized the organization's obedience to the CCP's central leadership as the top priority, he also referenced demands laid out in Xi Jinping's speech regarding the importance of protecting workers. Xi stated in his speech that "trade unions should adhere to a worker-centred orientation in its work" and should "earnestly perform the basic duty of safeguarding the legitimate rights and interests of workers."

This discourse of competing priorities reveals one of the key tensions undermining the work of the ACFTU at the workplace level. Obedience to the Party is central, yet the work of the union should be "worker-centred." The upshot of this tension is that union officials can be either unclear about their purpose – namely, the protection of workers' rights – or so overwhelmed by competing duties that they have little time to understand the industries and workplaces that are ostensibly under their protection.

This problem is worsened by very real constraints on trade union officials. First, they are often constrained in fulfilling their obligations as a result of the ACFTU's rigid bureaucratic structure, which can stifle initiative and create a climate of fear among officials, who spend more time looking over their shoulders than getting on with the job at hand. In such an environment, signalling loyalty to one's superiors with the parroting of slogans is far easier than representing workers. On this issue, there is a tension of priorities within the Party. Xi Jinping reportedly complained about the lack of initiative in all sections of government in 2020, telling a meeting of the Central Commission for Discipline Inspection, "Some only get moving when they receive written edicts issued by the leadership and they would do nothing without such instructions."³¹⁵

At the ACFTU, this attitude is to some extent a lingering legacy of the planned economy system, under which everything, including salaries, was the responsibility of the government, particularly at state-owned enterprises. Under the planned economy model, there was no role for the union. Enterprises did not make profits, but rather met production targets. It goes without saying that the reality has fundamentally shifted over the past forty years, with interests now far more diverse, and with profit-driven private companies accounting for more than 60 percent of GDP and more than 80 percent of urban employment.³¹⁶

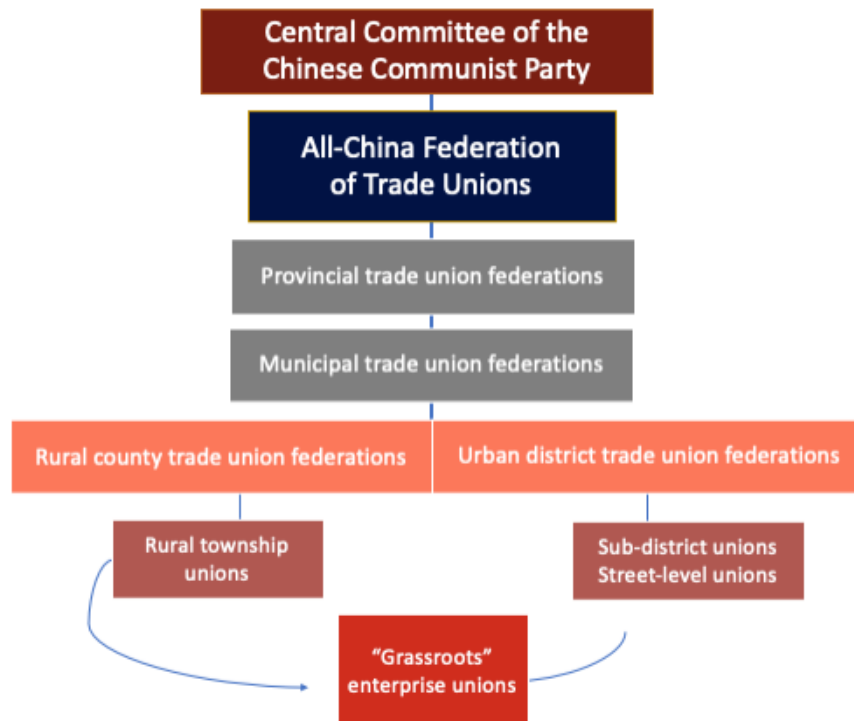
A second and related constraint is the fact that trade union officials often envision their role as being part of the propaganda system,³¹⁷ grappling with the potential reputational damage to the Party and government brought on by work safety issues or worker activism rather than engaging workers at the workplace level. In cases when CLB directly contacts local unions to make inquiries following reports of workplace accidents, for example, the immediate response from the ACFTU functionary is often to redirect our researchers to the local propaganda department.

Setting aside the question of the ACFTU's Party allegiances and its reluctance to speak out for fear of stepping out of line with official messaging, the ACFTU does actually have a broad range of rights and responsibilities under the law when it comes to workers' rights, on how enterprise trade unions should be established and run, and on ensuring workplace safety. These obligations are codified in

the *Trade Union Law*, adopted in April 1992 and amended in 2001, the 2006 *Enterprise Trade Union Regulations*, the 2002 *Work Safety Law*.

The ACFTU’s organizational structure closely follows that of other Party and government organizations, a regional hierarchy with provincial, municipal, county and district-level federations under the umbrella of the national body. Enterprise unions have to be registered with and affiliated to the lowest level of the regional organization, which, in densely populated industrial areas, could be a union at the sub-district or “street” level.

Organizational Structure of Trade Unions in China



Although affiliated to the regional union, enterprise unions are in nearly all cases controlled by, or least under the sway of, enterprise management. According to official procedure, enterprise unions are established by enterprise management with the cooperation of the regional federation. Sectoral unions, on the other hand, are nested under the government system – within the Ministry of Education for teachers, within the Ministry of Housing and Urban-Rural Development for construction workers, or the Ministry of Transport for transport workers. Under this arrangement it is impossible for sectoral unions to act as real unions at all, and they are out of step even with enterprise unions and regional unions in terms of their capacity to develop and explore solutions.

The ACFTU reported having more than 300 million members by January 2018, including 140 million migrant workers.³¹⁸ The vast majority are members of enterprise unions, which are legally obliged to provide two percent of their payroll to fund the union at the workplace level. But in practice the amount provided is generally less, with shortfalls made up by the government budget. It is difficult even to know, in fact, how aware workers themselves are about their union status or the role of the

union. In CLB's experience in directly interviewing workers involved in cases over wage arrears, work-related injury and other issues, not a single worker has been a union member. Moreover, most of these workers have not even heard of the union. Often, when we then approach local union offices about the workers' issues, they typically suggest that the individual workers are to blame for not joining and insist that the union still did its duty.

When workers do approach the union for assistance in applying for membership, they are not welcomed with open arms. They are often told by the local union that they are not eligible. Migrant workers, for example, are often told they must apply for membership in their hometown or in the place where the business employing them is registered, rather than the place where they actually work. In other cases, workers are told they can only join if their employer agrees to set up an enterprise union.

As we noted in previous chapters, the ACFTU has been conspicuously absent when it comes to responsibilities that fall clearly under its mandate, such as ensuring workplace safety or the payment of social security. In the case of the death of 39 miners in Chongqing in December 2020, discussed in Part Two, the union had ignored months of warnings about safety lapses, as if this has nothing to do with the union. In the case of the Yue Yuen shoe factory strike in 2014, discussed in Part One, the Guangdong Provincial Federation of Trade Unions had even been complicit, siding with the company and the local government in the dispute over unpaid social security.

The exception was just one case occurring around the same time as the 2014 Yue Yuen strike discussed in Chapter 4. In that case, which we discuss in greater detail in the next chapter, the union did report for duty, standing squarely with workers as they made their demands for compensation. Unfolding at a Walmart store in Changde, Hunan province, the case is so extraordinary that it warrants close analysis to demonstrate what is possible for trade union officials if they genuinely value workers.

If they are to truly work for China's workers, trade unions must escape those duties, unrelated to workers' well-being and the goal of common prosperity, that have come to dominate so much of their time. They will need to pull back from propaganda and sloganeering – such as the largely ceremonial push in recent years to “unionize” delivery drivers and other categories of workers who are in actual fact simply neglected once they have been counted.³¹⁹ It will have to truly undergo the trade union reforms that Xi Jinping called for in 2015, and which we deal with in the next two chapters, so that it can engage with workers at the workplace level and include them in real solutions to real problems.

Chapter 10: A Rare Case of Representation

An Enterprise Union Stands up for Workers' Rights

On March 4, 2014, the American retail giant Walmart abruptly announced the closure of its loss-making store, No. 2024, in the southwestern city of Changde.³²⁰ More than 140 Walmart workers, many of whom had been employed by the retailer for years, were given just two weeks to make an impossible choice: either agree to relocate to a Walmart store in another city, or accept a meagre severance payment. In fact, Walmart's actions in Changde violated China's *Labour Contract Law*, which obliges employers to consult workers and the union before making major decisions that affect workers.³²¹

Huang Xingguo, a Walmart cashier and former day trader who was the chairman of the store's enterprise branch of the official trade union,³²² responded to the management's ultimatum by convening a staff meeting, at which the workers voted for a third option: they would take a stand against the illegal acts of Walmart management. They picketed outside the store the next day, unfurling a large white banner that read, "We want to work, we want to live; we oppose Walmart's illegal store closure."³²³

Such acts of protest by workers are not at all rare in China. Indeed, Walmart had moved to close at least five underperforming stores in other provincial cities that month, using the same unilateral decision-making. This was a tactic commonly used by the retail chain, in which it opened store locations simply to test the local market, and then closed them when the results did not meet expectations, leaving workers vulnerable. Just as in Changde, the Walmart workers in locations in other cities also staged protests. But store No. 2024 was unique, and remains so, in another respect. In the Changde case, the trade union actually played a leading role in organizing a determined workforce to take action against the bullying tactics of management. This may seem unremarkable to those less familiar with the labour environment in China. After all, is it not the trade union's role to represent workers in disputes with company management? How could this case be the exception?³²⁴

The Enterprise Union Takes the Lead

At the trade union meeting convened on March 4, a nine-member team was set up, comprising seven trade union council members and two worker activists. They agreed that no less than three team members must be present during negotiations with Walmart management and that any agreement must have the signatures of no less than three members. Moreover, the workers elected to be fully transparent about their actions to local authorities. They laid out Walmart's wrongdoing in writing, informing relevant authorities locally, including the municipal trade union federation and the police, what actions they might possibly take in response.

Walmart management ignored the workers' demands for negotiations. The company responded by posting an announcement on the store's noticeboard specifying the date of the store's closure and staff settlement terms. The next day, keen to remove valuable inventory from the Changde store, Walmart hired a crew of temporary workers.

On March 7, three days after the initial closure announcement, the enterprise union demanded that the municipal trade union federation get involved. The enterprise union's position on behalf of workers was that by announcing the closure without sufficient prior notice or consultation, and by laying off large numbers of workers, the company had flagrantly violated China's *Labour Contract Law* – in particular, Articles 40 and 41, which specify that the “employing unit” must provide a 30-day notice of termination of contract.

The municipal federation responded in writing on March 13 that it had been working with all concerned government bodies and would do its utmost to defend the workers' rights. Despite the encouraging letter from the municipal federation, the local government in Changde seemed to side with Walmart. The director of the local commerce department, visiting the scene of the workers' protest and pledging to protect management,³²⁵ even threatened to “call the police and make arrests” if the workers did not back down.³²⁶

Huang Xingguo remained defiant. On March 19, two weeks into the around-the-clock standoff, he issued a formal request on behalf of the enterprise union for collective bargaining with Walmart management:

After consulting lawyers, the union affirms that the closure of the store gravely affects the legal rights of employees. Since Walmart failed to provide any written documentation to prove that it had consulted workers about this issue or solicited their opinions, its action is a blatant violation of Article Four of the Labour Contract Law. Based on the principle of equitable negotiation, the trade union now asks Walmart to begin the bargaining process in a timely fashion, seek common ground, and solve the labour dispute as quickly as possible.

The request outlined the workers' 14 demands, including the demand based on Article 87 of the *Labour Contract Law* for punitive double compensation based on Walmart's failure to properly consult workers on the closure of the store.

Once again, Walmart management refused to relent. They ignored Huang Xingguo's request, and on March 21, police were called in to remove the 143 workers who had been picketing the store. Violent clashes erupted and several workers were injured and briefly detained by the police. This was not the end of the story.

The workers quickly returned to the picket line and set up tents and cooking stations.³²⁷ They worked in shifts to prevent the company from removing merchandise from the shuttered building. In the wake of the March 21 violence, the municipal authorities, wary of encouraging further escalation, backed off and adopted a more neutral stance. With the help of well-known labour expert Chang Kai, the Walmart workers filed a claim against Walmart at the local labour dispute arbitration committee. These committees are established by the local government to handle labour disputes administratively and outside the civil court system; under China's legal framework it is a procedural requirement that labour disputes be referred to this committee before they can be heard by the courts.³²⁸

At a union meeting on March 28, Huang Xingguo urged workers to remain united in voicing their demands and not to be enticed by Walmart's attempts to end the dispute quickly. “Management is

making concessions but we don't need to," he told the workers. "We have always demanded double compensation and victory is in sight. I hope you will not be tempted by unripe fruit."³²⁹

Civil Society and the Media Step In

Both the workers and the enterprise union received messages of support online, as well as small financial contributions from members of the public. They also received tactical support from lawyers and civil society activists. Huang Xingguo was even profiled by *Southern Weekly*, a newspaper in Guangzhou known since the 1980s for its tendency to push the envelope and pursue more sensitive social and political stories.

The profile was pitched as a David and Goliath story, unionized workers pitted against a multinational corporation, with the government sending mixed signals about where it would stand. The story's headline read, "The War Between 'The Most Awesome Union' and Walmart: Rights Defence versus Stability Preservation."³³⁰ The article documented Huang's rise to prominence and analysed the complicated web of relationships between the workers, the enterprise trade union, the Changde municipal trade union, the local government and the employer, Walmart.

Despite attempts by Walmart to break solidarity, more than 70 workers remained on the picket line at the end of April and early May, while they waited for arbitration proceedings to begin. Walmart, meanwhile, invested its considerable resources in its legal defence, and in late June, the arbitration committee formally rejected the employees' demands.³³¹ Huang Xingguo said he was "extremely unhappy" with the decision and vowed to appeal to the civil courts.

As the arbitration proceedings were underway, local authorities in Changde continued to pressure the workers, urging them to relent and accept Walmart's unofficial settlement offer of 3,000 yuan on top of the original offer based on length of employment. The authorities exerted pressure directly and personally through the city's neighbourhood committees, grassroots organisations that implement political directives from higher up the bureaucracy and monitor residents in communities below the district and sub-district level under the principle of "location-based management."³³² For several weeks, grassroots cadres from the committees made personal home visits, pressuring not just Walmart employees but also their family members. If workers caused trouble and refused to accept the deal on offer, they were told that they might find it difficult to find new jobs, and their relatives could even be affected.

Why was the government so eager to ensure that the workers accepted the unofficial settlement offer? One concern was how other foreign companies investing in China – already wary of rising labour costs – would react to an official ruling from the arbitration committee in favour of the workers. An out-of-court settlement would make it unnecessary for the arbitration committee to render an official ruling. It might also take the wind out of the sails of Huang Xingguo's unusual protest, which risked setting its own precedent as an enterprise union actually speaking out for the rights of workers over the interests of a multinational company and the government. More embarrassingly, the enterprise union was running against the grain of the ACFTU, which had proved itself unwilling and unable to take responsibility as a real representative of the workers' interests. In the end, even as some workers relented and accepted the compensation offered by Walmart, 18 workers still refused to accept the offer, forcing the arbitration committee to make a ruling.

The three-month campaign by the Changde Walmart workers was extraordinary in that it was led by the chair of the enterprise union. At no other time did an enterprise trade union play such a key role in any of the thousands of labour disputes that have erupted during the last decade. Revealingly, the *Southern Weekly* story characterised the actions of the union at the Changde Walmart as “perhaps the first influential voice of a grassroots union in recent decades,” indicating just how rare was Huang Xingguo’s leading of the workers in collective action and the union’s potential capability in representing workers at the workplace level. The paper was right to proclaim the union at store No. 2024 “the most awesome trade union.”³³³

The Changde Municipal Trade Union Federation, however, did not conduct itself so favourably. And while the example of Huang Xingguo and his fellow workers illustrates the important role collective action initiated by enterprise unions could potentially have in protecting the rights of workers as guaranteed in China’s *Labour Law*, the inaction of the city union and its provincial superiors offer a portrait of the fundamental failings of China’s official trade union.

Keeping Things Quiet

Throughout the struggle of Huang Xingguo and the Changde Walmart workers, the municipal federation offered only lukewarm support, always deferring to the city leadership. In an interview during the early stages of the dispute, Huang Xingguo told CLB Director Han Dongfang that the municipal federation was concerned first and foremost about any effect protests might have on the business and investment environment in Changde.

“The head of the Municipal Federation told me, ‘We are supporting you with your campaign. We certainly can help you.’ But he had a small request,” Huang explained.³³⁴ “He said, ‘We hope you take care to ensure that no damage is done to the investment environment of Changde. We do not want any harm done to Changde’s image, so you should not talk to outside media.’”

This was no small concession. “I agreed to that,” said Huang. “I undertook that I would not contact outside media.”

By insisting on the overriding priority of outside investment, and by working with Walmart management and other local government officials to prevent the collective action of the workers, the municipal federation had painfully demonstrated its inability to deal with labour disputes at the workplace level. The former Walmart cashier had good relations with the higher-level unions and had participated in several training sessions, including a seven-day course for union leaders. Initially in the dispute, the higher-level unions offered Huang some encouragement, even suggesting lawyers who might agree to take on the workers’ case.

But media coverage was beyond Huang’s control, and once the dispute began attracting domestic and even international media attention, the local government’s attitude changed. “In the beginning, they supported our claims for compensation,” Huang told Han Dongfang. “But later, I don’t know what happened, but once the government stepped in, the lawyers changed their position.”

Meeting with now recalcitrant government officials, Huang was told that the Walmart closure was a done deal and that he and the rest of the workers should simply accept it. During one meeting, government officials insisted to Huang that the closure was lawful, despite clear indications to the

contrary. They also warned Huang of the personal consequences if he chose to continue with the workers' collective action: "They told me, 'If you don't respect the relevant laws, if you make a fuss, at any time they can arrest you. You're the leader, you cannot escape responsibility.' I said that I willingly assumed responsibility."³³⁵

By this point, the cooperative relationship with municipal federation officials, based on good faith, was over. After being discarded by the municipal federation, Huang lent his support to an online labour activist group for a while, and then vanished from the public eye. The union had lost one of its brightest up-and-coming stars. And more unfortunately, it had lost a key opportunity to explore new ways of making the union function for the good of the workers.

An Urgent Need for Reform

In November 2015, eighteen months after the Changde Walmart dispute, China's leader, Xi Jinping, chaired a meeting of the Central Committee on Deepening Reform, which formally adopted a new initiative to reform the All-China Federation of Trade Unions.³³⁶ It had been a long time coming.

By 2013, China's much vaunted "economic miracle" had strengthened the power of the state and enriched the elite while leaving behind ordinary working families, the engine powering the country's growth. Income inequality had increased dramatically throughout the reform era, threatening social and political stability. The mass strikes and other worker activism of the last decade were important indications of the social implications of this inequality. In an attempt to address this fundamental problem, the Party made a deliberate pivot away from high-speed economic growth and toward greater social equality.

The transition was evident to some extent from the introduction in 2003 of Hu Jintao's "scientific view of development," which was meant to guide China's move toward "a development mode that not only values quantity and speed but also high quality and energy-saving," and that prioritized "putting people first."³³⁷ Hu's phrase, meant to encapsulate his leadership legacy, emerged during a time of turmoil around the SARS epidemic and high-profile incidents like the beating death in police custody of Sun Zhigang, which underscored the deep inequalities facing migrant workers in China's cities.³³⁸ But inequalities persisted and even deepened³³⁹ through the Hu Jintao era, and the Party's anxieties about the broader social ramifications were conveyed through another favourite phrase of the time, "building a harmonious socialist society."³⁴⁰

In 2012, the government reported that its official calculation of the Gini coefficient, a measure used in economics to represent wealth inequality, had reached 0.47, up from 0.32 reported in 1990. A 2013 report from the Asian Development Bank noted that this was "one of the most rapid increases in overall inequality in history" and warned that "increasing income inequality would be detrimental to both the creation of a harmonious society and long-term economic growth."³⁴¹ China's officials publicly voiced concern, with the head of the National Bureau of Statistics even noting, "This curve of Gini coefficient demonstrates the urgency for our country to speed up reform of the income distribution system to narrow the gap between rich and poor."³⁴²

In February 2013, the government released guidelines to reform China's income distribution system through a series of fiscal and legislative reforms that had been pushed ahead by the outgoing premier, Wen Jiabao.³⁴³ One part of the reform plan, which sought to bridge what it called a

"relatively large" gap between urban and rural China, was to boost the minimum wage.³⁴⁴ In reality, minimum wage increases, which are determined by regional governments, slowed down from this point on and came to a complete stop during the Covid-19 pandemic. The 13th Five Year Plan (2016-2020) included an entire chapter on bridging the income gap, with proposals to improve income distribution. The plan noted the need to "strike the right balance between fairness and efficiency."³⁴⁵

Real progress on income distribution was not possible without refocusing on the needs of China's workers, and that meant consideration had to be given to the role of the ACFTU. The official union would have to shake off its institutional torpor and rededicate itself to "the issues of most pressing concern and direct interest to the workers," as Xi Jinping reportedly told the newly elected leadership of the ACFTU in a Zhongnanhai meeting in October 2013.³⁴⁶

At the 19th Party Congress in 2017, Xi Jinping marked a significant departure by announcing a fundamental change in the "contradiction" at the core of policymaking. No longer would the focus, as in the previous congress, be on addressing "the contradictions between the growing material and cultural needs of the people and China's backward social productivity." Rather, the leadership would focus on the "contradictions between the yearning of many people for a better life and China's unequal and insufficient development." The language may seem abstract, but the essential idea was simple enough. China would no longer stress vigorous economic development and wealth creation, but would focus instead on more balanced economic development and the rational distribution of wealth. But how?

The subsequent 2015 reform initiative was announced on November 9 as part of a series of reforms involving China's "mass organisations." The full version of the initiative has not been made public to-date, and much of what we know must be gleaned from disparate state media reports spanning many months and from the jargon-laden summaries offered by the ACFTU itself. Nearly a full year after the initial announcement, for example, Xi Jinping said during a meeting with ACFTU leadership that the union's work should be "centred on workers," and that it should "seize hold of the most direct and real problems concerning their interests."³⁴⁷ Xi also said, "Wherever the legitimate rights and interests of workers are infringed upon, the union must stand up and speak out."

For the ACFTU to achieve these goals, the Party stressed that it had to eliminate "four impediments" to its work: regimentation, bureaucratisation, elitism and frivolousness. At the same time, the union would have to "increase the three positive attributes" of political consciousness, progressiveness, and popular legitimacy. In essence, what these jargonistic terms meant was that the ACFTU should abandon its old bureaucratic ways and focus on concrete measures that can help workers.

The Party had identified the problems at the core of the ACFTU's dysfunctional operations and told its leaders to get it fixed. This assessment provides the foundation for real reform of the trade union's role and operations.

There is an alternative interpretation of the trade union reform initiative, one that sees it more about politics and power than really putting workers at the centre. The original announcement of the initiative, for example, emphasised the need to ensure that all mass organisations, including the

ACFTU, aspired to three basic natures, of which the first was 政治性 (*zhengzhixing*) “political consciousness.”³⁴⁸ According to this reading, the only true requirement of mass organisations, including the ACFTU, is loyalty to the CCP. This demand, if taken as paramount, would undercut efforts to break through the dysfunctions the Party outlined.

For the trade union initiative to succeed, the current ethos of displaying craven and shallow forms of loyalty, which induces ACFTU officials to view loyalty signalling as their basic job description, will have to become a thing of the past. Loyalty should not be measured by how many times union officials praise their superiors or publicly declare their devotion to the political cause of the moment (such as eradicating absolute poverty), but by actions that further the core agenda, which is better representation of workers at the workplace level.

By late 2016, the ACFTU claimed it had gotten the message and “firmly grasped the political responsibility of unifying and leading the majority of workers in unswervingly following the Party.”³⁴⁹ It said that there had been a 25 percent reduction in ACFTU staffing nationwide, part of a push to build a “flat organizational structure” and ensure more efficient operation. This would mean, it said, that the “eyes [of the union] are facing down” toward the workers. To bolster the message of its transformation into a more responsive organisation, the ACFTU noted that Ju Xiaolin, a migrant worker, had been appointed as the union’s vice-chairman.

Another element of reform, according to the ACFTU, was raising migrant worker membership, which did increase by 15 million in 2015, and again by the same number in 2016. The total reported number of migrant workers in the union by the end of 2016 was reported by official state media as 140 million, out of a total union membership of 303 million.³⁵⁰ These numbers, however, do not comport with data from China’s National Bureau of Statistics (NBS). In its 2016 survey of migrant workers, the bureau reported that just 20.8 percent of migrant workers reported awareness of their local enterprise union, and that 53.8 percent of those respondents reported that they had joined their unions. This basic math suggests that by the end of 2016 the number of migrant workers who were union members was probably around 30 million, a massive discrepancy.³⁵¹ The same NBS report for 2018 found that 9.8 percent of China’s then 288 million migrant workers were union members, which suggests an even smaller membership of around 28 million.³⁵²

Returning to the 2016 NBS report, it reveals that just 35.1 percent of migrant workers in China’s cities had signed labour contracts, down just over one percentage point from the previous year. And just 3.5 percent of respondents, or 9.8 million workers, said that they would seek out their union if their rights were in some way violated.

Surely, these are not the results the Party wanted from trade union reform. If the goal was for the ACFTU to stand up and speak out “wherever the legitimate rights and interests of workers are infringed upon,” these numbers raise serious doubts about the capacity of the union to reach workers at all. To the extent that we can hear the voices of migrant workers through the statistical reports of the government, it seems that only a small minority of the miniscule population of unionised migrant workers would even seek out their enterprise unions or the ACFTU for assistance.

The only transformation at the ACFTU seems to be another sleight of hand underscoring the union's focus on propaganda and perceptions. Migrant worker Ju Xiaolin was turned into a bureaucrat – and a bureaucrat with no real authority. It is impossible to know whether Party leaders are convinced by such facile gestures. The range of problems covered in this report, from unpaid wages to poor safety, have continued unabated, contributing to widespread labour unrest. This cannot be what the Party had in mind when it pushed its trade union reform initiative.

The 2015 calls for reform have had little bearing when it comes to addressing fundamental conflicts between labour and capital in the workplace. And when we take a closer look at how unions have been operating on the ground since the initiative was introduced, it becomes clear why there has been so little change.

Chapter 11: Stepping into the Union's Shoes

The Reality of Trade Union Reform

Relying on the ACFTU's own statements to gauge the success or failure of the trade union reform initiative is of limited value. So, in the summer of 2018, CLB decided to investigate for itself how the reform program was unfolding at the grassroots level. Was the program benefitting workers? And was it fulfilling the mandate set out by Xi Jinping? By approaching local trade union officials directly and asking them to respond to urgent workers' rights cases in their jurisdictions, CLB has gained a better understand the day-to-day work of the union and the hopes and frustrations of union officials in implementing the Party's reform agenda. It also allows CLB to hold the union accountable by publicizing the results of our investigations and showing policy makers in Beijing exactly where the system needs improvement.

ACFTU officials, like most bureaucrats, tend to tell their bosses what they think the bosses want to hear. The aim of CLB's trade union accountability project was to present the unvarnished truth to union and Party bosses. Offering constructive suggestions on how the operation of the union could be improved, CLB posts our Chinese-language reports on the website and send copies directly to relevant union offices at various levels.

To get the conversation started, CLB staff call the offices of municipal and district trade unions to inquire about incidents recorded on the Strike Map that occur in their jurisdiction. There is no shortage of incidents to choose from. We ask if the union is aware of the incident and whether officials have intervened to help the workers defend their rights. Have they mediated in the dispute or sought to negotiate with the employer to resolve it? Or have they simply ignored the plight of the workers? The idea is that the dialogue could then broaden into a constructive critique of the union's performance and the difficulties officials confront in organizing workers, resolving labour disputes and implementing the trade union reform agenda, so as to better represent workers and to help achieve the party's aims.

Initially, CLB conducted interviews with union officials in several provinces, such as Guangdong, Jiangsu, Anhui, Sichuan, Guangxi and Shandong so as to assess to what extent there were any regional differences in the union's work. We then focused on individual sectors, such as the construction industry, to analyse the specific challenges unions face in these industries. Understanding that strikes and worker protests might be considered too sensitive for some union officials to discuss, in 2020, CLB's focus switched to the relatively neutral subject of work safety.

Using incidents recorded on the Work Accident Map, we asked similar questions about the union's response to and mediation in workplace accidents as well as work safety issues raised by the Covid-19 epidemic. These interviews provided telling insight into how local trade union officials see their role in work safety and the government's overall approach to emergency management. By the end of 2020, CLB had analysed 102 cases,³⁵³ allowing us to draw back the curtain of ACFTU propaganda and identify the shortcomings of the organization. We were also able to identify a few positive signals.

One positive we noted in our observations is that since the launch of the reform initiative in 2015, local trade unions have devoted greater financial and human resources toward providing workers with legal advice and helping them defend their rights in disputes with employers. Most district and county-level trade union federations have now set up worker service centres and rights protection hotlines, and, in many cases, are more responsive to requests for assistance from individual workers. Officials openly admit to CLB, however, that there is a limit to what they can achieve, particularly if workers do not use the union’s hotline or otherwise approach the union directly for help. Of the 102 cases logged on CLB’s trade union database at the end of 2020, union officials were aware of just 39 incidents, less than 40 percent, and intervened on behalf of the workers in just 28 cases.³⁵⁴ The best-informed and most pro-active provinces were Guangdong and Sichuan. The map below shows the all cases investigated from 2018 to the end of 2020. The green markers indicate that the union intervened in the case, and red markers indicate non-intervention.

China Labour Bulletin Trade Union Reform and Accountability Map



A particularly revealing case involved a municipal-level union in the eastern coastal province of Jiangsu. On September 15, 2018, several workers at an automotive components plant in the city of Liyang, just southeast of the larger urban area of Changzhou, staged a protest on the rooftop of the plant, claiming that their wages and social insurance contributions had not been paid for six months. Police and government officials arrived at the scene, and, after several hours of negotiation, the workers agreed to abandon the protest and leave the rooftop. It is still unclear whether the government officials who responded were able to resolve the dispute to the satisfaction of the workers. But municipal trade union officials who spoke with CLB were not involved. While they were aware of the dispute from social media posts, they said they had not yet

received a related report from the district union. Still, municipal trade union officials seemed keen to be involved and to assist the workers. As one union official told CLB:

The local trade union represents the interests of workers. People involved in a mass incident like this will not necessarily trust the local government because government officials may deliberately delay or deflect the problem. The workers will then ask for the union's help but they cannot trust the enterprise union either, so in the end it is the local union federation that is the only one actually representing workers.³⁵⁵

The union official conceded, however, that the union was constrained by the fact that the workers had not sought out the union, suggesting the union in practice is subordinate to local government officials and cannot act unilaterally without risking these key relationships:

If the workers approached the municipal federation directly, we would go down there. However, all we can do at the moment is assist and support them in principle. It is hard for us... After all, the trade union does not have any real administrative power... We can hardly take the case and promise the workers that we will solve it. That would be unrealistic. We have to rely on our relationship with local government departments to get things done.

The Liyang union officials had limited room to act in cases like the protest at the automotive components plant. They operated in an ambiguous space between government officials who perhaps had other priorities – for example, regarding labour disputes first and foremost as challenges to stability preservation rather than a question of rights³⁵⁶ – and ordinary workers who might not have sufficient awareness of their rights. As such, the question of the union's engagement with labour disputes relied to a great extent on the agency of the workers themselves.

In its discussion with CLB, the union in Liyang seemed prepared to push through this obstacle, promoting unionisation at local enterprises in an incremental manner and holding training sessions to ensure that employers and employees had an awareness of labour rights and their protection mechanisms. The officials felt that once workers were more aware of their legal rights, they would be better prepared to stand up and defend them. With proper awareness, workers might act more quickly when their rights and interests were infringed upon, including seeking the union out for assistance.

Liyang, like other cities across China, has networked with enterprises to create what it calls a "gridded early warning system" for labour relations. As one state-owned company reported online, this is designed to enable the union to transition from a traditional "firefighting" approach – in other words, being reactive only at the point of crisis – to a "fireproofing" approach that alerts the union to work safety breaches and other issues.³⁵⁷ This is as a positive development.

Much depends, however, on how compliant companies choose to be in the early warning process. This so-called "gridded" management approach has also been a core part of the government's effort to ensure stability preservation as a social monitoring network that can enhance the government's ability to collect information and maintain control.³⁵⁸ Such systems should be observed with cautious optimism to determine whether they are responsive and address root causes, or whether they merely contribute to the surveillance of China's workers in the interest of controlling dissent that might affect the promotions of local officials.

In any case, these early warning systems for labour disputes are dependent upon officials at grassroots unions maintaining contact with workers so that they can understand any issues that arise and immediately report potential conflicts and flashpoints to the municipal federation. Whether the municipal federation can in turn respond and lead an appropriate response depends on the relationship with local government officials. The fact that these systems do not at present utilize workers themselves in monitoring and reporting labour rights violations is a less than encouraging sign, and problems still go largely undetected until it is too late.

A Union Waiting on China's Workers

Compared to many other local unions, the Liyang Municipal Federation was relatively proactive and dedicated to protecting workers rights. But when it comes to the core work of any trade union – the process of union organizing and collective bargaining – the Liyang federation officials still relied on more traditional methods such as persuasion and what they called “education,” rather than stepping into a real role as representatives of labour in disputes with management. Officials will, for example, tell management in a particular enterprise that setting up an enterprise union would benefit management as much as it would benefit workers. Many factory managers find such an argument unpersuasive, and in such cases local trade union officials have little hope of pushing unionisation. Alternatively, companies might establish unions with every intention of keeping them inactive.

One local trade union official in Shenzhen's Longgang District, which is home to thousands of small and medium-sized enterprises, told CLB that most business owners there were not interested in allowing unions into their factory and that the process was time-consuming.³⁵⁹ “I always have to rely on our staff to go out there and knock on doors,” she said. “Only then can they get the job done. In reality, not everyone is willing to have a union, so very often we have to go in there and discuss it with them. In most cases, that's the only way we can set a union up. That's for most cases.”

When CLB asked whether workers were generally willing to organize themselves and set up a union, the official said it was rare for workers to seek out the federation on their own with a thought to established a union. It would be a good thing for the federation, the official said, if workers became more aware of the benefits of unionization and were willing to organize their workplace. “That would be terrific, and we would certainly help them to set up a union,” she said. So, was this actually happening? In fact, she said, it was extremely rare for the district federation to receive such applications, because it would mean workers had to submit an application for the union at the union's sub-district office. These union offices are notoriously understaffed and generally powerless in dealing with local business owners.

A dispute that erupted in August 2018 at the Hong Kong-owned Nanling Toy Factory in Longgang District illustrates the bureaucratic tangle in which many local unions find themselves. That month, after 30 years of operation, the factory closed down, leaving workers owed wages in arrears and severance pay. “Our factory has closed down,” one worker wrote on Weibo. “The boss can't pay us back wages, and they've run off owing the staff two months of wages and tens of millions to suppliers.”³⁶⁰ Many veteran employees, having spent years or even decades working at the factory, were angered that the company offered them no compensation for these years of loyal service. In

other cases, workers suffered from chronic health issues stemming from harmful chemicals used in the production process. When the workers approached the local government for help with their case, they were arrested and beaten by the police.³⁶¹

Reached by CLB after the closure, one district union official said they had attempted to set up a union at Nanling Toy Factory earlier that year as part of an organizing drive. However, the factory shut down before the district union could complete the process. This timing is not simply an unfortunate misalignment; the Nanling Toy Factory had operated in this location for three decades, and that the closure had come nearly three years since the launch of the trade union reform initiative. The official explained:

We only got the reports this year. The guys below us at the local [sub-district union] level only reported the fact that they had not set up a union there this year. Before that, they did not report anything. I am not too clear myself what the reason for this is... This year, we've been sorting out the files. Only then did they report, and we set about establishing a union.

It seems that the Longgang District Federation relies entirely on sub-district union offices to organize enterprise unions in their areas. The district union would involve itself only if a sub-district union experienced difficulties or specifically requested assistance.

Mirroring the passive posture taken by the union in Liyang, where officials said that their engagement with labour rights issues depended largely upon the agency of the workers themselves, the district federation in Longgang was unlikely to investigate or take any action unless the sub-district union first filed a report. In this chain of ACFTU inactivity, it appears that everyone is waiting on China's workers.

If there is no active follow up or scrutiny of conditions in the workplace, what interest does the ACFTU have in organisation at all? This is where the politics of unionisation comes in. For many other local federations, organizing appears to be aimed at meeting the quotas set by their superior federation. As overall unionisation numbers are cited at the national level toward the higher leadership as a measure of the ACFTU's achievements, a ripple of membership mandates and reporting is triggered throughout the bureaucracy. Union officials will often agree to the establishment of a toothless body under the sway of enterprise management if that allows them to meet their unionisation targets for the year.

This is a serious misalignment of priorities. Union officials end up playing a membership numbers game, concerned about pleasing those above while silence reigns below: workers are reluctant to seek out grassroots-level unions, and district unions failing to act because they hear nothing from workers or from sub-district unions. The upshot is the complete failure to prioritise the creation of a properly functioning and sustainable organization willing and able to negotiate with business owners and management for the benefit of workers. Meanwhile, unions show that they are unable to think actively and flexibly about how to fulfil their mandate to engage and protect workers. Even facing the immense challenges presented just in the last decade, they are still focused on complying with their own outmoded organizing guidelines. This often comes at the expense of the workers they are supposed to be helping.

Crossed Wires and Eligibility Problems

All of these problems come sharply into focus as we look more closely at the ACFTU's attempts at the end of the decade to establish enterprise unions and broaden its membership base in China's rapidly developing and largely informal transport and service sectors. In the spring of 2018, the ACFTU took a strategic decision to focus its organizing drive on eight key sectors: truck drivers, couriers, app-based food delivery workers, domestic workers, nurses and auxiliary staff, security guards, customer service officers and estate agents.³⁶² These industries were chosen because local officials have often struggled to adapt to the needs of workers in these industries.

In the eastern province of Shandong, local union officials who spoke to CLB revealed a serious lapse of understanding within the union's own ranks about the ACFTU strategy on the eight key sectors. Even though the order to include these professions had come from the ACFTU itself, the local union persisted in deeming them ineligible:

One day some delivery workers came to the union office and asked about setting up a sectoral union or an enterprise union in the delivery industry. We passed the inquiry to the responsible department. In the end, it was decided that the enterprise these workers were employed in was not part of the 'Eight Key Sectors' that the ACFTU had specified, so we could not solve the issue for these workers. Of course, because they are doing logistics and express delivery, they are technically part of the transportation sector. However, our department did not count these particular workers as qualified.³⁶³

In the nearby city of Qingdao, officials insisted that unions could not be established by workers, but only by enterprise managers. Moreover, enterprises should establish only one union branch, they said, and this should be located in the district in which these enterprises were headquartered. This meant that workers in one district might have to journey across the city to meet with union representatives. This completely unnecessary requirement made it extremely difficult to organize couriers across one municipality, let alone the whole province or region where the delivery companies operate. As a case in point, see Part One on the cascading protests occurring in various cities in October 2019 as Shanghai's YTO Express Group suffered financial problems affecting its subsidiaries. A rule like the one suggested by union officials in Qingdao could potentially mean that the enterprise union representing these delivery workers would be established by a regional subsidiary, already remote from the workers.

On October 28, 2018, truck drivers and coach drivers in the city of Lu'an in Anhui province went on strike to protest the introduction of a new integrated public transport system that focused on energy efficient buses. The new scheme meant the drivers would lose their existing private franchises, so the drivers demanded compensation from the government.³⁶⁴ As the drivers, much like truck drivers, were seen as self-employed, the dispute offered an excellent opportunity for local trade unions to unionise them under the Eight Key Sectors initiative. Local union officials told CLB, however, that although there was a trade union for bus drivers under the local transport bureau, the striking drivers could not be members because they owned their own coaches and therefore were not enterprise employees. One official explained that the Lu'an trade union could not help the drivers organize unless they were employed by an enterprise.

Anhui was, in fact, selected as a pilot province for the Eight Key Sectors initiative. And yet, the Lu'an municipal federation was not involved in any organizing work for these key sectors. As we were told by a union official who was identified as being from the Organization and Propaganda Department – which deals with official appointments and publicity as well as union matters – that it was a very complicated situation. He added that his superiors were still conducting research on the issue.

You talked about recruiting these eight groups of workers to join the trade union. I was not even aware of it until I attended a teleconference a few days ago where the provincial trade union people talked about it and where our leaders said that we should do it as the next important mission. I don't usually know these matters; our leaders only communicate with department heads, while they give orders to us officers. We only listen to orders from the leaders.

Once again, CLB's discussions with union officials suggested an organization largely focused inward, defining missions and waiting for orders, unable to overcome its self-created hurdles to union membership, much less work actively to assist workers in addressing their very real concerns. The Lu'an union official was apologetic: "I'm sorry, I can't answer your questions," they said. "I really feel bad that I don't know about these issues you have raised."

The estimated 30 million truck drivers working in China were the primary target of the ACFTU's Eight Key Sectors initiative. Just months after the initiative was launched, truck drivers staged a nationwide strike over rising fuel costs, low haulage rates, arbitrary fines handed out by local transport police, and the monopolistic practices of Yun Man Man, the dominant Uber-like online haulage platform in China.³⁶⁵

"We can't take it anymore, we have no choice but to stand together!" read a widely circulated call for unity on social media in June 2018. "We won't starve to death if we don't work for a few days . . . But we will certainly not survive with the ridiculously low transport fees we are being paid." That post was made on June 10, but since June 8 there had already been reports of collective protests by truck drivers in at least a dozen locations in Shandong, Sichuan, Chongqing, Anhui, Guizhou, Jiangxi, Shanghai, Hubei, Henan and Zhejiang.

This collective action ultimately did little to change the situation for long-haul drivers. Only superficial changes were implemented in some areas, such as the establishment of roadside service centres where truckers can rest and recover from their journeys. Nearly all the problems that precipitated the strike, extremely long shifts, low pay, and the unremitting stress of making deliveries on time to avoid penalties, persist today. The harsh reality of life on the road was tragically illustrated on December 27, 2018, six months after the nationwide protest, when police found the bodies of truck drivers Ni Wanhui and Li Chan, husband and wife, on a section of highway in Tibet known to China's truckers as "life's forbidden zone."³⁶⁶ The couple had undertaken a 3,800-kilometre trip from their hometown in central China to Qinghai province and Tibet. Working as a couple allowed them to stay on the road longer, covering more ground. They often drove for 20 hours a day on trips lasting more than a month. This made it possible to earn more money to pay off the loan for their truck, but it kept them away from their children for weeks at a time.

After documenting their travels on the popular video-sharing platform Kuaishou, Ni and Li had become internet celebrities. The couple's death, due to acute hypoxia on the high-altitude road in

Tibet, focused more attention on the plight of long-haul drivers and the pressing need for genuine union representation. However, the prospect of a trade union that might truly represent the interests of long-haul drivers, like the International Brotherhood of Teamsters, a labour union with 1.4 million members in the US and Canada,³⁶⁷ currently seems a long way off in China.

The Employers Would Just Ignore Us

Beyond the professions targeted in the ACFTU's Eight Key Sectors initiative, the construction industry is in desperate need of strong union support to deal with a range of problems including wage payments, proper training and safe working conditions. Within the labyrinthine structure of the ACFTU, there are, in fact, construction worker unions. However, these are generally far removed from the workers they ostensibly represent, and they have little power to force major construction companies to comply with China's labour laws.

In 2016, the *Workers Daily*, the official newspaper of the ACFTU, praised the establishment of a wage negotiation system for the construction industry in Wuhan. The report noted that the municipal federation had initiated collective wage negotiations in each city district in 2011, and that after five years, it had successfully signed collective contracts and established a collective wage negotiation system among all employers and employees in the construction industry.

All of this sounds very promising. But in 2018, CLB reached out to one of the trade union officials singled out for praise in the *Workers Daily* report, the chairman of the Hongshan District Construction Sector Trade Union, Lu Dejun. A different story emerged.³⁶⁸ Straight away, Chairman Lu pointed out that the union had neither the authority nor the power to force big construction companies to the negotiating table. Only the government's construction bureau, he said, could ensure that enterprises negotiated on wages. "There is a government department in charge of the whole industry," Lu said. "It is quite powerful and can pressure the construction enterprises... If it were not for their help, we would not be able to negotiate, and the employers would just ignore us."

When CLB asked Lu if employers could be pressed to negotiate by trade union members and ordinary workers acting collectively, he laid the reality right out on the table:

Hardly. To be honest, in China we have our own special characteristics. Despite the national union and the central government demanding that we eliminate bureaucratic tendencies, we have to face these characteristics, that we cannot do our job well without relying on our bureaucratic resources. It is just the reality.

Without the express support of the government, which has its own priorities, the ACFTU can accomplish nothing. But in fact, this is only half of the reality. In many cases, the trade union struggles to get anything done even with the support of the government.

Lu Dejun shared with CLB how he had bargained with construction companies for a wage increase for workers. His goal was to convince the companies, using concrete data about pay and conditions, that a wage increase was reasonable. He visited construction sites in his district and personally spoke to workers about their pay and conditions. In the end, he was able to obtain a slight increase in the industry minimum wage, in addition to a 10 percent bonus every Lunar New Year holiday. But

through his research he discovered that wages were in fact low down on the list of concerns voiced by the workers.

“The minimum wage is not the main problem in the construction industry,” he told CLB. In the construction industry, said Lu, the negotiated minimum wage is generally well below the actual wage. Construction workers at that time could earn around 300 yuan per day, while the monthly minimum wage for construction workers, 2,000 yuan, was just a fraction of that (though higher than Hubei province’s statutory minimum wage at the time of 1,550 yuan).³⁶⁹

Workers had more urgent concerns about harsh working conditions in the industry, and about the subcontracting system, discussed in Part One. According to Lu, wage arrears, work safety, and falling ill without medical insurance topped the list of fundamental problems workers wanted addressed. When Lu tried to raise these concerns based on his discussions with workers to his ACFTU superiors, however, they insisted that collective negotiations in the construction industry should focus only on the minimum wage.

Lu Dejun was rare among local trade union officials reached by CLB in his willingness to make field visits to construction sites and other workplaces. He expressed frustration with the bureaucratic obstinacy of his superiors, who seemed more interested in filing reports that supported a narrative of success than with actually getting their hands dirty and addressing the problems facing workers.

In many cases, union officials simply throw up their hands or shrug their shoulders, insisting that situations are entirely beyond their power. After 24 construction workers staged a protest on December 11, 2018, demanding the payment of wages in arrears amounting to 490,000 yuan, CLB spoke to one of Chairman Lu’s colleagues in the district to find out how the union planned to respond. The response was not encouraging:

Wage arrears are the responsibility of the labour department; you have to go there for help. The labour inspectorate is part of the labour department, they have the [government] administrative power. The trade union does not have any administrative power. We can only ask for consultation... Very often, when migrant workers come to us, they can’t even provide the contact information of their employers, and so we can’t help them. As a result, they go to the labour department for help instead.

The fundamental aim and core activity of any trade union should be collective bargaining. Most ACFTU officials, however, still imagine that collective bargaining is an administrative exercise about nothing more than establishing minimum wage guidelines.

Indeed, the ACFTU does not even use the term collective bargaining (集体谈判 *jiti tanpan*), preferring instead its own concept of “collective consultations” (集体协商 *jiti xieshang*). These consultations involve local trade union officials and enterprise or industry federation representatives, leaving workers out of the equation entirely. In most cases, the arrangements referred to as “collective agreements” simply cut and paste clauses from the *Labour Law* and *Labour Contract Law* and are unconnected to the concerns and grievances of workers.

In October 2020, the Beijing Municipal Trade Union Federation concluded a collective agreement on workers’ health and safety with the city’s express delivery industry federation.³⁷⁰ Companies party

to the agreement were “encouraged” to pay their legally mandated work-related injury insurance contributions for staff and to offer a low temperature subsidy – and distribute warm clothing – when temperatures in the capital dropped below five degrees Celsius. Nowhere was there mention or discussion of the most pressing concerns facing delivery drivers: low pay, excessive working hours, and abuse of the industry’s tracking system to monitor employees. Even worse, the collective agreement, advertised in a feel-good ceremony complete with handshakes and photo ops, seemed to free delivery platforms from any obligation to consider such concerns.

Speeches and Celebrations

China’s labour laws stipulate that the trade union is entitled to supervise work safety in enterprises. Given that the ACFTU is the only legally-mandated union in China and that independent unions formed outside the ACFTU’s structure are not recognized, China’s official union can be fairly said to have an obligation to protect workers’ rights.

Article 24 of the *Trade Union Law* states:

When the trade union finds that the enterprise gives a command contrary to the established rules and compels workers to operate under unsafe conditions, or when major hidden dangers and occupational hazards are found in the course of production, the trade union shall have the right to put forward proposals for a solution, and the enterprise shall, without delay, consider the proposals and give a reply to the trade union. Where the very lives of the workers and staff members are found to be in danger, the trade union shall have the right to make a proposal to the enterprise that a withdrawal of the workers and staff members from the dangerous site be organized, and the enterprise shall make a decision promptly.³⁷¹

Although the language of the *Trade Union Law* is permissive in giving the union the right to raise issues without any legal consequences if it does not perform this duty, other legal provisions read in context with the *Trade Union Law* make the ACFTU’s obligations inescapable.

For example, Article 88 of the *Labour Law* states that “[trade] unions at various levels shall, in accordance with the law, safeguard the legitimate rights and interests of labourers, and supervise the implementation of laws, rules and regulations on labour by the employing units.” Moreover, the law states that “any organizations or individuals shall have the right to expose and accuse any acts that violate the law, rules and regulations on labour.”³⁷²

The *Work Safety Law*, meanwhile, states in Article 7 that trade unions should ensure that workers are involved in the process of safeguarding work safety: “Trade unions shall, in accordance with law, make arrangement for employees to participate in the democratic management of and supervision over work safety in their units and safeguard the legitimate rights and interests of the employees in work safety.” The law also lays out in Article 60 the responsibilities of the trade union in regard to “supervision and inspection” to ensure work safety.³⁷³

The default position for nearly all local trade union officials is to stay out of the way, letting local governments assume responsibility. This way, if accidents do occur, trade union officials cannot be held responsible. And there is a certain logic to this reasoning. As noted in the previous chapter, in the aftermath of any major accident, the authorities conduct a detailed forensic investigation to

determine who was at fault. CLB has no record of any trade union official ever having been punished following a major accident for failing to perform their safety-related duties under the *Trade Union Law*, as clear a sign as any of just how absent union officials have been in this area.

In the investigation of the Fengcheng case, the obligations of the trade union to supervise work safety were completely ignored. Government reports on other major work accidents, including the Sunjiawan Coal Mine explosion in 2005 that killed 214 people, and the Tianjiayi chemical plant explosion that killed 78 people in March 2019, similarly make no mention of the ACFTU's failure of legal obligation to supervise work safety. This would seem to suggest that neither the government nor the union itself is taking the ACFTU's work safety obligations seriously.

Union officials do pay lip service to work safety, but their actions speak to other priorities. In May 2020, Chen Li, a senior inspector from the Sichuan Provincial Federation of Trade Unions, visited the county-level city of Guanghan, home to the Jinyan Firework Factory, which had an appalling safety record going back several years. During his visit, Chen stressed, "Wherever there is production, the trade union must get involved to ensure work safety." Local officials politely listened to Chen's words, but nothing was done to address conditions at the fireworks factory, Guanghan's ticking time bomb. Even though firework production is a key industry in the city, no one thought to arrange a visit to the factories for the visiting provincial inspector.

Eight weeks later, on June 30, 2020, the local union in Guanghan hosted a celebration event for the 99th anniversary of the founding of the CCP under the theme of "enhancing grassroots governance in rural areas." There was no mention at the event of the need to prioritize work safety as a key component of grassroots governance. On July 8, 2020, just eight days after the local union's anniversary celebration, a stock of highly flammable nitrocellulose stored at the Jinyan Firework Factory spontaneously combusted in the summer heat, igniting a blaze that required the evacuation of 7,100 villagers. Firefighters from ten local fire stations were sent to deal with the fire, but before it could be brought fully under control, another huge explosion severely injured two firefighters and four residents. One of the firefighters later died from his injuries.

Local media reported after the explosion that the factory had repeatedly failed its safety inspections, had conducted illegal manufacturing operations, and had lied to investigators. There had even been a previous explosion at the factory on January 21, 2019. But in the face of undisguised safety failures, the local and provincial federations remained impervious, failing to uphold one of their chief responsibilities under the law.

Feel-Good Tours and Comfort Fees

When pressed by CLB staff on their lack of activity or failure to accept any responsibility for work safety, local trade union officials often became defensive and apologetic. At times they became ill-tempered, refusing to discuss the issue. When CLB Executive Director Han Dongfang spoke to a trade union official in the impoverished rural county of Sangzhi in Hunan province about a coal mine fire that had severely injured three miners on July 20, 2020,³⁷⁴ the official admitted that the union office had not even been aware of the incident until Han called.³⁷⁵

The official was aware, though, that the mine had not established an enterprise trade union. They excused this on the grounds that founding unions was difficult given resistance from companies and

limited union resources. “It is very difficult for private enterprises to set up union organizations,” they said. “On one hand, the enterprise boss does not want a union. On the other hand, the county trade union does not have enough personnel to really push this work.”

This toothless subservience and sense of powerlessness toward companies can be readily glimpsed in official media coverage of the ACFTU’s work, which often focuses on cosmetic shows of unity and solidarity with enterprises and workers, ignoring the obvious underlying tensions.

In January 2021, six months after Han’s call to union officials in Sangzhi, the county was visited by one of the province’s most senior union officials, Wang Shaogang, ahead of the Lunar New Year holiday. A government release from the city of Zhangjiajie, which has jurisdiction over Sangzhi, reported that Wang had offered his “greetings” to enterprises, model workers and “needy workers.”³⁷⁶ Visiting the local coal mine to observe “the production and operation situation of the enterprise and the life of workers in need,” the ACFTU official “gave the enterprise 50,000 yuan in comfort funds.”

The government release made no mention of safety as a priority on Wang’s tour, or whether he had raised related issues in light of the accident six months earlier. Reports did mention by name two “needy workers” to whom Wang offered his greetings in Sangzhi as he sloganeered about work and prosperity, encouraging everyone to “strengthen their faith and confidence, overcome temporary difficulties, strive to get out of difficulties as soon as possible, and continue to pursue a better and happier life.” Underscoring the public relations aspect of the tour, the headline of the government’s release suggested Wang was carrying out “warmth activities.”

But there is a much deeper issue to be acknowledged here, particularly given the Sangzhi union official’s insistence that they are too understaffed even to unionize local companies. Every year, the ACFTU hands out billions of yuan in so-called “comfort funds” across the country, a major initiative ahead of the annual Lunar New Year. These funds are not targeted toward workers in need on the basis of a real understanding of the labour environment. Instead, they are directed at “model workers,” those honourees who are themselves used to propagate the CCP’s message of sacrificial hard work and solidarity, as discussed in some length at the end of Part Two.

In February 2021, the Jiangsu provincial federation announced that it would disburse more than 21 million yuan in comfort funds ahead of the Lunar New Year holiday. Those designated as national model workers would receive 3,000 yuan each, while those designated as provincial-level model workers would receive 1,000 yuan each. Union offices at all levels were ordered to prioritize the smooth disbursement of these “comfort funds,” essentially an exalted form of holiday well-wishing meant to reward the vast network required to support the propaganda efforts of the ACFTU:

The provincial federation of trade unions also requires each district and city union, as well as provincial industry federations, disburse Lunar New Year letters of greeting from the ACFTU and the provincial federation to each model worker, conveying the New Year greetings and blessings of the ACFTU and the provincial federation to all model workers.³⁷⁷

It goes without saying that this is not the work of a union that is truly prioritizing the well-being of all of China’s workers.

CLB's interviews with hundreds of trade union officials show that many individual trade unionists do care about the fate of ordinary workers and want to help. All too often, however, they are prevented from doing so by the rigid bureaucracy they are forced to operate in and the arbitrary demands of their superiors. At other times, officials simply do not have time to help because they have been conscripted to take part in government programs and propaganda campaigns.

Occasionally, however, trade union officials can actively respond to work accidents. On June 29, 2020, Jia Xiaohong, a worker employed at the construction site of a primary school in the rural county of Zitong in Sichuan province slipped and broke his leg while on the job.³⁷⁸ Jia's boss initially gave him 1,000 yuan for medical treatment and sent him to a local hospital. But in the weeks following the accident, as Jia's hospital bills mounted, the boss – a subcontractor – refused to deal with the situation, claiming he could not locate the higher-level contractors responsible for the project. There were no other available funds for Jia's treatment, he said.

Hearing about Jia Xiaohong's case, CLB contacted the Zitong county trade union. An official in the legal protection department, surnamed He, immediately reported Jia's case to her colleagues. Jia was not a union member and did not have a formal labour contract, owing to many of the issues we addressed in Part One in the section on subcontracting. These are two of the main reasons union officials offer for not intervening in cases like Jia's. But in the Zitong case, union officials quickly located Jia and offered assistance.

Intervention from the local union in Zitong prompted two of the main contractors for the building project to make home visits to Jia. They paid him his salary and provided some additional funds for ongoing medical treatment. Because Jia's case was complicated by the fact that he did not have a formal employment contract, a common hindrance in work-related injury cases, the local union was not optimistic about his chances of further compensation. However, they did refer his case to a local legal aid centre and advised him that he could file an arbitration claim, and, if that proved unsuccessful, a civil lawsuit.

Chapter 12: Unions in a Campaign State

Lofty Goals and Grand Gestures Distract from Responsibilities to Workers

The pursuit of the elimination of absolute poverty in China has been one of the signature campaigns of the Xi Jinping era. And in a speech delivered in the Great Hall of the People in Beijing on February 25, 2021, Xi announced that the country had waged and won “a massive people’s war against poverty,” lifting 100 million people out of destitution. The official Xinhua News Agency called the achievement “the great leap of a millennium.”

The goal of poverty alleviation is laudable. However, the use of an all-encompassing, movement-style campaign for a once-and-done approach the problem, rather than regular and ongoing policymaking, must be called into question.³⁷⁹ Such campaigns can divert much-needed resources away from other equally pressing matters. The secondment of trade union officials away from their normal duties to assist in poverty alleviation campaigns over the past few years is a salient case in point. On numerous occasions, when CLB staff called district trade union offices in poor counties in the southwest of China that were at the forefront of the poverty eradication campaign, we were told no one was available to talk because they were all out working the campaign.

Local trade union officials in Sichuan province’s Pingchang County, for example, had all been seconded to poverty alleviation activities in November 2018. As a massive political objective, the poverty alleviation campaign was engulfing not just union officials but nearly all available personnel. So, when construction workers at a prestigious property development by the Beijing construction company Orient Landscape staged a sit-in protest over wage arrears,³⁸⁰ county trade union officials were busy elsewhere. As one Pingchang trade union official reached by CLB said, “We have a heavy burden with poverty alleviation right now. All officials in the western rural areas have to participate in it; not just trade union officials, but all government officials now.”³⁸¹

The mass mobilisation from the top of the Party bureaucracy over what had been defined as a prestige national campaign meant, in practice, that hundreds of construction workers employed on a 750-million-yuan project, undertaken by a well-known Beijing construction company, were left to their own devices as they sought payment of months of wages in arrears, with no prospect of a resolution in sight.

The situation in Sichuan was not at all unique. In July 2020, CLB followed up on a major accident in Xinyang, a city in Henan province, and was told that the chief role of the local union was to assist the government with its investigation into the accident. When CLB reached the trade union to speak to the official who had been assisting the investigation, however, we were told the official “had been reassigned to poverty alleviation work in the countryside.”³⁸²

Back in Sangzhi County in Hunan province, one local trade union official told CLB that “poverty alleviation is now our number one task.” In addition, the county union, together with the Zhangjiajie municipal federation immediately above it, were both engaged in a Party campaign to “revisit the Long March and inherit Red Culture.” Officials explained that this, too, occupied a great deal of their time.³⁸³ The trade union office in Sangzhi had a full-time staff of just six people. Nevertheless, the decision had been made to prioritise poverty alleviation and other prestige campaigns to bolster

the Party. Priorities like workplace safety and organizing workers to defend their rights and interests were shoved aside.

The ACFTU does not see the diversion of its resources to government campaigns as a problem. Quite the contrary, shortly after Xi Jinping's statement to the United Nations General Assembly in September 2020, in which he declared that China was "ahead of schedule" with its absolute poverty eradication targets,³⁸⁴ an article in the ACFTU's *Worker's Daily* praised the union's contribution to poverty eradication. "The trade union and the broad mass of workers have contributed to some of the most successful stories of poverty alleviation in China today," it read. "The ACFTU has submitted a shining report card that shows that all of its poverty alleviation tasks have been completed on time."³⁸⁵

The article claimed that the ACFTU had allocated 50 million yuan to poverty relief in the impoverished counties of Heshun and Heguan in the northern province of Shanxi over the previous five years, and that it had implemented more than 200 projects "achieving remarkable results" and earning the praise of the local population. As the ACFTU stamps its own "remarkable" report card in an area formally outside of its responsibilities, hundreds of millions of ordinary workers across the country continue to live in relative poverty and resort to precarious work that puts them at continuous risk of poverty. They struggle through long shifts, often in hazardous conditions, because the trade union is unable or unwilling to represent them and help them achieve their demands of decent pay for decent work.

Georgetown University professor Kristen Looney has referred to this movement-style governance that can divert resources to such top-down campaigns as the "mobilizational state," or the "campaign state." China's response to the Covid-19 pandemic in 2020 offered another clear example of the "campaign state" in action. As we saw in the last chapter, the propaganda campaign unleashed alongside the policy campaign regarding Covid-19 invited neglect of the real challenges facing medical staff and other essential workers in Wuhan and across the country, with real risks polished and shaped into propaganda stories of heroic resolve in the face of adversity. As a top-down campaign, China's Covid-19 response was a story of re-direction similar to that of the anti-poverty campaign. Trade union officials were unable to perform their core duties because they had been reassigned to help local governments in epidemic control campaigns.

In Wuhan, the city at the centre of the initial outbreak, frontline medical staff, construction workers, sanitation workers, security guards, delivery drivers and community workers all played a vital role in combating the spread of the coronavirus and in maintaining the city's essential services during the 76-day lockdown. These workers were rightly praised for their efforts. At the same time, however, their basic labour rights were routinely violated, and their attempts to seek redress were often callously disregarded. In Part Two, we discussed the case of the construction workers building temporary field hospitals in Wuhan during the early days of the outbreak. Their incredible push to build new hospitals in the space of just 10 days became the focus of national and global propaganda highlighting China's enormous resolve in dealing with the crisis. And yet, these "heroes" were devalued in another sense, facing the same basic labour issues we discussed in the first two parts of this report. They were employed without proper labour contracts, pushed to work extraordinarily long shifts through exhaustion, and not given sufficient protective equipment.³⁸⁶ They even suffered

wage arrears, complaining two weeks after the completion of the Huoshenshan hospital that they had still not been paid for their work.³⁸⁷

Union officials in Wuhan, who might have been in a position to address concerns like these from construction workers, were dispatched instead to assist with epidemic control work in local residential areas, performing such duties as examining residents' papers and conducting body temperature checks. As an official in the municipal federation explained to CLB on March 27, 2020:

More than 80 percent of us are now working for community services. Personally, I am busy helping the medical teams from other provinces who came to help Wuhan, so I don't have time to answer your inquiries... Please call our duty office; it will make a list of all inquiries and report to a higher level.³⁸⁸

When CLB reached the duty officer, his first response was to deny that there had been any labour rights violations during the construction of the emergency hospitals. He then changed tack, arguing that it would be unrealistic under the circumstances to expect employers to prepare proper labour contracts:

Think about it! This is the Lunar New Year, everyone is focused on building a hospital in just seven days, and you want workers to sit down and sign employment contracts first? How dare you even propose such an idea?

In Wuhan's Jiangxia district, a union official was slightly more receptive. But he said that he was constrained by the rigid structure of the union bureaucracy. The district federation, he explained, had 30 staff members in total. Of these, 29 of them had been assigned to work at various residential communities. He was the only officer on duty, and, aside from answering telephone calls, he was responsible for managing the gate outside the union office, registering any vehicles or people who entered.

Trade union officials certainly should have a key role to play during an epidemic. That role should be to ensure that the basic rights of workers are not neglected in the rush to ensure the outbreak is brought under control: for example, that frontline workers, who face an extraordinary level of risk, are provided with protective clothing and equipment. Guarding the entrances of residential compounds to inspect papers and conduct temperature checks is not an optimal use of union officials' time. In emergency situations like Covid-19, however, the "campaign state" leaps into action, and the trade union – which in the best of times is already under the thumb of local government and Party organizations – is driven even further from its core responsibilities and made to function exactly as officials tell it to.

The Prospects for Genuine Reform

We began Part Three by talking about the rare and one-of-a-kind case of Huang Xingguo, the Walmart cashier who, as head of the enterprise trade union, called a general meeting of workers and decided to resist plans by the retailer to close its store No. 2024 in Changde. We end with another well-known case of worker activism in which a group of factory workers in Shenzhen approached local union officials with aim of establishing an enterprise union to counteract long-standing management abuses.

The Jasic Technology case in the summer of 2018 is one of the most telling cases of the uphill battle workers face in organising and demanding their rights be taken seriously. The Jasic workers complained that, for years, the company was treating them “like slaves,” and that, by arbitrarily changing their schedules, it had deprived them of income to which they were entitled. Other alleged abuses include underpayment of their social insurance and housing fund contributions.

Local trade union officials often tell CLB that the union’s engagement with labour disputes depends to a great extent on the agency of the workers themselves, that they need to have more awareness of their labour rights and their protection, and that enterprise unionisation should play a role in this process. What happened to the Jasic workers when they initiated this process themselves? Two officials in the local commune were ready to help, but their bosses in the district union sought ways to neutralise their activity. It informed them that the company was already in the process of establishing a union. In fact, this was a process cooked up by union officials and the company to exclude these workers specifically, who they feared might rally the demands of the workers.

Undeterred, the workers pushed ahead with their agenda, collecting signatures from workers in support of their unionisation plan. Jasic management responded by hiring unknown individuals to beat up Mi Jiuping and Liu Penghua, two of the leaders of the nascent push for unionisation. Both Mi and Liu were then fired by the company. The district union did nothing.

In late July, Mi and Liu and their supporters staged a series of protests outside the factory gates demanding reinstatement and the right to form a union. When the protests grew, police intervened and arrested about 30 workers. However, the protests only escalated. Before long, the workers were joined by groups of Marxist students from prestigious universities in Beijing and traditional Maoist groups from inland provinces. The coalition of factory workers, students and traditional Maoists was seen by leaders as a serious threat and challenge to its political legitimacy.³⁸⁹

A massive crackdown ensued with a series of arrests and disappearances which lasted several months and even extended to civil society labour activists in Shenzhen who were not directly involved in the Jasic dispute.

The response of the authorities to the Jasic protests does not bode well for the prospect of genuine trade union reform in China. The fundamental issue at stake is trust. The authorities did not trust the workers to set up and run an enterprise union themselves, fearing the union would cause trouble for the company and perhaps lead the workers out on strike. On the other hand, the workers did not trust the official trade union to support their demands because of its subservience to the Party and government and its unwillingness to rock the boat.

Until that gulf in trust can be bridged, there is little chance that the ACFTU can be transformed into an organization that really represents workers and supports their interests. One might say that the onus lies with the ACFTU to demonstrate that it is a trustworthy organization willing to act on behalf of workers. And CLB’s experiences reaching out to union officials across the country certainly do suggest there are officials within the organization who wish to adequately represent China’s workers and to build that trust if permitted by the ACFTU leadership to do so.

But there is a much more fundamental question on which the role of the ACFTU hinges. Can the CCP release the union from its political shackles? For this to happen, the Party would have to lose

its fear of workers and of civil society activism, a fear that is deeply engrained in the Party and evident in its response to any kind of challenge or criticism. In the Conclusion, we grapple with this and offer recommendations for a way forward.

CONCLUSION: Delivering on the Promise of Common Prosperity



Photo credit: Shutterstock / humphery

We began this survey of 10 years of worker’s rights in China by talking about the promise of “common prosperity,” which China’s leadership has defined as a new direction for the country’s development. Without question, progress on this goal will depend on the prosperity and well-being of China’s workers. And yet, as this report attests, the problems facing China’s workers have persisted year after year, repeated with frustrating and tragic regularity. They are a constant source of tension, not just for workers but also for enterprises.

The political will to deal with rising inequality has been stated and re-stated. Xi Jinping underscored the urgency of the situation in January 2021: “Achieving common prosperity is not just a matter of economics,” he said. “It is a major political issue affecting the party’s foundation for rule. We cannot allow an unbridgeable chasm to develop between the rich and the poor.”³⁹⁰ This conviction is now at the heart of politics in China. In his political report to the 19th National Congress of the CCP in 2017, Xi Jinping redefined the “principal contradiction” guiding the Party’s work. “What we now face is the contradiction between unbalanced and inadequate development and the people’s ever-growing needs for a better life,” he said.³⁹¹ The Party, he also said, “must adhere to a people-

centred philosophy of development, steadily promoting well-rounded development and common prosperity for all.”³⁹²

This has meant, at least in principle, a shift away from economic development at all costs. It is also a shift away from Deng Xiaoping’s notion, nearly unassailable for four decades, that “common prosperity” would arrive so long as a few could get rich first.³⁹³

Perhaps even more noteworthy than Xi’s change to the Party’s “principal contradiction” and his emphasis on “common prosperity” was his acknowledgement in the 2017 report of bottlenecks in the system. He demanded that the Party eliminate “all anachronistic ideological concepts and systemic problems in institutional mechanisms.” He called on officials to break through “the barrier of solidified interests,” thereby building “an effective institutional system.”

As the cases in this report have consistently shown, the institutions and laws that are meant to protect China’s workers – and are therefore so essential to the goal of common prosperity – have not been effective. In finding solutions, it is crucial to ask: Why is it that the most basic problems facing China’s workers have resisted solution even in the face of formidable institutions, laws and resources to deal with them?

China, after all, has a comprehensive set of laws and administrative regulations to protect the rights and interests of the country’s workers. These laws and regulations are subject to almost constant amendments and updates from the Chinese government to accommodate changing realities. China has a full array of government agencies to protect, in principle, the rights and interests of workers. And most important, China has the world’s largest trade union structure in the All-China Federation of Trade Unions (ACFTU), a system that extends from the township level all the way up to the national level. Full-time, salaried employees of the ACFTU numbered 179,000 at the start of economic reforms in 1979, and had topped one million by 2014. Today, with an estimated 2.47 million grassroots unions, we can suppose about 2.7 full-time, salaried union employees for each grassroots trade union.

Contrast this vast system with the complex problems detailed in the previous chapters and this paints a portrait of dysfunction and gridlock, despite the outlay of immense resources to protect workers’ rights. Why would such mechanisms fail?

The most basic answer to this question is that China has so far failed to include its workers in the process of reform. This is a consequence of the fundamental assumptions that have guided economic development and policy in China over the last four decades:

- That economic development is opposed to equitable income distribution, and labour opposed to capital;
- That the individual rights and interests of workers are opposed to the interests of broader society and “the people”;
- That the blame for low productivity in the period before reform and opening lay principally with workers, who required a return to “labour discipline”;
- That devolving power to enterprises and managers could achieve long-term growth and productivity;

- That the government could guide the process of income distribution, and priorities like work safety, through a top-down process of rule-making and enforcement.

These assumptions have meant that matters of equity and social justice have been subordinated to political and economic expediency, and that tensions between workers and management have become entrenched in the workplace.

Consultation and Coordination

As it happens, the Party has already put its finger on the problem. In his 2017 political report, Xi Jinping offered a timetable for "the full guarantee of the people's right to equal participation and equal development" between 2020 and 2035. Furthermore, he proposed for the first time that income be distributed more equitably by "improving consultation and coordination mechanisms involving the government, trade unions and enterprises." The stated goal was to ensure that increases in labour remuneration accompany increases in productivity, a key step toward common prosperity.

Since it was founded, CLB has maintained that the participation of China's workers in the process of reform is essential if rights protection is to be achieved. So long as workers are seen as the passive, powerless recipients of reform, deprived of all agency, fundamental solutions will surely elude the leadership. Laws and regulations will be empty, and administrative actions will always arrive too late for those suffering injustice or tragedy.

Consultation between the government, representative unions, and enterprises must be established if the rights and interests of workers, so essential to the achievement of common prosperity, are to be effectively protected. Labour remuneration will never increase in step with productivity if workers do not have the right to equal participation. However, an analysis of the more than 100 cases documented in CLB's trade union reform initiative shows that workers' rights protection has not improved. So far, the rhetoric does not match the reality.

The deeper reasons for this lie in the above-mentioned assumptions, which have persisted through the reform and opening period and into today. Essentially, they are about denying workers agency, seeing them as mere objects of reform to be mobilized for the cause of industrialization and modernization; and about government faith in a top-down process of rulemaking and enforcement.

The idea that social and economic inequalities must be addressed on the path to "high-level development" is a welcome one in principle. But the Party's push for common prosperity has so far has come with unmistakable signs of the top-down, command approach to governance that has inhibited real progress on workers' rights in the past. For example, the major technology companies who have pledged tens of billions of yuan toward the government's common prosperity goals, though signalling the government's political will in dealing with inequality, does not help to establish the rules for fair participation in development by all members of society, including workers and entrepreneurs.

This report has surveyed of 10 years of research and engagement with these issues at CLB. Another decade will bring us to the doorstep of 2035, the date set in Xi Jinping's 2017 political report for "the full guarantee of the people's right to equal participation and equal development." This is a

goal that can only be achieved if the leadership is able to set aside grand slogans and gestures and allow truly equal participation in the solution of the range of urgent problems addressed in the previous chapters.

Delivering on the Promise

In our view, the principle of equal participation points toward a workable and sustainable path toward common prosperity, one that can deliver on the promise to protect the rights and interests of China's workers.

What would equal participation look like for China's workers? The recommendations below are not a comprehensive set of solutions, but they provide possible starting points for a worker-focused approach to common prosperity.

Recommendation 1:

Establish a collective bargaining mechanism with the participation of the government, unions and enterprises.

The top-down exercise of administrative power by the government is not an effective means of addressing the myriad problems facing workers. Such exercise of power cannot ensure that labour remuneration grows in step with labour productivity, and it cannot effectively narrow the income gap. Today, a tripartite collective bargaining system involving the government, unions and enterprises remains little more than an empty idea mentioned by the ACFTU in official documents.

An effective system of collective bargaining would require that the following steps take place:

- *Sectoral unions from region to region should be detached from government administrative departments and re-established within the ACFTU.* As things now stand, the vast majority of sectoral unions exist outside of the ACFTU structure and have been established within government administrative departments instead. These sectoral unions should be removed from these government departments and placed instead within the regional ACFTU. These re-established trade unions should, as soon as possible, ensure that conditions are such that workers within the same industry can apply directly to join their respective trade unions according to personal choice.
- *Collective bargaining should be the goal of newly-established sectoral trade unions within the ACFTU.* As things now stand, the sprawling system of the ACFTU, from the national level down to the township and village level, covers every industry and every enterprise. However, it must be acknowledged that there are major differences in the range and nature of issues impacting workers in various industries, from construction to transportation, ride-hailing, education, nursing and so on. This complexity means that even given the willingness, local unions cannot possibly carry out meaningful and effective collective bargaining. The ACFTU should, following the direction provided by Xi Jinping, “get rid of all outdated thinking and ideas and all institutional barriers,” and “break through the barriers of vested interests.” This process could begin with the selection of a number of

representative provinces and regions for the re-establishment of sectoral unions with the goal of collective bargaining.

- *Departments should be established within sectoral unions to facilitate collective bargaining.* These departments could include: the Department of Occupational Skills and Workplace Safety and Health; the Social Insurance Department; and the Labour Contract Department. These departments could organize trainings for workers according to their respective functions, including trainings on vocational skills and occupational health and safety, trainings to help workers understand social security and labour contracts, and so on.
- *Begin sectoral collective bargaining negotiations.* After directly engaging with trade union members in their respective industries, sectoral unions can present collective bargaining offers to corresponding enterprise federations in their region on the basis of an in-depth understanding of the principal demands of workers and the particular labour-management conflicts in that industry. Sectoral collective bargaining should be a regular process, taking place on an annual or biennial basis. Periodic sectoral collective bargaining can gradually improve the situation of workers' rights and interests within each industry, thereby reducing accidents and occupational injuries. There should be corresponding improvement toward more harmonious labour-management relations.

Recommendation 2:

Ensure the separation of the ACFTU from other organizations and institutional bodies, such as the All-China Women's Federation and the Chinese Communist Youth League.

This reality of the political mobilization function of mass organizations in 1970s has fundamentally changed with economic reforms. Today, matters such as wages, working hours and occupational health are placed entirely in the hands of enterprises, whether these are state-owned, private or foreign-owned. Trade unions, however, have continued, even in this fundamentally altered world, to behave in ways more suited to the era of the planned economy. They engage in empty sloganeering and fuss over the selection and promotion of model workers, when the real business of the ACFTU in the modern economy should be to ensure that all workers are afforded respect and protection. The following basic principles should be understood and implemented in order to transform the role of the ACFTU and the nature of its work:

- *The ACFTU alone has the authority to represent the rights and interests of workers.* The same set of norms do not apply to the ACFTU as to the CCYL and ACWF in terms of the fulfilment of its statutory duties. All of China's relevant laws, including the *Labour Law*, the *Trade Union Law*, the *Labour Contract Law* and the *Work Safety Law* clearly delineate the responsibilities of the ACFTU. The failure of trade unions to fulfil their responsibilities in accordance with the law directly affects workers' well-being and security. In such cases, the trade union must be held accountable for not fulfilling its obligations under the law.
- *Unlike the ACFTU, the CCYL and the ACWF are not legally accountable for upholding the interests of their particular interest groups.* If the CCYL and the ACWF do not fulfil their intended responsibilities as mass organizations, neither youth nor women, respectively,

have recourse against them. In contrast, the ACFTU has duties clearly spelled out in law, and these have a direct bearing on income distribution and workers' rights.

Recommendation 3:

Ensure that the labour rights stipulated in law are honoured in both industry-based collective contracts and individual employment contracts.

A contractual spirit within the framework of the law, protecting both workers and enterprises, is the only way to ensure stable relations between workers and enterprises. The law must establish the framework of the rights relationship. Under this framework, industry-based collective contracts can be reached through a regular process of collective bargaining that adjusts to changes in the market environment, and individual labour contract can be negotiated by workers with enterprise management on the basis of each workers' occupational skills.

Recommendation 4:

Sectoral unions' industry-based collective bargaining should be the first line of defence in implementing labour laws and defending workers' rights.

In reality, whether it is an accident involving work-related injury or death, or unpaid wages, the first response of the ACFTU across China is generally to urge workers to either seek arbitration with the labour administration or to file a lawsuit in court. Meanwhile, business owners and managers are likely to dismiss such cases by challenging workers to seek the courts. "Go to court and sue me if you can," they say. While administrative and judicial power should be the last line of defence in implementing labour laws and protecting workers' rights, they have in fact become the first line of defence.

Strengthening the role of industry unions and sectoral collective bargaining can not only avoid the waste of valuable administrative and judicial resources, but also gradually enhance the consciousness of enterprises and industries in complying with laws and regulations, and can also reduce the occurrence of illegal infringements at their source.

Since 2020, the leadership has also placed great emphasis on what they have called "whole-process democracy," the idea that citizens can "broadly and continuously participate in the day-to-day political activities at all levels, including democratic elections, political consultation, decision-making and oversight."³⁹⁴ The cases carefully documented by CLB over the past decade make clear that democratic decision-making has in fact not been practiced, particularly where the rights and safety of workers are concerned. The focus instead has been on top-down mandates that leave the government scrambling for political solutions, or that press lower-level officials to strive for unreasonable political benchmarks, ultimately distracting from the real work that can make workers safer, more secure and more prosperous.

When it comes to China's long-term development, and to the realization of common prosperity, no process can be whole without the participation of China's workers.

AFTERWORD

*by China Labour Bulletin Executive Director,
Han Dongfang*

A little over ten years ago, a colleague at China Labour Bulletin started playing around with Google Maps during her lunch time, using it to visualise the increasing number of strikes and protests by workers that she was seeing pop up on Chinese social media.

Today, housing more than 14,000 cases, CLB's Strike Map, together with our Work Accident Map and new Workers' Calls-for-Help Map, have grown to the point where they can provide the raw data needed to understand how labour relations and worker struggles fit into the wider social, economic and political reality of China today.

In addition to this data set, which only covers a small proportion of total estimated incidents, there are other indicators of the landscape for workers. Representation of workers by the official trade union and collective bargaining are both non-existent. In fact, officials at the All-China Federation of Trade Unions (ACFTU) show a remarkable inability and unwillingness to even explore solutions to prevent workers' rights violations.

I wish everyone could sit in on the long and dizzying conversations I have every day with trade union officials in China. Maybe not everyone has the patience I do to put up with this, but you can judge for yourself from these typical conversations that follow.

Let's say there is a workplace accident that took the lives of some coal miners. I'll start at the local level and find which ACFTU office has jurisdiction over the worksite:

"There were six miners killed in the accident. Is there a trade union for the coal mine where the accident occurred?"

"I don't know."

"But you are the organizing unit of the local union, and this coal mine is in your region. So how come you don't know?"

"You should ask your question to a higher level union."

"As the local trade union, how can you do your legal duty to monitor work safety in the coal mine if the union does not even know whether there is a union?"

"That question should be answered by the work safety unit. I can give you the number of the work safety unit, if you want."

Then, I will call the work safety unit:

“Is there a union in the coal mine where the accident happened? The union should be doing its legal duties to monitor work safety.”

“You should ask the question to the organizing unit. We are responsible for work safety, not for worker organizing.”

“But as the unit responsible for work safety, how can you say that you’re watching coal mine work safety if you don’t even know whether or not there is a union?”

“You should ask the question to a higher level union leader.”

Actually, it’s not that I have so much patience for this. There is an incredible urgency to helping workers and fixing the broken system they are trapped within. It’s just that since I can’t cross the border and help them myself that I’m stuck in these telephone conversations instead.

It’s always like this, with officials dodging responsibility and sending me on wild goose chases for any kind of answers. They are typically polite and professional – compared to, say, five years ago and with continuing improvement – and many show interest in my questions and agree with my ideas for how the union could better perform its functions. Passing the buck is not really their fault, as individuals. It’s just part of the bureaucratic system they are in. But another typical example can show how all of this goes against even their own interests.

Let’s say the situation is not a workplace accident, but construction workers blocking a road to gain attention on their wage arrears case. I likewise start with the local union:

“Did the workers come to the union to ask for help before blocking the road?”

“No, they did not.”

“Why didn’t the workers come to ask for help?”

“How would I know why they didn’t come to the union? That issue belongs to the rights defence unit. We are the organizing unit.”

“These construction workers have been working on this project, financed by the local government, and the main contractor is a state-owned enterprise. Are these workers union members?”

“I don’t know.”

“But you are the organizing unit! Anyway, maybe you can just walk to the construction site where the workers are blocking the street. The map shows it is less than one kilometre from your office.”

“I can’t do that. This is not how things work around here.”

“Okay, then, can you call these workers to let them know that the union is willing to help, so they can come to the union office instead of staying out blocking the road? I have a phone number.”

“I can write down the phone number, but I can’t call them. Plus, there is no guarantee that the union can provide any help any time soon, because our leaders have been out already for two weeks to the rural village to help with the poverty alleviation targets.”

“Can you call the workers to at least express the union’s solidarity while waiting for your leaders to come back?”

“I am new here. I can’t do that, and I am so sorry.”

Always at the back of my mind during these conversations is China’s leader, Mr. Xi Jinping. If he ever had the chance to hear or read these conversations, I wonder how he would react.

Xi Jinping’s iconic ambition is framed as the “China Dream.” To ensure this dream becomes a reality, he has stated that the country should achieve “common prosperity” by the year 2035. That date is just around the corner, but so far, all that officials – including those from the ACFTU – have done is rush around from one political trend to another.

One political trend is to contribute to poverty alleviation campaigns. This means sending cash (public money, by the way) to poor villagers nearby the city and then writing this up as an article or report praising the union’s important contribution to the country’s poverty alleviation goal. Of course, helping the needy is important, but why are trade union officials doing this work when there are millions of workers always going without pay and benefits?

Union officials have also been creative in framing new slogans to express their political loyalty, using keywords selected from Xi Jinping’s latest speeches. None of these creative efforts, however, help to find solutions for China’s deeply-rooted social and economic problems. What’s more, they do not take meaningful steps to achieve common prosperity, and, therefore, do not help the CCP to strengthen its public legitimacy. It all seems to be one big show.

One of the main activities of the ACFTU is releasing countless notices, guidelines and announcements. But this paper pushing doesn’t even come close to looking for solutions in solving key issues such as preventing workplace accidents and wage arrears.

Instead, these official union documents are just piled up with slogan after slogan. It is obvious that union leaders, especially those at the highest levels, would balk at the idea of representing

workers and conducting collective bargaining at the workplace or industry level for better pay and safer working conditions. It is simply because they don't know how to do it and they don't want Xi Jinping to realise this level of incompetence. But I'm sure he already knows.

Sometimes, I actually wonder whether or not those top ACFTU leaders are desperately waiting for, or even praying for, another major event to happen – like what happened in 1976 – to change the course of history so the pressure over their heads can be lifted. These slogan-oriented activities only serve the purpose of hanging on for as long as possible until the wishful event arrives.

It can't be possible that Xi Jinping is happy with this sloganeering and stage performance of the official union. It is clear that these are not only useless in achieving the China Dream; I believe they also create damage to the CCP's ability to rule.

Unfortunately, a vicious circle has developed in China's huge bureaucratic system, and it is maybe too far of a stretch for Xi Jinping to redirect it:

1. Everyone in the regime has pledged to make the China Dream and common prosperity a reality;
2. A key precondition to common prosperity is making sure China's 800 million workers can obtain a decent income and safer working conditions;
3. This will be impossible without a trade union to represent workers in collective bargaining with employers;
4. The ACFTU, the only legally-mandated union in China, is still not capable of organizing workers and is unwilling to represent workers in bargaining;
5. To hide this fatal shortcoming and to prevent themselves from losing their jobs, the ACFTU's top leadership has used its long experience in propaganda work to come up with extreme slogans demonstrating political loyalty to the CCP and Xi Jinping while at the same time reminding the CCP of the threat posed by hostile forces;
6. Political slogans and conspiracies cannot help workers to earn more through increased productivity and many still face wage arrears and working conditions are not improving and in fact are getting worse;
7. The goal of common prosperity is being delayed and the political legitimacy of the CCP is being tarnished;
8. The ACFTU leadership will just create more innovative slogans to cover up their inaction;
9. More pressure from the CCP and Xi Jinping on the ACFTU will spur the creation of fresh slogans;
10. There is no end in sight to this tireless game.

The game will continue – slowly, step by step – until Xi Jinping and the CCP finally lose patience with the ACFTU. Or, it may end when the course of history is changed. One way or the other, no one knows how long this vicious cycle can last.

What we know for sure, though, is that with or without the ACFTU, hundreds of millions of China's workers will not stop fighting for decent pay, safer working conditions, and a better life for themselves and their families. This is something that cannot wait.

The only difference is that with the ACFTU's more proactive involvement, the process could certainly be less confrontational than it is now and would substantially contribute to a more sustainable and orderly future for the country.

No matter whether you call it "common prosperity" or the "China Dream," ensuring that workers and working families are treated fairly has to be the most fundamental aim for any government. In order to accomplish this goal, political and ideological arguments must be temporarily put aside, and the focus should be on how to create a better future for all.

APPENDIX

A Timeline of CCP Policy Narratives (1977-2021): *From benefitting a few to common prosperity for all*

Reform and Opening-up: Original plan for wealth redistribution to make way for economic development

December 1978

The 3rd Plenary Session of the 11th Central Committee of the CCP

Upholding and improving Chinese socialism and modernising the system and capacity for governance is set as the priority.

June 1981

The 6th Plenary Session of the 11th Central Committee of the CCP

Official decision announces that economic development must come prior to wealth redistribution.

Allowing some people to get rich first

October 1985

Deng Xiaoping

“Some areas and people will be allowed to get rich first so that they can help others to gradually achieve common prosperity.”

October 1987

The 13th Central Committee of the CCP

In the follow-up to this session, entrepreneurs and businesspeople are called "capable people," whereas the contributions of workers are minimised by calling them “lazy people eating from the same pot.”

January 1992

Deng Xiaoping's Southern Tour

“Development is of overriding importance!”

Accepting private business people as party members and the long-term interests of the working class

September 1997

The 15th Central Committee of the CCP

The laying off of workers from state-run enterprises, “fundamentally speaking, is beneficial to economic development and is in the long-term interests of the working class.”

February 2000

Jiang Zemin and the Three Represents

Jiang Zemin proposed the Three Represents theory, which is commonly known as “accepting private businessmen as party members.”

November 2002

The 16th Central Committee of the CCP

Requirements to "adjust and regulate the distribution relationship between the state, enterprises and individuals."

"Law of the jungle" or "common prosperity"

October 2007

The 17th Central Committee of the CCP

For the first time, it is proposed to "increase the proportion of labour remuneration in the primary distribution" and "establish a normal wage growth mechanism for enterprise employees."

November 2012

The 18th Central Committee of the CCP

Requirement that "the fruits of development are shared by the people," and for the first time it is proposed to "implement the collective negotiation on enterprise wages and protect labour income."

November 2021

The 6th Plenary Session of the 19th Central Committee of the CCP

After insisting on "allowing some people to get rich first" for 40 years, the central goal of economic development is changed to that of "common prosperity."

NOTES AND SOURCES

-
- ¹ “Food Delivery Workers Take Action Against Low Pay and ‘Tyrannical’ Policies,” *China Labour Bulletin*, June 30, 2021, <https://www.clb.org.hk/content/food-delivery-workers-take-action-against-low-pay-and-tyrannical-policies>.
- ² “Guide to Activities for 2021 Work Safety Month” (2021 年全国安全生产月活动指南), *Work Safety Month* (website), May 20, 2021, <http://www.anquanyue.org.cn/news/show-28881/>.
- ³ “Vocational School Intern Jumps To His Death At Shenzhen Factory,” *China Labour Bulletin*, July 7, 2021, <https://www.clb.org.hk/content/vocational-school-intern-jumps-his-death-shenzhen-factory>.
- ⁴ “Exploitation of Student Interns in the Spotlight Again,” *China Labour Bulletin*, August 1, 2019, <https://clb.org.hk/content/exploitation-student-interns-spotlight-again>.
- ⁵ Nina Xiang, “‘Common Prosperity’ Push Will Further Entrench Alibaba and Tencent,” *Nikkei*, November 4, 2021, <https://asia.nikkei.com/Opinion/Common-prosperity-push-will-further-entrench-Alibaba-and-Tencent>.
- ⁶ “‘Development Is the Hard Principle’: The Southern Tour Talks Again Urge a Take-Off,” *People’s Daily Online*, January 23, 2017, <http://cpc.people.com.cn/BIG5/n1/2017/0123/c410539-29043799.html>.
- ⁷ David Bandurski, “A History of Common Prosperity,” *China Media Project*, August 27, 2021, <https://chinamediaproject.org/2021/08/27/a-history-of-common-prosperity/>.
- ⁸ “China’s Workers Underwhelmed by New Three-Child Policy,” *China Labour Bulletin*, June 3, 2021, <https://www.clb.org.hk/content/china-s-workers-underwhelmed-new-three-child-policy>.
- ⁹ David Stanway and Tony Munroe, “Three-Child Policy: China Lifts Cap on Births in Major Policy,” Reuters, June 2, 2021, <https://www.reuters.com/world/china/china-says-each-couple-can-have-three-children-change-policy-2021-05-31/>.
- ¹⁰ “CASS Warning: If Pension Funds Continue to Be Spent in This Way, They Will Be Exhausted Before Post-80s Generation Retires. What Can Be Done? (社科院预警：养老金这么花下去，没等 80 后退休就会花光，怎么办?)”, Sohu.com, April 14, 2019, https://www.sohu.com/a/307830098_507132.
- ¹¹ “China Urges Its Exhausted Workers Not to ‘Lie Down,’” *China Labour Bulletin*, June 24, 2021, <https://www.clb.org.hk/content/china-urges-its-exhausted-workers-not-lie-down>.
- ¹² Zhang Wanqing and Liu Mengqiu, “Tired of Running in Place, Young Chinese ‘Lie Down,’” *Sixth Tone*, May 27, 2021, <https://www.sixthtone.com/news/1007589/tired-of-running-in-place%2C-young-chinese-lie-down>.
- ¹³ “Trade Union Officials Distance Themselves from Food Delivery Workers’ Suffering,” *China Labour Bulletin*, July 5, 2021, <https://clb.org.hk/content/trade-union-officials-distance-themselves-food-delivery-workers%E2%80%99-suffering>.
- ¹⁴ “No Surrender, Applying for Retrial! Taxi Drivers Vow to Affirm Their Rights to the End!” (义无反顾，申请再审！出租人誓将确权进行到底!), Taxi Culture (Tax 文化) WeChat account, January 26, 2021, <https://mp.weixin.qq.com/s/9eDXQXsHPzZ2qHeC-qF56g>, archived at the CLB Strike Map, <https://bit.ly/3j6D006>.
- ¹⁵ @海阔任我游 tua, “拖欠农民工工资没人管吗?” Weibo, January 21, 2021, 18:06, https://weibo.com/3482032494/JEdWjjJol?refer_flag=1001030103_&type=comment#_rnd1612259675604.
- ¹⁶ “An Introduction to China Labour Bulletin’s Strike Map,” *China Labour Bulletin*, January 10, 2020, <https://clb.org.hk/content/introduction-china-labour-bulletin-s-strike-map>.
- ¹⁷ “White Paper: The Progress of Human Rights in China,” Embassy of the PRC in the United States of America,” October 23, 2003, <http://www.china-embassy.org/eng/zt/ppflg/t36621.htm>.
- ¹⁸ *Constitution of the People’s Republic of China*, Articles 42-44, The State Council of the People’s Republic of China, accessed April 2021, http://english.www.gov.cn/archive/lawsregulations/201911/20/content_WS5ed8856ec6d0b3f0e9499913.html.

Chapter 1: The Changing Dynamics of Labour Unrest

- ¹⁹ “An Introduction to China Labour Bulletin’s Strike Map,” *China Labour Bulletin*, January 10, 2020, <https://clb.org.hk/content/introduction-china-labour-bulletin-s-strike-map>.

-
- ²⁰ “Extension of retirement age in Jiangsu province highlights gender effects of labour policies,” *China Labour Bulletin*, March 8, 2022, <https://www.clb.org.hk/content/extension-retirement-age-jiangsu-province-highlights-gender-effects-labour-policies>.
- ²¹ “China’s workers underwhelmed by new three-child policy,” *China Labour Bulletin*, June 3, 2021, <https://www.clb.org.hk/content/china%E2%80%99s-workers-underwhelmed-new-three-child-policy>.
- ²² “China’s looming social welfare crisis needs urgent government attention,” *China Labour Bulletin*, August 18, 2021, <https://www.clb.org.hk/content/china%E2%80%99s-looming-social-welfare-crisis-needs-urgent-government-attention>.
- ²³ “China Moves Its Factories Back to the Countryside,” *Financial Times*, April 2, 2018, <https://www.ft.com/content/fe86f76c-1215-11e8-8cb6-b9ccc4c4dbbb>.
- ²⁴ Yujeong Yang and Mary Gallagher, “Moving In and Moving Up? Labour Conditions and China’s Changing Development Model,” *Public Administration and Development*, No. 37 (2017): 160-175.
- ²⁵ “Shenzhen Worker Protests Decline Sharply After Factories Relocate,” *China Labour Bulletin*, November 12, 2020, <https://www.clb.org.hk/content/shenzhen-worker-protests-decline-sharply-after-factories-relocate>.
- ²⁶ Yue Gong, *Manufacturing Towns in China: The Governance of Rural Migrant Workers* (Singapore: Palgrave Macmillan, 2019), 85.
- ²⁷ Jenny Wai Ling Chan, “Shenzhen Jasic Technology: The Birth of a Worker-Student Coalition in China?” *Hong Kong Free Press*, September 1, 2018, <https://hongkongfp.com/2018/09/01/shenzhen-jasic-technology-birth-worker-student-coalition-china/>.
- ²⁸ Mimi Zou, “Rethinking Online Privacy in the Chinese Workplace; Employee Dismissals Over Social Media Posts,” *Made in China Yearbook* (2018), p. 126-131.
- ²⁹ “Construction Worker Protests on the Rise as Economic Uncertainties Persist in China,” *China Labour Bulletin*, September 15, 2020, <https://clb.org.hk/content/construction-worker-protests-rise-economic-uncertainties-persist-china>.
- ³⁰ Charlene Li, Miranda Miroso and Phil Bremer, “Review of Online Food Delivery Platforms and their Impacts on Sustainability,” *Sustainability*, July 8, 2020.
- ³¹ Jane Zhang and Hu Minghe, “Gig Economy Gets A Boost in China But Experts Question Whether It Can Be a Sustainable Fix for Unemployment,” *South China Morning Post*, August 12, 2020, <https://www.scmp.com/tech/big-tech/article/3096945/gig-economy-gets-boost-china-experts-question-whether-it-can-be>.
- ³² Orange Wang, Mandy Zuo and Minghe Hu, “What Economic Recovery? China’s Delivery Drivers Just Along for the Ride as Other Opportunities Remain Elusive,” *South China Morning Post*, October 28, 2020, <https://www.scmp.com/economy/china-economy/article/3107350/what-economic-recovery-chinas-delivery-drivers-just-along>.
- ³³ “The Shifting Patterns of Transport Worker Protests in China Present a Major Challenge to the Trade Union,” *China Labour Bulletin*, November 18, 2019, <https://www.clb.org.hk/content/shifting-patterns-transport-worker-protests-china-present-major-challenge-trade-union>.
- ³⁴ Chun Hang, “Relocating Labour-Intensive Manufacturing Firms from China to Southeast Asia: A Preliminary Investigation,” *Bandung: Journal of the Global South*, Vol 3:3 (2016): 1-13.
- ³⁵ Zhihua Xu, Yungang Liu and Kaizhi Liu, “Return Migration in China: A Case Study of Zhumadian in Henan Province,” *Eurasian Geography and Economics*, 58:1 (2017):123.
- ³⁶ “How China Built ‘iPhone City’ With Billions in Perks for Apple’s Partner,” *The New York Times*, December 29, 2016, <https://www.nytimes.com/2016/12/29/technology/apple-iphone-china-foxconn.html>.
- ³⁷ “iPhone 11 Illegally Produced in China: Apple Allows Supplier Factory Foxconn to Violate Labour Laws,” *China Labor Watch*, September 8, 2019, www.chinalaborwatch.org/upfile/2019_09_06/Zhengzhou%20Foxconn%20English%2009.06.pdf.
- ³⁸ CLB Strike Map, data for Sichuan Province, available at <https://bit.ly/3bJ7Ysg>.
- ³⁹ “China’s Tertiary Industry Scale Expansion Structure Optimization: The Fourth National Economic Census Series Report No. 2” (我国第三产业规模扩大结构优化——第四次全国经济普查系列报告之二), National Bureau of Statistics, December 4, 2019, www.stats.gov.cn/tjsj/zxfb/201912/t20191204_1715262.html.
- ⁴⁰ “Heilongjiang Coal Miners’ Strike Forces Government to Pay Wage Arrears,” *China Labour Bulletin*, March 14, 2016, <https://www.clb.org.hk/content/heilongjiang-coal-miners-strike-forces-government-pay-wage-arrears>.
- ⁴¹ Christian Shepherd and Lucy Hornby, “Chinese Police Break Up Coal Jobs Protest,” *Financial Times*, March 14, 2016, <https://www.ft.com/content/7657871a-e9bf-11e5-bb79-2303682345c8>.

⁴² “Deep in a Pit,” *The Economist*, March 19, 2016, <https://www.economist.com/china/2016/03/19/deep-in-a-pit>.

⁴³ Pinghui Zhuang, “Miners’ Protest; Ailing Chinese Coal Firm Heilongjiang Longmay Told to Pay Workers,” *South China Morning Post*, March 13, 2016, <https://www.scmp.com/news/china/policies-politics/article/1924126/miners-protest-ailing-chinese-coal-firm-heilongjiang>.

⁴⁴ *Regulation on the Implementation of a Leadership Accountability System for Comprehensive Management of Social Security* (健全落实社会治安综合治理领导责任制规定), General Office of the CCP Central Committee and the General Office of the State Council, March 2016, available at <http://politics.people.com.cn/n1/2016/0324/c1001-28222211.html>.

⁴⁵ “Leading Cadres Subject to ‘One Vote Veto’ for Social and Public Security Failures” (社会治安失职 领导干部或被“一票否决”), *Beijing Youth Daily*, March 24, 2016, <http://www.chinanews.com/gn/2016/03-24/7809269.shtml>.

⁴⁶ “China’s Walmart Workers: Creating an Opportunity for Genuine Trade Unionism,” *China Labour Bulletin*, October 2017. <https://www.clb.org.hk/sites/default/files/Walmart%20report%20Final.pdf>.

⁴⁷ “Food Delivery Worker Activist Accused of ‘Picking Quarrels,’” *China Labour Bulletin*, March 25, 2021, <https://www.clb.org.hk/content/food-delivery-worker-activist-accused-%E2%80%9Cpicking-quarrels%E2%80%9D>.

⁴⁸ “How to Advance the ‘Six Stabilities’ and ‘Six Guarantees’? The Development Reform Commission Responds” (“六稳”“六保”如何推进? 发改委回应), *China Daily*, May 25, 2020, <https://ex.chinadaily.com.cn/exchange/partners/82/rss/channel/language/columns/v0m20b/stories/WS5ecb3c3ea310a8b24115831c.html>.

⁴⁹ “Properly Doing Employment Work the Crux of Realizing the ‘Six Stabilities’ and ‘Six Guarantees,’” *Guangming Daily*, October 4, 2020, http://www.gov.cn/xinwen/2020-10/04/content_5549252.htm.

⁵⁰ “The Relationship Between the ‘Six Stabilities’ and ‘Six Guarantees’” (“六稳”和“六保”是什么关系), *Study Times*, May 19, 2020, www.ccdi.gov.cn/lsw/h/lilun/202005/t20200519_217554.html.

⁵¹ Laura He, “China is Really Worried About Unemployment. Here’s What It’s Doing to Avoid Mass Layoffs,” *CNN Business*, January 13, 2020, <https://edition.cnn.com/2020/01/13/economy/china-2020-economy/index.html>.

⁵² Laura He and Nectar Gan, “80 Million Chinese May Already Be Out of Work. 9 Million More Will Soon Be Competing for Jobs, Too,” *CNN Business*, May 8, 2020, <https://edition.cnn.com/2020/05/08/economy/china-unemployment-intl-hnk/index.html>.

⁵³ Yan Liang, “How China Can Avert an Employment Crisis,” *The Diplomat*, June 16, 2020, <https://edition.cnn.com/2020/05/08/economy/china-unemployment-intl-hnk/index.html>.

⁵⁴ “China to Boost Employment With Multi-Pronged Measures,” *CGTN*, October 10, 2020, <https://news.cgtn.com/news/2020-10-10/China-to-boost-employment-with-multi-pronged-measures-Ut5aNsEZAQ/index.html>.

⁵⁵ Yuwen Shi, “China’s Unemployment Challenge,” *Echowall*, October 13, 2020, <https://www.echo-wall.eu/currents-context/chinas-unemployment-challenge>.

⁵⁶ “2020 Survey Report on Migrant Workers” (2020 年农民工监测调查报告), National Bureau of Statistics, April 30, 2021, http://www.stats.gov.cn/tjsj/zxfb/202104/t20210430_1816933.html.

⁵⁷ Javier Hernandez, “Labor Protests Multiply in China as Economy Slows, Worrying Leaders,” *The New York Times*, March 14, 2016, <https://www.nytimes.com/2016/03/15/world/asia/china-labor-strike-protest.html>.

⁵⁸ Javier Hernandez, “Workers’ Activism Rises as China’s Economy Slows: Xi Aims to Rein Them In,” *The New York Times*, February 6, 2019, <https://www.nytimes.com/2019/02/06/world/asia/china-workers-protests.html>.

Chapter 2: Fundamental Labour Rights

⁵⁹ Baoping Chu and Sun Jie, “All-China Federation of Trade Unions Chairman Zhang Dinghua Issues a Dialogue Saying the ‘Labour Law’ is the Basic Law for Protection of the Legal Rights and Interests of Workers” (全国总工会副主席张丁华发表谈话指出‘劳动法’是保护劳动者合法权益基本法律), *People’s Daily*, July 7, 1994.

⁶⁰ Li Boyong, “Earnestly Implementing the ‘Labour Law’ to Promote Reform, Development and Stability” (认真贯彻‘劳动法’促进改革发展和稳定), *People’s Daily*, February 16, 1995.

⁶¹ *Labour Law of the People’s Republic of China*, State Council, January 1, 1995, www.china.org.cn/living_in_china/abc/2009-07/15/content_18140508.htm.

⁶² “Notice on Launching a Summer Campaign to Clear Up Wage Arrears” (人力资源社会保障部 发展改革委 财政部 住房城乡建设部 交通运输部 水利部 国资委关于开展根治欠薪夏季行动的通知), Ministry of Human

Resources and Social Security, Development and Reform Commission, Ministry of Finance, Ministry of Housing and Urban-Rural Development, Ministry of Transport, Ministry of Water Resources, State-Owned Assets Supervision and Administration Commission, July 17, 2019.

⁶³ “As Wage Arrears Escalate in the Run Up to the Lunar New Year, the Trade Union Needs to Act,” *China Labour Bulletin*, November 21, 2017, <https://clb.org.hk/content/wage-arrears-escalate-run-lunar-new-year-trade-union-needs-act>.

⁶⁴ “Contractor’s Teenage Daughter Falls to Her Death in Wage Arrears Protest,” *China Labour Bulletin*, January 21, 2015, <https://www.clb.org.hk/content/contractor-s-teenage-daughter-falls-her-death-wage-arrears-protest>.

⁶⁵ “14-Year-Old Girl Falls to Her Death After Seeking Pay for Her Father” (14岁女孩为父讨薪坠亡), *Huaxi Metropolitan Daily*, January 20, 2015, <http://news.sina.com.cn/s/2015-01-20/093631420476.shtml>.

⁶⁶ “Scholars Petition Xi Jinping After Construction Worker’s Mother is Allegedly Beaten to Death by Police,” *China Labour Bulletin*, December 30, 2014, <https://www.clb.org.hk/content/scholars-petition-xi-jinping-after-construction-worker-s-mother-allegedly-beaten-death>.

⁶⁷ “Unable to Pay His Workers, Sichuan Labour Contractor Takes His Own Life,” *China Labour Bulletin*, February 24, 2015, <https://www.clb.org.hk/content/unable-pay-his-workers-sichuan-labour-contractor-takes-his-own-life>.

⁶⁸ “Township Government Finally Compensates Family of Labour Contractor After Suicide,” *China Labour Bulletin*, April 10, 2015, <https://www.clb.org.hk/content/township-government-finally-compensates-family-labour-contractor-after-suicide>.

⁶⁹ Dajun Li, “Unconstrained Capital, Unharmable Workers: A Survey Report on Occupational Protection and Rights Defense in Work-Related Tragedies in the Construction Industry” (无约束的资本, 伤不起的工人——建筑业职业保护与职灾维权调研报告), *Chinese Workers*, 2013, No. 5: 24-27.

⁷⁰ Chao Feng, “The Awkward Role of the ‘Labor Contractors’ Behind Wage Arrears” (讨薪难背后“包工头”的尴尬定位), *China Central Television*, January 20, 2013, opinion.cntv.cn/2013/01/20/ART11358645703293717.shtml.

⁷¹ “Organizational Structure,” State Grid Corporation of China, accessed February 5, 2021, www.sgcc.com.cn/html/sgcc_main_en/col2017112321/column_2017112321_1.shtml.

⁷² “About Us,” Sichuan Electric Power Corp to Sichuan Electric Power Transmission and Transformer Construction Co., Ltd., accessed on February 5, 2021, sbd.wm39.mingtengnet.com/about.aspx?mid=299.

⁷³ “Labour Contractor for Rural Power Grid Commits Suicide Over Owed Project Funds” (农村电网建设包工头因长期被欠工程款自杀身亡), *Radio Free Asia*, January 22, 2015, https://www.rfa.org/mandarin/zhuantlan/laogongtongxun/labor-01222015114654.html?fbclid=IwAR0HUuz-W8Krz8u5iy4UioultARexQjvdR5gQ_SbGsvOKyDwp8cOzVdGe8.

⁷⁴ “Township Government Finally Compensates Family of Labour Contractor After Suicide,” *China Labour Bulletin*, April 10, 2015, <https://www.clb.org.hk/content/township-government-finally-compensates-family-labour-contractor-after-suicide>.

⁷⁵ “China’s Fifth Plenum of the 16th Central Committee Closes” (中国十六届五中全会闭幕 会议公报), The Central People’s Government of the People’s Republic of China, October 11, 2005, www.gov.cn/jrzq/2005-10/11/content_76191.htm.

⁷⁶ “Township Government Finally Compensates Family of Labour Contractor After Suicide,” *China Labour Bulletin*, April 10, 2015, <https://www.clb.org.hk/content/township-government-finally-compensates-family-labour-contractor-after-suicide>.

⁷⁷ Drinking pesticide is a relatively common form of protest suicide in China. In April 2021, for example, truck driver Jin Deqiang took his own life by drinking pesticide after he was fined 2,000 yuan for driving while his satellite positioning system was offline. See “Truck Driver Suicide Sparks Anger Over Poor-Quality Vehicle Tracking System,” *China Labour Bulletin*, April 13, 2021, <https://www.clb.org.hk/content/truck-driver-suicide-sparks-anger-over-poor-quality-vehicle-tracking-system>.

⁷⁸ “Bureau of Statistics: Beijing Workers Average RMB 6,500 Per Month,” *The Beijinger*, June 17, 2015, <https://www.thebeijinger.com/blog/2015/06/17/beijing-averages-rmb-6500-month-report-bureau-statistics>.

⁷⁹ “Arson Suspected in Deadly Ningxia, China Bus Fire,” *BBC News*, January 5, 2016, <https://www.bbc.com/news/world-asia-china-35230094>.

⁸⁰ Zhou Qijun, “Police Catch Suspect in Bus Blaze that Killed 17 in Ningxia,” *Caixin*, January 5, 2016, <https://www.caixinglobal.com/2016-01-05/police-catch-suspect-in-bus-blaze-that-killed-17-in-ningxia-101011941.html>.

-
- ⁸¹ “Suspect in Yinchuan Arson Has ‘Confessed’” (银川公交车纵火嫌疑人“供认不讳”), *Deutsche Welle*, January 6, 2016, <https://www.dw.com/zh/银川公交车纵火嫌疑人供认不讳/a-18963019>.
- ⁸² “‘Capital Contracting’ Strictly Prohibited for Government Invested Projects” (政府投资项目严禁“带资承包”), Xinhua News Agency, March 24, 2006, finance.sina.com.cn/g/20060324/1123613286.shtml.
- ⁸³ “Office of the Ministry of Housing and Urban-Rural Development Notice on Strengthening Covid-19 Prevention and Control Work on the Orderly Resumption of Work by Enterprises” (住房和城乡建设部办公厅关于加强新冠肺炎疫情防控有序推动企业开复工工作的通知), February 26, 2020, www.gov.cn/zhengce/zhengceku/2020-03/02/content_5485626.htm.
- ⁸⁴ “National CPPCC Delegate Wang Jianlin” (全国政协委员王健林), *www.gov.cn*, March 8, 2008, www.gov.cn/2008lh/zb/0308c/content_913807.htm.
- ⁸⁵ Mike Forsythe, “Wang Jianlin, a Billionaire at the Intersection of Business and Power in China,” *The New York Times*, April 28, 2015, <https://www.nytimes.com/2015/04/29/world/asia/wang-jianlin-abillionaire-at-the-intersection-of-business-and-power-in-china.html>.
- ⁸⁶ “Workers Protest Against Wage Arrears of a Construction Project in Bengbu, Anhui,” *China Labour Bulletin Strike Map*, February 7, 2021, <https://tinyurl.com/yckkv8ky>.
- ⁸⁷ “Workers Protest Against Wage Arrears by Threatening to Jump Off Building in Dongguan, Guangdong,” *China Labour Bulletin Strike Map*, February 8, 2021, <https://tinyurl.com/2n8ej396>.
- ⁸⁸ “Migrant Workers in Fuxin County, Liaoning Province, Request Help on Weibo After Being Beaten Up and Then Arrested by Police Following Mine Default on Wages,” (辽宁省阜新县, 一矿山拖欠工资, 农民工讨薪被打, 被警察拘捕, 在微博求助), *CLB Strike Map*, June 23, 2020, https://maps.clb.org/hk/?i18n_language=zh_CN&map=3&startDate=2020-06&endDate=2020-06&eventId=2020101314430852343.
- ⁸⁹ “2020 Survey of Migrant Workers” (2020 年农民工监测调查报告), National Bureau of Statistics, April 30, 2021, http://www.stats.gov.cn/tjsj/zxfb/202104/t20210430_1816933.html.
- ⁹⁰ “2011 Survey of Migrant Workers” (2011 年农民工监测调查报告), National Bureau of Statistics, April 27, 2012, http://www.stats.gov.cn/ztjc/ztfx/fxbg/201204/t20120427_16154.html.
- ⁹¹ “Average Salary in 37 Major Chinese Cities Reaches 8,452 Yuan: Report,” *People’s Daily Online*, July 5, 2019, en.people.cn/n3/2019/0705/c90000-9594926.html.

Chapter 3: Decent Pay for Decent Work

- ⁹² Haiyuan Wan and Fanqiang Meng, “Opinion: China Has 600 Million People With Monthly Income Less Than \$141. Is That True?,” *Caixin Global*, June 6, 2020, <https://www.caixinglobal.com/2020-06-06/opinion-china-has-600-million-people-with-monthly-income-less-than-141-is-that-true-101564071.html>.
- ⁹³ “600 Million People Are At Low to middle Income and Below: Central Government Makes ‘Big Moves’ to Ensure People’s Livelihoods” (中低收入及以下人群 6 亿 中央“大动作”保民生), *China News Service*, May 29, 2020, js.people.com.cn/n2/2020/0529/c359574-34051939.html.
- ⁹⁴ David Bandurski, “Propaganda Soars Into Orbit,” *China Media Project*, January 29, 2021, <https://chinamediaproject.org/2021/01/29/propaganda-soars-into-orbit/>.
- ⁹⁵ Haiyuan Wan and Fanqiang Meng, “Opinion: China Has 600 Million People With Monthly Income Less Than \$141. Is That True?,” *Caixin Global*, June 6, 2020, <https://www.caixinglobal.com/2020-06-06/opinion-china-has-600-million-people-with-monthly-income-less-than-141-is-that-true-101564071.html>.
- ⁹⁶ “GDP Per Capita (Current US\$): China,” The World Bank, data retrieved February 11, 2021, <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=CN>.
- ⁹⁷ “China Rich List: 2019,” *Forbes*, <https://www.forbes.com/china-billionaires/list/>.
- ⁹⁸ KW Chan “The Household Registration System and Migrant Labor in China: Notes on a Debate,” *Population and Development Review*, 2010, No. 36 (2): 357-64.
- ⁹⁹ “China’s Minimum Wage Increases Stall as Consumer Prices Surge,” *China Labour Bulletin*, December 2, 2019, <https://clb.org.hk/content/china's-minimum-wage-increases-stall-consumer-prices-surge>.
- ¹⁰⁰ “Yu Wucang: The Most Headstrong Sanitation Worker” (于武仓: 最任性的环保工), *China Labour Bulletin*, March 11, 2015, <https://www.clb.org.hk/zh-hans/content/于武仓:最任性的环保工>.

¹⁰¹ “Yu Wucang: The Sanitation Worker Who Refused to Back Down,” *China Labour Bulletin*, January 19, 2015, <https://clb.org.hk/content/yu-wucang-sanitation-worker-who-refused-back-down>.

¹⁰² “Unity is Strength: The Story of the Guangzhou University town Sanitation Workers’ Strike,” *China Labour Bulletin*, October 16, 2014, <https://www.clb.org.hk/content/unity-strength-story-guangzhou-university-town-sanitation-workers-strike>.

¹⁰³ “China Labor Activists Sentenced for Helping Workers in Wage Dispute,” *Agence France-Presse*, September 27, 2016, <https://www.theguardian.com/world/2016/sep/27/china-labor-activists-sentenced-for-helping-workers-in-wage-dispute>.

¹⁰⁴ “Strike By Sanitation Workers at Guangzhou’s University Town Again Exposes Blind Spots in the Government’s Purchasing of Services” (广州大学城环卫工停工风波再曝政府购买服务盲点), *Yangcheng Evening News*, September 10, 2014, www.chinanews.com/sh/2014/09-10/6578364.shtml.

¹⁰⁵ “Unity Is Strength: The Story of the Guangzhou University Town Sanitation Workers’ Strike,” *China Labour Bulletin*, October 16, 2014, <https://www.clb.org.hk/content/unity-strength-story-guangzhou-university-town-sanitation-workers%E2%80%99-strike>.

¹⁰⁶ Jiazhi Zeng, Leiyu Shi, Xia Zou, Wen Chen and Li Ling, “Rural-to-Urban Migrants’ Experiences with Primary Care Under Different Types of Medical Institutions in Guangzhou, China,” *Plos One*, 10 (10): October 16, 2015.

¹⁰⁷ Pierre Pradier, “China’s Hukou System Explained,” *New Horizons*, December 28, 2020, <https://nhglobalpartners.com/the-chinese-hukou-system-explained/>.

¹⁰⁸ Linda Lew, “Chinese Workers Freed From Big Brother Style Monitoring After Public Stink,” *South China Morning Post*, April 5, 2019, <https://www.scmp.com/news/china/article/3004810/chinese-workers-freed-big-brother-style-monitoring-after-public-stink>.

¹⁰⁹ Grace Yang, “Hiring a Retired Person in China: The Legal Issues,” *Harris Bricken*, January 12, 2020, <https://harrisbricken.com/chinalawblog/hiring-a-retired-person-in-china-the-legal-issues/>.

¹¹⁰ “Elderly Sanitation Worker in Zhengzhou Breaks Into Tears After Leader Shouts at Her Over Unswept Road” (郑州老年环卫工因路面未清扫干净 被领导吵哭), *Dahe Daily*, March 19, 2013, henan.sina.com.cn/news/z/2013-03-19/0913-57861.html.

¹¹¹ Xuandi Wang and Qi’an Chen, “In Selfie-Obsessed Shanghai, Street Cleaners Are Told to Leave the Leaves,” *Sixth Tone*, November 12, 2020, www.sixthtone.com/news/1006437/in-selfie-obsessed-shanghai%2C-street-cleaners-are-told-to-leave-the-leaves.

¹¹² “Workers Protest Against Wage Arrears of a Sanitation Contractor of Danke in Wuhan, Hubei,” *CLB Strike Map*, November 25, 2020, <https://tinyurl.com/bdepwa74>.

Chapter 4: Adequate Social Security

¹¹³ Didi Tang, “Strike at China Sneaker Factory Snowballs,” *Associated Press*, April 17, 2014, <https://apnews.com/article/0eb7f32509e140d89fcc540be1c24ee4>.

¹¹⁴ “Defeat Will Only Make Us Stronger: Workers Look Back at the Yue Yuen Shoe Factory Strike,” *China Labour Bulletin*, May 22, 2014, <https://www.clb.org.hk/content/defeat-will-only-make-us-stronger-workers-look-back-yue-yuen-shoe-factory-strike>.

¹¹⁵ “China’s Social Insurance Law Realizing Comprehensive Coverage Is a Revolutionary Breakthrough for the Livelihood of the People” (中国社会养老保险实现全覆盖是中国民生的革命性突破), *The Central People’s Government of the PRC*, July 27, 2011, www.gov.cn/zxft/ft214/content_1914677.htm.

¹¹⁶ Gaorong Hu, “Six Major Bright Spots in the ‘Social Insurance Law’ Mean a Bigger Protective Umbrella for Workers” (社会保护法六大亮点为劳动者撑起更大保护伞), *Beijing Municipal High People’s Court*, July 7, 2011, bjgy.chinacourt.gov.cn/article/detail/2011/07/id/882339.shtml.

¹¹⁷ Grayson Clarke, “D-Day for Social Security,” *China Daily*, July 1, 2011, www.chinadaily.com.cn/business/2011-07/01/content_16028578.htm.

¹¹⁸ Nancy Kong, Lars Osberg and Weina Zhou, “The Shattered ‘Iron Rice Bowl’: Intergenerational Effects of Chinese State-Owned Enterprise Reform,” *Journal of Health Economics*. Vol. 67, September 2019, 102220 <https://www.sciencedirect.com/science/article/abs/pii/S0167629618309664>.

¹¹⁹ Mary Elizabeth Gallagher, *Contagious Capitalism: Globalization and the Politics of Labor in China* (Princeton: Princeton University Press, 2005), 9.

-
- ¹²⁰ “Workers Protest Against Wage Arrears and Owed Social Insurance of a Factory in Zhuhai, Guangdong,” CLB Strike Map, September 17, 2020, <https://tinyurl.com/yvxb4524>.
- ¹²¹ “Yue Yuen Shoe Factory to Be Focus of Guangdong’s Trade Union Building,” *China Labour Bulletin*, July 21, 2014, <https://www.clb.org.hk/content/yue-yuen-shoe-factory-be-focus-guangdong’s-trade-union-building>.
- ¹²² “The Lide Shoe Factory Workers’ Campaign for Relocation Compensation,” *China Labour Bulletin*, June 22, 2015, <https://www.clb.org.hk/content/lide-shoe-factory-workers’-campaign-relocation-compensation>.
- ¹²³ Didi Kirsten Tatlow, “China, Sweltering, Doles Out Subsidies for High Heat,” *The New York Times*, July 13, 2016, <https://www.nytimes.com/2016/07/14/world/asia/china-high-heat-subsidy.html>.
- ¹²⁴ “Hitachi Sacks Worker Activist who Lobbied for Trade Union,” *China Labour Bulletin*, January 24, 2014, <https://www.clb.org.hk/content/hitachi-sacks-worker-activist-who-lobbied-trade-union>.
- ¹²⁵ “Labour Activist Zhu Xiaomei Released after Two Months in Detention,” *China Labour Bulletin*, February 4, 2016, <https://clb.org.hk/node/3085>.
- ¹²⁶ “An Indomitable Spirit: Labour Activist Meng Han Talks About His Prison Ordeal and the Continued Fight for Workers’ Rights in China,” *China Labour Bulletin*, September 22, 2017, <https://clb.org.hk/content/indomitable-spirit-labour-activist-meng-han-talks-about-his-prison-ordeal-and-continued>.
- ¹²⁷ Sui-Lee Wee, “Chinese Labor Activists Stand Accused By State Media,” Reuters, December 23, 2015, <https://www.reuters.com/article/cnews-us-china-labour-idCAKBN0U60FY20151223>.
- ¹²⁸ “Looking Behind the Halo of the ‘Star of the Labour Movement’: Director of the Panyu Migrant Workers Service Centre Zeng Feiyang and Others Under Investigation on Suspicion of Serious Crimes” (揭开“工运之星”光环的背后--番禺打工族文书处理服务部”主任曾飞洋等人涉嫌严重犯罪案件调查), Xinhua News Agency, December 22, 2015, http://www.xinhuanet.com//politics/2015-12/22/c_1117546098.htm.
- ¹²⁹ Han Dongfang, “A Reply to the People’s Daily Report on the Director of the Panyu Workers Service Centre, Zeng Feiyang,” *China Labour Bulletin*, January 8, 2016.
- ¹³⁰ “Chinese Maoists Join Students in Fight for Workers’ Rights at Jasic Technology,” *South China Morning Post*, August 10, 2018, <https://www.scmp.com/news/china/policies-politics/article/2158991/chinese-maoists-join-students-fight-workers-rights>.
- ¹³¹ “Behind the Jasic Technology Workers ‘Rights Defense’ Incident” (深圳佳士公司工人“维权”事件的背后), Xinhua News Agency, August 24, 2018, www.xinhuanet.com/2018-08/24/c_1123326003.htm.
- ¹³² “An Investigation Into the Shenzhen Jasic ‘Rights Defense’ Incident” (深圳佳士“维权”事件调查), *Southern Metropolis Daily*, August 25, 2018, A12.
- ¹³³ “Rights Defense Cannot Exceed the Path of the Law” (维权不能脱离法治轨道), *Guangming Daily*, August 25, 2018, https://epaper.gmw.cn/gmrb/html/2018-08/25/nw.D110000gmrB_20180825_4-04.htm.
- ¹³⁴ “Guangdong Adjusts Base Figure for Social Insurance Contributions,” *China Briefing*, August 11, 2014, <https://www.china-briefing.com/news/guangdong-adjusts-base-figure-social-insurance-contributions/>.
- ¹³⁵ “China’s Social Security System,” *China Labour Bulletin*, October 15, 2019, <https://clb.org.hk/content/china’s-social-security-system>.
- ¹³⁶ “CASS Report Warns: If Pensions Fund is Spent This Way It Will Be Depleted by the Time Post-80s Retire” (社科院报告预警! 养老金这么花 没等 80 后退休就花光), *Sina Finance*, April 11, 2020, <https://finance.sina.cn/2019-04-11/detail-ihvhiqax1641968.d.html?from=wap>.
- ¹³⁷ China Statistical Yearbook 2020 (Beijing: China Statistics Press, 2020), pp 786-787, www.stats.gov.cn/tjsj/ndsj/2020/indexeh.htm.
- ¹³⁸ Siwei Cheng and Jiefei Liu, “Rich Provinces Cough Up Pension Funds to Help Struggling Peers,” *Caixin Global*, April 10, 2019, <https://www.caixinglobal.com/2019-04-10/rich-provinces-cough-up-pension-funds-to-help-struggling-peers-101402657.html>.

Chapter 5: Excessive Working Hours and Job Security

- ¹³⁹ Louise Keely and Brian Anderson, “Sold in China: Transitioning to a Consumer-Led Economy,” *Demand Institute*, July 2015, <https://www.nielsen.com/wp-content/uploads/sites/3/2020/05/Sold-in-China-Report.pdf>.
- ¹⁴⁰ Martin Wolf, “Consumption to Replace Investment as Key to China Growth,” *Financial Times*, May 29, 2018, <https://www.ft.com/content/627ab75c-4256-11e8-97ce-ea0c2bf34a0>.

-
- ¹⁴¹ “White Paper on China’s Digital Economy Development and Employment: 2019” (2019 中国数字经济发展与就业白皮书), China Academy of Information and Communications Technology, April 2019, http://www.caict.ac.cn/kxyj/qwfb/bps/201904/t20190417_197904.htm.
- ¹⁴² Yinan Zhao, “Premier Meets With Group of Innovators Over Coffee,” *China Daily*, May 8, 2015, www.chinadaily.com.cn/china/2015-05/08/content_20654522_2.htm.
- ¹⁴³ Xue Yujie, “China’s Digital Economy Surges in 2020 Amid Pandemic, Making Up Nearly 40 Per Cent of Country’s GDP,” *South China Morning Post*, April 27, 2021, https://www.scmp.com/tech/policy/article/3131286/chinas-digital-economy-surges-2020-amid-pandemic-making-nearly-40-cent?module=perpetual_scroll&pgtype=article&campaign=3131286.
- ¹⁴⁴ “Shenzhen’s Tech Workers Face Burnout Striving for Their Entrepreneurial Dream,” *China Labour Bulletin*, June 19, 2018, <https://www.clb.org.hk/content/shenzhen-s-tech-workers-face-burnout-striving-their-entrepreneurial-dream>.
- ¹⁴⁵ Stella Qiu and Elias Glenn, “China Goes on Tech-Hiring Binge and Wages Soar, Closing Gap With Silicon Valley,” Reuters, January 25, 2018, <https://www.reuters.com/article/us-china-economy-tech-analysis-idUSKBN1FD37S>.
- ¹⁴⁶ Shelly Banjo, “Over 30? You’re Too Old for Tech Jobs in China,” *Bloomberg*, May 1, 2018, <https://www.bloomberg.com/news/features/2018-05-02/china-s-tech-industry-wants-youth-not-experience>.
- ¹⁴⁷ Tom Brennan, “At Viva Tech, Jack Ma Urges Using Tech for Good,” *Alizila (Alibaba Group)*, May 16, 2019, <https://www.alizila.com/at-viva-tech-jack-ma-urges-using-tech-for-good/>.
- ¹⁴⁸ Viola Rothschild and Benjamin Della Rocca, “China’s Tech Sector is in Trouble,” *The Diplomat*, July 17, 2019, <https://thediplomat.com/2019/07/chinas-tech-sector-is-in-trouble/>.
- ¹⁴⁹ Lin Qiqing and Raymond Zhong, “‘996’ Is China’s Version of Hustle Culture. Tech Workers Are Sick of It,” *The New York Times*, April 29, 2019, <https://www.nytimes.com/2019/04/29/technology/china-996-jack-ma.html>.
- ¹⁵⁰ Tracy Qu, “How GitHub Became a Bulletin Board for Chinese Tech Worker Complaints,” *Quartz*, April 9, 2019, <https://qz.com/1589309/996-icu-github-hosts-chinese-tech-worker-complaints/>.
- ¹⁵¹ Nicole Lyn Pesce, “Alibaba’s Jack Ma Calls the ‘996’ a Huge Blessing,” *Marketwatch*, April 15, 2019, <https://www.marketwatch.com/story/alibabas-jack-ma-calls-the-996-chinas-72-hour-work-week-a-huge-blessing-2019-04-15>.
- ¹⁵² Raymond Zhong, “Huawei’s ‘Wolf Culture’ Helped It Grow, and Got It Into Trouble,” *The New York Times*, December 18, 2018, <https://www.nytimes.com/2018/12/18/technology/huawei-workers-iran-sanctions.html>.
- ¹⁵³ Lingling Xiao, “2019 Labour Relations Report Released: ‘Wolf Culture’ Is Least Appreciated by Employees” (2019 年雇佣关系报告发布:“狼性文化”最不受员工待见), *Bandao Metropolis Daily*, December 9, 2019, news.bandao.cn/a/316062.html.
- ¹⁵⁴ Emma Lee, “There Are No Food Delivery Winners,” *TechNode*, April 29, 2020, <https://technode.com/2020/04/29/there-are-no-food-delivery-winners/>.
- ¹⁵⁵ Jiaoyi Huang and Dilan Yang, “A Decade War in the O2O business: Meituan vs Ele.me,” *China Tech Blog*, November 9, 2020, <https://www.chinatechblog.org/blog/a-decade-war-in-the-o2o-business-meituan-vs-ele-me>.
- ¹⁵⁶ “Trade Union Officials Distance Themselves From Food Delivery Workers’ Suffering,” *China Labour Bulletin*, July 5, 2021, <https://www.clb.org.hk/content/trade-union-officials-distance-themselves-food-delivery-workers-suffering>.
- ¹⁵⁷ “Delivery Drivers Protest Closure and Demand Compensation in Beijing,” CLB Strike Map, October 12, 2019, <https://tinyurl.com/5czjdxwp>.
- ¹⁵⁸ “Workers Protest Closure, Wage Decrease and Demand Compensation Paid by Delivery Company in Chongqing,” CLB Strike Map, October 13, 2019, <https://tinyurl.com/2p8a3uzp>.
- ¹⁵⁹ “Delivery Drivers Protest Company Closure, Layoffs and Wage Cut in Xi’an, Shaanxi,” CLB Strike Map, October 14, 2019, <https://tinyurl.com/2p9xn658>.
- ¹⁶⁰ “Delivery Drivers Protest Company Closure, Layoffs and Demand Compensation in Wuhan, Hubei,” CLB Strike Map, October 15, 2019, <https://tinyurl.com/35886xje>.
- ¹⁶¹ “Delivery Drivers Protest Closure and Demand Compensation in Shanghai,” CLB Strike Map, October 15, 2019, <https://tinyurl.com/2p9bekte>.
- ¹⁶² “Workers Protest Wage Arrears Owed by Delivery Company in Xiangtan, Hunan,” CLB Strike Map, October 21, 2019, <https://tinyurl.com/43f82kks>.

-
- ¹⁶³ Isabelle Li and Tianqiong Jia, “China Delivery Firms Slash Margins to Hold On to Customers,” *Caixin Global*, November 22, 2019, <https://www.caixinglobal.com/2019-11-22/china-delivery-firms-slash-margins-to-hold-on-to-customers-101486479.html>.
- ¹⁶⁴ Ryan McMorrow and Nian Liu, “China’s Meituan and Ele.me Tackle Backlash Against Demands on Couriers,” *Financial Times*, September 10, 2020, <https://www.ft.com/content/bcc453b2-0da5-41a5-af76-eb43b044e822>.
- ¹⁶⁵ “Food Delivery Workers Need A Trade Union to Push for Real Change,” *China Labour Bulletin*, September 22, 2020, <https://www.clb.org.hk/content/food-delivery-workers-need-trade-union-push-real-change>.
- ¹⁶⁶ Che Pan, “Didi Chuxing Valuation Could Rise Amid International Expansion, Analyst Says,” *South China Morning Post*, September 3, 2020, <https://www.scmp.com/tech/apps-social/article/3100133/didi-chuxing-valuation-could-rise-amid-international-expansion>.
- ¹⁶⁷ “Didi Drivers Go On Strike Protesting Subsidy Cut, High Commission Fee and Being Forced to Accept Delivery Order in Shaodong, Hunan,” *China Labour Bulletin Strike Map*, June 6, 2018, <https://tinyurl.com/5n6mdjkm>.
- ¹⁶⁸ “Didi Drivers Protest Company Reducing Orders After They Refuse to Join New Salary Scheme in Hangzhou, Zhejiang,” *China Labour Bulletin Strike Map*, June 8, 2018, <https://tinyurl.com/2by2pv4r>.
- ¹⁶⁹ “Didi Drivers in China Protest Pay Cuts and Restrictive Work Practices,” *China Labour Bulletin*, July 3, 2018, <https://clb.org.hk/content/didi-drivers-china-protest-pay-cuts-and-restrictive-work-practices>.
- ¹⁷⁰ Tracy Qu and Jane Zhang, “A Year into China’s Tech Crackdown, the Sky Is No Longer the Limit for China’s Big Tech,” *South China Morning Post*, December 26, 2021, <https://www.scmp.com/tech/big-tech/article/3160705/year-chinas-tech-crackdown-sky-no-longer-limit-chinas-big-tech>.
- ¹⁷¹ Brian Liu and Raquel Leslie, “China’s Tech Crackdown: A Year-in-Review,” *LawFare*, January 7, 2022, <https://www.lawfareblog.com/chinas-tech-crackdown-year-review>.
- ¹⁷² Elliott Zaagman, “The Casualties of China’s Education Crackdown,” *TechCrunch*, September 23, 2021, <https://techcrunch.com/2021/09/22/the-casualties-of-chinas-education-crackdown/>.
- ¹⁷³ Yao Nian, “Antitrust Move Over Big Tech Deemed a Necessary Part of ‘Common Prosperity’ Plan,” *CGTN*, October 6, 2021, <https://news.cgtn.com/news/2021-10-06/Antitrust-move-over-Big-Tech-necessary-for-common-prosperity-plan-13Lbbbuh9K/index.html>.
- ¹⁷⁴ David Bandurski, “A History of Common Prosperity,” *China Media Project*, August 27, 2021, <https://chinamediaproject.org/2021/08/27/a-history-of-common-prosperity/>.
- ¹⁷⁵ “Common Prosperity” to Prove China Can Succeed Where Other Countries Have Failed: *Financial Times*, Xinhua News Agency, December 29, 2021, www.xinhuanet.com/english/20211229/a3ebac24285b42ca9779f2cdc5ceffa7/c.html.
- ¹⁷⁶ “The Chinese Tech Industry Adjusts to Beijing’s New Reality,” *Bloomberg*, October 20, 2021, <https://www.bloomberg.com/news/articles/2021-10-20/chinese-tech-companies-adjust-to-xi-beijing-s-common-prosperity>.
- ¹⁷⁷ Arjun Kharpal, “China’s Tech Giants Pour Billions into Xi’s Vision Of ‘Common Prosperity,’” *CNBC*, September 3, 2021, <https://www.cnbc.com/2021/09/03/chinas-tech-giants-pour-billions-into-xis-goal-of-common-prosperity.html>.
- ¹⁷⁸ “China Unveils New Rules On Ride-Hailing Drivers’ Rights,” *Agence France Presse*, December 1, 2021, <https://www.businesstimes.com.sg/garage/china-unveils-new-rules-on-ride-hailing-drivers-rights>.
- ¹⁷⁹ Yang Jing, “Explainer: China’s ‘Common Prosperity’ And Driving Forces Behind,” *CGTN*, October 18, 2021, <https://news.cgtn.com/news/2021-10-18/Explainer-China-s-common-prosperity-and-driving-forces-behind-14szYoAhU3K/index.html>.
- ¹⁸⁰ Naomi Xu Elegant, “2 Employee Deaths and a Viral Video Renew Debate of China’s ‘996’ Overwork Culture,” *Fortune*, January 11, 2021, <https://fortune.com/2021/01/11/pinduoduo-employee-death-suicide-china-996/>.
- ¹⁸¹ Xiao Wu, “I’m a Delivery Worker in China. My Job Is Better Than You Think,” *Protocol*, May 28, 2021, <https://www.protocol.com/china/china-delivery-worker-first-person>.
- ¹⁸² “Opinions and Interpretations on the Promotion of Scientific and Technological Innovation in Production Safety” (关于推动安全生产科技创新的若干意见解读), China Association of Work Safety, November 24, 2018, http://www.china-safety.org.cn/Article/Detail_615_2_1187_2_1269.html.
- ¹⁸³ “Opinion of the State Administration of Work Safety on Promoting Scientific and Technological Innovation in Safety Production” (国家安全监管总局关于推动安全生产科技创新的若干意见), State Administration of Work Safety, October 8, 2016, http://www.gov.cn/xinwen/2016-10/08/content_5115966.htm.

PART TWO: Safety First Versus Profit First

¹⁸⁴ “Development is the Overriding Principle: In Shunde, the Southern Tour Speeches Again Promote Lift-Off” (“发展才是硬道理”——顺德：南巡谈话再促腾飞), *People’s Daily Online*, January 23, 2017, cpc.people.com.cn/n1/2017/0123/c410539-29043799.html.

¹⁸⁵ Chao Wu, “The Logic of ‘Safety First’ Thinking” (“安全第一”的逻辑思辨), *Enterprise Economy*, 445, No. 9 (2017), p. 5-11.

¹⁸⁶ “Perfecting Mining Management Organizations, Firmly Implementing Democratic Management” (健全矿山管理机构, 坚决贯彻民主管理), *People’s Daily*, November 10, 1949, p. 2.

¹⁸⁷ “Ministry of Emergency Management: Deaths from Production Safety Accidents Fall to 27,400 in 2020,” (人民网) 应急管理部：2020 年全国生产安全事故死亡人数降至 2.74 万余人), *People’s Daily*, January 29, 2021.

¹⁸⁸ “One Dead at a Coal Mine in Luocheng, Guangxi,” China Labour Bulletin Accident Map, December 23, 2020, <https://tinyurl.com/5xj6ukvh>.

¹⁸⁹ “One Missing, Two Dead, and Four Injured After a Ship Flipped in Nantong, Jiangsu,” China Labour Bulletin Accident Map, December 24, 2020, <https://tinyurl.com/37rvw9fx>.

¹⁹⁰ “Two Dead After Collapse at a Construction Site in Haining, Zhejiang,” China Labour Bulletin Accident Map, December 25, 2020, <https://tinyurl.com/2p8efpwj>.

¹⁹¹ “Scaffolding Collapse Accident Occurs at Worksite in Haining, Zhejiang, Killing 2, Injuring 1” (浙江海宁一工地发生脚手架坍塌事故, 已造成 2 人遇难), *The Paper*, December 26, 2020, https://www.thepaper.cn/newsDetail_forward_10547446.

¹⁹² Matthew Walsh, Jianhang Qin and Xinghang Ge, “Local Officials Detained Over Cover-Up of Mine Explosion That Killed 10,” *Caixin Global*, February 25, 2021, <https://www.caixinglobal.com/2021-02-25/local-officials-detained-over-cover-up-of-mine-explosion-that-killed-10-101667312.html>.

¹⁹³ “Shandong Gold Mine Explosion Accident: In Strict Investigation Into Delayed Reporting, the Causes Must Also Be Considered” (山东金矿爆炸事故：严查迟报, 也要反思原因), *Guangming Online*, January 13, 2021, https://guan.china.com.cn/2021-01/13/content_34539582.htm?from=search.

¹⁹⁴ “Chahar Provincial Coal Mine Meeting Determines Protection of Safety First in the Coal Fields Relies on Workers Implementing Democratic Management” (察省煤矿会议确定保护煤田安全第一依靠职工实行民主管理), *People’s Daily*, March 21, 1950, p. 2.

¹⁹⁵ “Chahar Provincial Coal Mine Meeting Determines Protection of Safety First in the Coal Fields Relies on Workers Implementing Democratic Management” (察省煤矿会议确定保护煤田安全第一依靠职工实行民主管理), *People’s Daily*, March 21, 1950, p. 2.

¹⁹⁶ “Production Safety Accident Deaths Drop 8.3% in China in 2020” (2020 年中国生产安全事故死亡人数同比下降 8.3%), China News Service, January 7, 2021, <https://www.chinanews.com/gn/2021/01-07/9381254.shtml>.

¹⁹⁷ “A Factory Caught Fire in Zhongshan, Guangdong,” China Labour Bulletin Work Accident Map, December 6, 2020, <https://tinyurl.com/mr27jm34>.

¹⁹⁸ “Two Dead and Three Injured After Collapse at a Factory in Zhongyang, Shanxi,” China Labour Bulletin Work Accident Map, December 7, 2020, <https://tinyurl.com/5n8a594d>.

¹⁹⁹ “Two Dead and One Injured at a Construction Site After a Tower Crane Collapsed in Ningbo, Zhejiang,” China Labour Bulletin Work Accident Map, December 8, 2020, <https://tinyurl.com/25uzwsb8>.

²⁰⁰ “Three Injured After Collapse at a Construction Site in Chenzhou, Hunan,” China Labour Bulletin Work Accident Map, December 10, 2020, <https://tinyurl.com/bsnmmaey>.

²⁰¹ “9 Injured In Fire at a Factory in Santai, Sichuan,” China Labour Bulletin Work Accident Map, December 10, 2020, <https://tinyurl.com/6wpty6jj>.

²⁰² “A Tower Crane Collapsed at a Construction Site in Ningbo’s Hangzhou Bay, Killing 2 and Injuring 1” (宁波杭州湾一在建工地发生塔吊倒塌致 2 死 1 伤), *The Cover* (Sichuan Daily), December 8, 2020, <http://www.thecover.cn/video/6302273>.

Chapter 6: The Vicious Cycle of Heroic Rescue

²⁰³ “Chinese Coal Miners Killed By Carbon Monoxide Poisoning,” *BBC News*, December 5, 2020, <https://www.bbc.com/news/world-asia-china-55196132>.

²²³ “In Chongqing, 39 Killed in Two Accidents Within Three Months: It’s Time for Labour Unions to Be Held Accountable for Safety in Production” (重庆三个月两起事故死 39 人，安全生产是时候该问责工会了), *China Labour Bulletin*, December 24, 2020, <https://bit.ly/3e0Bht7>.

²²⁴ “Regulations for the Implementation of the Mine Safety Law of the People’s Republic of China” (中华人民共和国矿山安全法实施条例), State Council, October 11, 1996, www.lawinfochina.com/display.aspx?lib=law&id=6263&CGid=.

Chapter 7: China’s Most Dangerous Industries

²²⁵ Xu Haijun, “Saying ‘Goodbye’ to ‘This Isn’t My Responsibility’” (对“不归我管”说“拜拜”), *CCP News*, June 3, 2013, cpc.people.com.cn/pinglun/n/2013/0603/c241220-21713887.html.

²²⁶ Yang Qinggan, “Drawing Wisdom and Strength from the Century-long History of the Party’s Struggle to Take Responsibility for its Work” (从党的百年奋斗史中汲取干事担事的智慧和力量), *Guangming Daily Online*, December 22, 2021, https://dangjian.gmw.cn/2021-12/22/content_35399398.htm.

²²⁷ “Court Finally Rules on Accident that Killed 73 Construction Workers in 2016,” *China Labour Bulletin*, April 28, 2020, <https://www.clb.org.hk/content/court-finally-rules-accident-killed-73-construction-workers-2016>.

²²⁸ Xiang-Hao Zhao, Jason Wen-chieh Cheng, Jack Shui-Long Shen and Arul Arulrajah, “Platform Collapse Incident Of A Power Plant in Jiangxi, China,” *Natural Hazards*, April 2017, https://www.researchgate.net/publication/315114755_Platform_collapse_incident_of_a_power_plant_in_Jiangxi_China.

²²⁹ “28 Sentenced in Deadly Tower Collapse,” *China Daily*, April 26, 2020, english.jiangxi.gov.cn/news2015/Topnews/202004/t20200426_1504026.htm.

²³⁰ “Lax Enforcement of Safety Regulations Leads to Spate of Tower Crane Accidents,” *China Labour Bulletin*, June 2, 2020, <https://clb.org.hk/content/lax-enforcement-safety-regulations-leads-spate-tower-crane-accidents>.

²³¹ “No Work Is Allowed Without Work Injury Insurance” (没有工伤保险一律不准开工), November 12, 2018, *People’s Daily* (via www.gov.cn), http://www.gov.cn/zhengce/2018-06/08/content_5296972.htm.

²³² “When Workers Die in a Village Called Happiness,” *China Labour Bulletin*, July 15, 2014, <https://www.clb.org.hk/content/when-workers-die-village-called-happiness>.

²³³ “Fatal Accident Highlights Intense Pressures Faced by China’s Food-Delivery Workers,” *China Labour Bulletin*, December 6, 2017, <https://www.clb.org.hk/content/fatal-accident-highlights-intense-pressures-faced-china-s-food-delivery-workers>.

²³⁴ “This Little-Known Startup Just Hit a Valuation of \$30 Billion,” *Bloomberg*, October 19, 2017, <https://www.bloomberg.com/news/articles/2017-10-19/china-s-meituan-raises-4-billion-at-30-billion-valuation#:~:text=China's%20Meituan%20Dianping%20just%20became,high-fliers%20like%20Airbnb%20Inc>.

²³⁵ “Delivery Workers, Trapped in the System,” *Chuang*, November 12, 2020, <https://chuangcn.org/2020/11/delivery-renwu-translation/>.

²³⁶ “Delivery Workers, Trapped in the System,” *Chuang*, November 12, 2020, <https://chuangcn.org/2020/11/delivery-renwu-translation/>.

²³⁷ “Delivery Workers, Trapped in the System,” *Chuang*, November 12, 2020, <https://chuangcn.org/2020/11/delivery-renwu-translation/>.

²³⁸ “Three Dead After Crane Accident in Fengcheng, Jiangxi,” *China Labour Bulletin Work Accident Map*, August 4, 2020, <https://tinyurl.com/ypbkc9h3>.

²³⁹ “One Injured After Collapse at a Construction Site in Fengcheng, Jiangxi,” *China Labour Bulletin Work Accident Map*, December 14, 2020, <https://tinyurl.com/zvzwtn7>.

²⁴⁰ “Construction Site Sand Collapse Traps One in Jiangxi’s Fengcheng” (江西丰城一施工工地沙土塌方 一人被困), *Fengcheng Television*, December 16, 2020, <http://www.anquan.com.cn/html/news/china/2020/1216/90810.html>.

Chapter 8: Occupational Illness and Overwork

²⁴¹ “The 2019 National Occupational Disease Report Is Here” (2019 年全国职业病报告情况来了), *Toutiao News* (via [Sohu.com](http://www.sohu.com)), July 6, 2020, https://www.sohu.com/a/405942971_99938651.

-
- ²⁴² “2.8 Million Nonfatal Workplace Injuries and Illnesses Occurred in Private Industry in 2019,” U.S. Bureau of Labor Statistics, November 6, 2019, <https://www.bls.gov/opub/ted/2020/2-8-million-nonfatal-workplace-injuries-and-illnesses-occurred-in-private-industry-in-2019.htm>.
- ²⁴³ “Dying to Breathe” is the title of a 2015 short documentary by Sim Chi Yin about pneumoconiosis in China, available at *National Geographic*, <https://www.nationalgeographic.com/photography/article/dying-to-breathe-a-short-film-shows-chinas-true-cost-of-gold>.
- ²⁴⁴ “Migrant Workers with Pneumoconiosis Return to Shenzhen in Search of Justice,” *China Labour Bulletin*, May 13, 2010, <https://www.clb.org.hk/content/migrant-workers-pneumoconiosis-return-shenzhen-search-justice>.
- ²⁴⁵ “The Hard Road: Seeking Justice for Victims of Pneumoconiosis in China,” *China Labour Bulletin*, April 2010, https://clb.org.hk/sites/default/files/archive/en/share/File/research_reports/Hard_Road.pdf.
- ²⁴⁶ CLB and other labour NGOs provided the Leiyang workers with free legal advice and support during this period.
- ²⁴⁷ “Substantial Payout to Migrant Worker Should Not Distract Attention From the Plight of Others,” *China Labour Bulletin*, September 24, 2009, <https://clb.org.hk/content/substantial-payout-migrant-worker-should-not-distract-attention-plight-others>.
- ²⁴⁸ “What Happens When the Money Runs Out for Victims of Pneumoconiosis?” *China Labour Bulletin*, February 13, 2013, <https://www.clb.org.hk/content/what-happens-when-money-runs-out-victims-pneumoconiosis-0>.
- ²⁴⁹ “Shenzhen Offers Hunan Workers Pneumoconiosis Compensation Deal,” *China Labour Bulletin*, December 17, 2018, <https://www.clb.org.hk/content/shenzhen-offers-hunan-workers-pneumoconiosis-compensation-deal>.
- ²⁵⁰ “Gone for 100 days: Three Labour Activists “Disappeared” in China,” *China Labour Bulletin*, June 27, 2019, <https://www.clb.org.hk/content/gone-100-days-three-labour-activists-%E2%80%9Cdisappeared%E2%80%9D-china>.
- ²⁵¹ “Time to Pay the Bill: China’s Obligation to the Victims of Pneumoconiosis,” *China Labour Bulletin*, April 28, 2013, https://www.clb.org.hk/sites/default/files/archive/en/File/research_reports/Time%20to%20Pay%20the%20Bill.pdf.
- ²⁵² Tania Branigan, “Chinese Workers Link Sickness to N-Hexane and Apple iPhone Screens,” *The Guardian*, May 7, 2010, <https://www.theguardian.com/world/2010/may/07/chinese-workers-sickness-hexane-apple-iphone>.
- ²⁵³ Wenbin Zhu, “Gas Leak Safety Accident in Shaoguan Songshan” (韶钢松山发生煤气泄漏安全事故), *Shanghai Securities Daily*, February 6, 2018, finance.sina.com.cn/roll/2018-02-06/doc-ifyremfz5663823.shtml.
- ²⁵⁴ “One Worker Falls Unconscious While Handling Waste Water, Two Try to Save Him, Three Die” (惠州 1 名工人处理污水晕倒 2 人施救 3 人均遇难), *China News Service*, April 17, 2016, news.southcn.com/gd/content/2016-04/17/content_146093430.htm.
- ²⁵⁵ “3 Maintenance Workers Injured in a Gas Poisoning in Luoyang, Henan,” *China Labour Bulletin Work Accident Map*, April 29, 2019, <https://tinyurl.com/mapz7dub>.
- ²⁵⁶ “Danger! Two Workers in Luoyang Poisoned By Fumes are Trapped in Sewer” (惊险! 洛阳俩工人沼气中毒被困下水道), *Luoyang Daily*, April 29, 2019, news.lyd.com.cn/system/2019/04/29/031277216.shtml.
- ²⁵⁷ “715 Is the New 996 Work Schedule in China,” *Dao Insights*, December 9, 2020, <https://daoinsights.com/news/715-is-the-new-996-work-schedule-in-china/>.
- ²⁵⁸ Xu Han, “Trending in China: Tired of 996? Get Ready for 715 and the Return of China’s ‘Evil Capitalists,’” *Caixin Global*, January 5, 2021, <https://www.caixinglobal.com/2021-01-05/trending-in-china-tired-of-996-get-ready-for-715-and-the-return-of-chinas-evil-capitalists-101646789.html>.
- ²⁵⁹ Ziruo Liu and Ziyi Li, “Sudden Death in Young People On the Rise! What You Need to Know About Cardiovascular Disease”(年轻人猝死频发! 关于心血管疾病这些你需要知道), *People’s Daily Online*, June 17, 2020, lxjk.people.cn/n1/2020/0617/c404177-31749298.html.
- ²⁶⁰ “Chinese Need More Sleep Amid Mounting Pressure,” *Xinhua News Agency*, March 21, 2017, www.xinhuanet.com/english/2017-03/21/c_136146114.htm.
- ²⁶¹ Juan Du, “Lack of Sleep Puts Beijingers at Risk,” *China Daily*, January 8, 2018, www.chinadaily.com.cn/a/201801/08/WS5a3083aa31008cf16da5bf7.html.
- ²⁶² “600,000 Chinese Die from Overworking Each Year,” *CRI English (China Daily)*, December 11, 2016, www.chinadaily.com.cn/china/2016-12/11/content_27635578.htm.
- ²⁶³ Xiujuan Gao and Yingjiang Xu, “Overwork Death Among Doctors a Challenging Issue in China,” *International Journal of Cardiology*, Vol. 289 (August 2019): p. 152.

Chapter 9: “Little Bees” of Socialist Construction

- ²⁶⁴ Ziwen Jiang, “Committee Member Call for Regulation of ‘996’ Sparks Heated Debate, Media: Real Action Must Be Taken” (委员呼吁监管“996”引发热议, 媒体: 必须动真格), *The Paper*, March 10, 2021, https://www.thepaper.cn/newsDetail_forward_11643949.
- ²⁶⁵ “996 is Nothing, We are 715, Dark and Light, Going All Night” (996 算个啥, 我们是 715、白加黑、夜总会), *National Business Daily* (via Sohu), September 8, 2020, https://www.sohu.com/a/416980864_115362.
- ²⁶⁶ Yujie Xue, “Death of 22-Year-Old Pinduoduo Employee Renews Controversy Over China’s 996 Overwork Culture, Sparking an Investigation,” *South China Morning Post*, January 4, 2021, <https://www.scmp.com/tech/big-tech/article/3116385/death-22-year-old-pinduoduo-employee-renews-controversy-over-chinas>.
- ²⁶⁷ Naomi Xu Elegant, “2 employee deaths and a viral video renew debate of China’s ‘996’ overwork culture,” *Fortune*, January 11, 2021, <https://fortune.com/2021/01/11/pinduoduo-employee-death-suicide-china-996/>.
- ²⁶⁸ Orange Wang, “China’s Lou Jiwei Decries ‘996’ Culture of Overwork and Says Ambitious Green Targets Risk Economic ‘Dangers’,” *South China Morning Post*, August 30, 2021, <https://www.scmp.com/economy/china-economy/article/3146876/chinas-lou-jiwei-decries-996-culture-overwork-and-says>.
- ²⁶⁹ Phoebe Zhang, “Can a Chinese City Improve Country’s Work-Life Balance? Shenzhen to Enforce Paid Leave For Workers,” *South China Morning Post*, November 20, 2020, <https://www.scmp.com/lifestyle/family-relationships/article/3110487/can-chinese-city-improve-countrys-work-life-balance>.
- ²⁷⁰ Chang-Tai Hung, “Turning a Chinese Kid Red: Kindergartens in the Early People’s Republic,” *Journal of Contemporary China*, 2014, 23:89, 841-863.
- ²⁷¹ “Model Worker” (劳模), *China.org.cn*, March 17, 2010, <https://on.china.cn/3erGdaO>.
- ²⁷² Chang-Tai Hung, “Turning a Chinese Kid Red: Kindergartens in the Early People’s Republic,” *Journal of Contemporary China*, 2014, 23:89, 841-863.
- ²⁷³ Chang-Tai Hung, “Turning a Chinese Kid Red: Kindergartens in the Early People’s Republic,” *Journal of Contemporary China*, 2014, 23:89, 841-863.
- ²⁷⁴ “Mobilizing Production, Mobilizing Turnaround: Anyang Hold its First Model Worker Conference” (动员生产、动员翻身 安阳举行首届劳模大会), *People’s Daily*, June 2, 1946, p. 2.
- ²⁷⁵ Feng Yilei and Li Ang, “China Commemorates Military Hero Lei Feng’s Death, Spirit of Altruism and Dedication Lives On,” *CGTN*, March 6, 2019, <https://news.cgtn.com/news/3d3d774d7a4d544d33457a6333566d54/index.html>.
- ²⁷⁶ Tania Branigan, “China Invokes Spirit of Humble Soldier in Effort to Improve Social Harmony,” March 4, 2003, <https://www.theguardian.com/world/2013/mar/04/china-humble-soldier-social-harmony>.
- ²⁷⁷ “Labor is the Origin of All Happiness, Xi Jinping Discusses the Model Worker Spirit and Craftsmanship Spirit” (劳动是一切幸福的源泉, 习近平谈劳模精神、劳动精神、工匠精神), *Seeking Truth*, October 4, 2021, <http://politics.people.com.cn/BIG5/n1/2021/1004/c1001-32245586.html>.
- ²⁷⁸ Xi Jinping Visits Grassroots Cadres and Masses in Beijing on the Eve of the Spring Festival” (习近平春节前夕在北京看望慰问基层干部群众), February 2, 2019, *People’s Daily*, p. 1.
- ²⁷⁹ “The ‘Little Bee’ Who Uses Courier [Services] to Deliver Happiness” (用快递传递快乐的“小蜜蜂”), *Worker Daily*, February 19, 2021, <http://www.worker.cn/34167/202102/19/210219091139452.shtml>.
- ²⁸⁰ “Labour Lifts Up Dreams, Struggle Writes a Chronicle: A Record of the Care Given By the CCP Central Committee with Comrade Xi Jinping as the Core to Model Workers and Model Worker Work” (劳动托举梦想, 奋斗书写华章——以习近平同志为核心的党中央关心劳模和劳模工作纪实), *People’s Daily*, November 24, 2020, paper.people.com.cn/rmrbhwb/html/2020-11/24/content_2019705.htm.
- ²⁸¹ “A Record of Selection and Recommendation Work for Jilin Province 2020 National Model Workers and Advanced Workers” (吉林省 2020 年全国劳动模范和先进工作者推荐评选工作纪实), *China Jilin Online*, December 8, 2020, https://www.sohu.com/a/437000300_406982.
- ²⁸² “Trade Union Reform: Comparing the Achievements Claimed by the ACFTU with Results on the Ground,” *China Labour Bulletin*, October 18, 2018, <https://clb.org.hk/content/trade-union-reform-comparing-achievements-claimed-acftu-results-ground>.
- ²⁸³ “As Opening of Hospital Approaches, Reporters Visit the Huoshenshan Hospital Site” (开院在即 记者现场探访火神山医院), *China News Service*, February 2, 2020, <https://www.chinanews.com/shipin/spfts/20200202/2513.shtml>.

-
- ²⁸⁴ “While the Whole Country Is Eating New Year’s Eve Dinner, They Are Building ‘Wuhan Xiaotangshan’ (全国人在吃年夜饭，他们在建”武汉小汤山), *Freezing Point*, January 24, 2020, <https://mp.weixin.qq.com/s/BsKYzzwOCH9e-jQTa76iGQ>.
- ²⁸⁵ “Directly to the Huoshenshan Hospital: The First Patients Have Been Admitted, Completion of Installation Finishing Up On Site” (直击火神山医院：首批病人已经入院，现场忙碌装配收尾), *Caijing Magazine* (via WeChat), February 4, 2020, <https://mp.weixin.qq.com/s/J1u9ZaoLL9vETrumSKPWRO>.
- ²⁸⁶ “Construction Workers Under Pressure as More Cities Rush to Build Hospitals,” *China Labour Bulletin*, February 6, 2020, <https://clb.org.hk/content/construction-workers-under-pressure-more-cities-rush-build-hospitals>.
- ²⁸⁷ Hui Xiao, “Wuhan Will Build Two ‘Xiaotangshan Hospitals’, Work Begins Already on the First Day of the New Year” (武汉将建两所”小汤山医院” 年初一工人已开工), *Caijing*, January 25, 2020, <https://china.caixin.com/2020-01-25/101508408.html>.
- ²⁸⁸ Hui Xiao, “Wuhan Will Build Two ‘Xiaotangshan Hospitals’, Work Begins Already on the First Day of the New Year” (武汉将建两所”小汤山医院” 年初一工人已开工), *Caijing*, January 25, 2020, <https://china.caixin.com/2020-01-25/101508408.html>.
- ²⁸⁹ “Wang Bo, Model Worker for the State Grid: A ‘Guardian of Safety’ Who Lights Up River City” (国网劳模王波：点亮江城的”安全守护者”), *State Grid News*, February 9, 2020, finance.sina.com.cn/jjxw/2021-02-09/doc-ikftssap4987514.shtml.
- ²⁹⁰ “The Spirit of Model Workers Shines on the Front Lines of the War Against the Epidemic,” (劳模精神在战”疫” 一线闪耀), *Hubei Daily*, April 29, 2020, wjw.hubei.gov.cn/bmdt/ztl/fkxxgzbdgrfyyq/fkdt/202004/t20200429_2250845.shtml.
- ²⁹¹ “7 Details at Huoshenshan Hospital” (关于火神山医院的七个细节), *People Magazine* (China), February 4, 2020, https://mp.weixin.qq.com/s/gOgn0kmT0k5_8cozb1IMTg.
- ²⁹² “The Miracle of Huoshenshan,” *Global Times* (English), February 2, 2020, <https://www.globaltimes.cn/page/202102/1214780.shtml>.
- ²⁹³ “Workers Protest Against Delayed Payments of Wage by Complain to Media at the Construction Site of Huoshenshan Hospital for the nCov-2019 Virus in Wuhan, Hubei,” *China Labour Bulletin Strike Map*, February 17, 2020, <https://tinyurl.com/2pew962n>.
- ²⁹⁴ “377 Huoshenshan, Leishenshan Workers Unable to Return Home After Quarantine Period” (377 名火神山、雷神山工人隔离期满不能回家), *Sohu News* (via Sina Weibo), March 19, 2020, https://www.weibo.com/5890672121/lzlw1Fyj?refer_flag=1001030103_&type=comment#_rnd1615480489268.
- ²⁹⁵ “Security Workers Protest Against Reduced Wages at a Quarantine Site of COVID-19 Virus in Wuhan, Hubei,” *China Labour Bulletin Strike Map*, March 19, 2020, <https://tinyurl.com/perxmm9e>.
- ²⁹⁶ “The ‘Double Insurance’ of Sanitation Work Plus Self-Protection: Hanyang Sanitation Workers Turned Into ‘Disinfection Workers’” (环卫作业+自身防护”双保险”汉阳环卫工化身”消毒行家”), *Sina.com*, January 28, 2020, <http://hb.sina.com.cn/news/b/2020-01-28/detail-iihzhha5143018.shtml>.
- ²⁹⁷ Guo Jing, “Living with Powerlessness: Guo Jing’s Diary of Wuhan City Closure” (与无力感共处|郭晶的武汉封城日记), *Matters* (Hong Kong), January 30, 2020, <https://matters.news/@GuoJing/与无力感共处-郭晶的武汉封城日记-1-30-2-1-zdpuAmPeYGeQaDVmeMivXhntdE9LkDmbF4ypFZ1YcGpgRcA9X>.
- ²⁹⁸ “Ordinary Wuhan Heroes | Courier Boy Wang Yong: All of the Medical Personnel I Transported Are Saving Lives!” (武汉凡人英雄 | 快递小哥汪勇：我接送的医务人员都是救命的啊!), *Xinhua News Agency*, February 21, 2020, www.xinhuanet.com/politics/2020-02/21/c_1125608520.htm.
- ²⁹⁹ “Wuhan Courier Boy Works 80 Days Without Breaking: Turning the Ordinary Into the Great” (武汉快递小哥 80 多天不间断逆行 让平凡变得伟大), *CCTV.com*, April 16, 2020, news.cctv.com/2020/04/16/ARTIOvcy16Sms5TAYR3visjB200416.shtml.
- ³⁰⁰ Lydia Ramsey Pflanzler, “More than 50 Firefighters Died Unnecessarily After Trying to Extinguish the Tianjin Explosion with Water,” *Business Insider*, September 9, 2015, <https://www.businessinsider.com/firefighters-died-in-tianjin-explosion-because-they-didnt-know-what-was-inside-2015-9>.
- ³⁰¹ “Sichuan Chemical Plant Explosion: Investigation Reveals Familiar Problems,” *China Labour Bulletin*, July 16, 2018, <https://clb.org.hk/content/sichuan-chemical-plant-explosion-investigation-reveals-familiar-problems>.
- ³⁰² “Explosion Near Chemical Plant Kills at Least 22,” *China Labour Bulletin*, November 28, 2018, <https://www.clb.org.hk/content/explosion-near-chemical-plant-kills-least-22>.

PART THREE: The Elusive Goal of Trade Unionism in China

- ³⁰³ “In China, There Is No Firefighters’ Trade Union and It Shows,” *China Labour Bulletin*, August 19, 2015, <https://www.clb.org.hk/node/1773>.
- ³⁰⁴ “Tianjin port ‘8-12’ Ruihai Company Dangerous Goods Warehouse Major Fire and Explosion Accident Investigation Report” (天津港“8·12”瑞海公司危险品仓库特别重大火灾爆炸事故调查报告), Ministry of Emergency Management (MEM), February 2016, <https://www.mem.gov.cn/gk/sgcc/tbzdsqdcbg/2016/201602/P020190415543917598002.pdf>.
- ³⁰⁵ Christopher Bodeen, “Tianjin Explosions: Were China’s Part-Time Firefighters to Blame for Tragic Chain Reaction that Left at Least 114 Dead?” *The Independent*, August 17, 2015, <https://www.independent.co.uk/news/world/asia/tianjin-explosions-were-china-s-part-time-firefighters-blame-tragic-chain-reaction-left-least-114-dead-10459572.html>.
- ³⁰⁶ “Tianjin Explosion: Premier Li Keqiang Demands a Thorough Investigation to Pursue Responsibility” (天津大爆炸: 总理李克强要求彻查追责), *BBC News (Chinese)*, August 16, 2015, https://www.bbc.com/zhongwen/simp/china/2015/08/150816_china_tianjin_blast.
- ³⁰⁷ “Beijing Establishes Municipal Firefighter and Rescue Corps Trade Union” (北京市消防救援总队工会成立), *Workercn.cn*, January 29, 2021. <http://acftu.workercn.cn/34165/202101/29/210129085548139.shtml>.
- ³⁰⁸ “Loading and Unloading Worker at Tianjin Factory: Saved By Heading Out for Night Snack, Huge Turnover of Warehouse Staff” (天津事发工厂装卸工: 买夜宵躲过一劫 仓库人员流动极大), *China National Radio (Online)*, August 13, 2015, http://china.cnr.cn/gdgg/20150813/t20150813_519534320.shtml.
- ³⁰⁹ “What the Local Trade Union Did in the Wake of the Tianjin Disaster,” *China Labour Bulletin*, August 21, 2015, <https://www.clb.org.hk/content/what-local-trade-union-did-wake-tianjin-disaster>.
- ³¹⁰ Jude Howell, “Organising Around Women and Labour in China: Uneasy Shadows, Uncomfortable Alliances,” *Communist and Post-Communist Studies*, September 2000, Vol. 33, pp. 355-377.
- ³¹¹ Warmly Celebrating the 5th Session of the National People’s Congress and CPPCC, and Holding of a Forum of the ACFTU” (热烈庆祝五届人大和五届政协胜利召开 全国总工会举行座谈会), *People’s Daily*, March 9, 1978, pg. 9.
- ³¹² “Thoroughly Criticizing the ‘Gang of Four’ and its ‘Black Line of the Labour Movement’ Theory” (彻底批判“四人帮”的“工运黑线统治”论), *People’s Daily*, December 29, 1977, p. 3.
- ³¹³ Bill Taylor and Qi Li, “Is the ACFTU a Union and Does it Matter?” *Journal of Industrial Relations*, Vol. 49, Issue 5, 2007, <https://journals.sagepub.com/doi/abs/10.1177/0022185607082217?journalCode=jira>.
- ³¹⁴ Yufu Li, “Theoretical Guidance and Action Guidelines for Trade Union Work in the New Era” (新时代工会工作的理论指导和行动指南), *People’s Daily*, February 11, 2019, <http://politics.people.com.cn/n1/2019/0211/c1001-30616563.html>. Interestingly, Li neglected to mention here the part of Xi’s speech about how the ACFTU should do a better job in representing workers.
- ³¹⁵ Jun Mai, “Xi Jinping Asks: Why Do Chinese Officials Lack Initiative and Wait for Orders from the Top?” *South China Morning Post*, 11 July, 2021. <https://www.scmp.com/news/china/politics/article/3140600/why-do-chinese-officials-lack-initiative-and-wait-orders-top>.
- ³¹⁶ Orange Wang, “China’s Xi Jinping, Liu He Move to Reassure Private Sector as Beijing’s Big Tech Crackdown Rattles Entrepreneurs,” *South China Morning Post*, September 6, 2021, <https://www.scmp.com/economy/china-economy/article/3147764/chinas-xi-jinping-liu-he-move-reassure-private-sector>.
- ³¹⁷ “Holding China’s Trade Unions to Account,” *China Labour Bulletin*, February 17, 2020, <https://clb.org.hk/content/holding-china-s-trade-unions-account>.
- ³¹⁸ “ACFTU: Number of Employees in China Reaches 391 Million” (全总: 我国职工总数达 3.91 亿人), Xinhua News Agency, January 17, 2018, http://www.xinhuanet.com/2018-01/17/c_1122274062.htm.

Chapter 10: A Rare Case of Representation

- ³¹⁹ “Promoting Union Membership for Eight Groups Including Riders” (将推动快递员等八大群体入会), *People’s Daily*, April 11, 2018, politics.people.com.cn/n1/2018/0411/c1001-29917885.html.
- ³²⁰ “Walmart Workers in China Blockade Store in Protest at Closure Plan,” *China Labour Bulletin*, March 20, 2014, <https://www.clb.org.hk/content/walmart-workers-china-blockade-store-protest-closure-plan>.

-
- ³²¹ *Labor Contract Law of the People's Republic of China*, adopted at the 28th Meeting of the Standing Committee of the 10th National People's Congress, June 29, 2007, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2009-02/20/content_1471106.htm.
- ³²² John Ruwitch, "Huang's Tale: From Walmart Cashier to Labor Leader in China," Reuters, April 7, 2014, <https://www.reuters.com/article/us-china-labour-walmart-insight-idUSBREA361NZ20140407>.
- ³²³ "Workers Engage in Rights Defense As Walmart in Hunan's Changde Closes" (湖南常德沃尔玛停止营业职工维权), *Radio Free Asia*, March 19, 2014, <https://www.rfa.org/mandarin/zhuanlan/laogongtongxun/hdf-03192014142759.html>.
- ³²⁴ For more information on the Walmart trade union, please see Anita Chan, "Walmart in China," ILR Press; 1st edition (November 15, 2011).
- ³²⁵ "President of Changde Wal-Mart Store Union Huang Xingguo Seeks the Attention and Support of Society" (常德沃尔玛店工会主席黄兴国谨向社会各界请求关注和支持), *Boxun*, March 19, 2014, <https://bit.ly/31DuUVE>.
- ³²⁶ "Walmart Workers in China Blockade Store in Protest at Closure Plan," *China Labour Bulletin*, March 20, 2014, <https://www.clb.org.hk/content/walmart-workers-china-blockade-store-protest-closure-plan>.
- ³²⁷ "Walmart Workers in China Remain Resolute and Defiant," *China Labour Bulletin*, April 24, 2014, <https://www.clb.org.hk/content/walmart-workers-china-remain-resolute-and-defiant>.
- ³²⁸ Liqun Xia and Qixin Chen, "Labour Disputes: Connecting Arbitration and Litigation," *China Business Law Journal*, October 17, 2017, <https://law.asia/labour-disputes-connecting-arbitration-and-litigation/>.
- ³²⁹ "Walmart Workers in Changde Stand Firm as Deadline Looms," *China Labour Bulletin*, March 28, 2014, <https://www.clb.org.hk/content/walmart-workers-changde-stand-firm-deadline-looms>.
- ³³⁰ Zhiyi Liu and Shu Zhu, "The War Between 'The Most Awesome Union' and Walmart: Rights Defence versus Stability Preservation" ("最牛工会"与沃尔玛的战争 维权 VS 维稳), *Southern Weekly*, April 3, 2014, <http://www.infzm.com/content/99558>.
- ³³¹ "Arbitration Committee in Changde Rules Against Walmart Worker," *China Labour Bulletin*, June 26, 2014, <https://www.clb.org.hk/content/arbitration-committee-changde-rules-against-walmart-workers>.
- ³³² Yun Zhou, "Governing the Epidemic: Neighbourhood Committees in Shanghai," *The China Story*, May 7, 2020, <https://www.thechinastory.org/governing-the-epidemic-neighbourhood-committees-in-shanghai/>.
- ³³³ Zhiyi Liu and Shu Zhu, "The War Between 'The Most Awesome Union' and Walmart: Rights Defence versus Stability Preservation" ("最牛工会"与沃尔玛的战争 维权 VS 维稳), *Southern Weekly*, April 3, 2014, <http://www.infzm.com/content/99558>.
- ³³⁴ "Taking a Stand: Trade Union Chairman Fights Back Against Walmart," *China Labour Bulletin*, June 24, 2014, <https://www.clb.org.hk/content/taking-stand-trade-union-chairman-fights-back-against-walmart>.
- ³³⁵ "Chairman of Union at Closed Hunan Changde Wal-Mart Discusses Workers' Rights Protests" (湖南常德停业沃尔玛工会主席谈职工维权抗争), *Radio Free Asia*, April 2014, https://www.rfa.org/mandarin/zhuanlan/laogongtongxun/story_archive?year=2014&month=4.
- ³³⁶ "Xi Jinping Presides Over 18th Meeting of the Central Leading Group for Comprehensively Deepening Reform and Stresses the Importance of Comprehensively Implementing the Spirit of the Fifth Plenary Session of the 18th CPC Central Committee and Relying on Reform to Provide Sustained Impetus for Scientific Development" (习近平主持召开中央全面深化改革领导小组第十八次会议强调), Xinhua News Agency, November 9, 2015, http://www.gov.cn/xinwen/2015-11/09/content_2963005.htm.
- ³³⁷ "Scientific Outlook on Development," *China Daily*, September 8, 2010, http://cpcchina.chinadaily.com.cn/2010-09/08/content_13918103.htm.
- ³³⁸ Keith J. Hand, "Using Law for a Righteous Purpose: The Sun Zhigang Incident and Evolving Forms of Citizen Action in the People's Republic of China," *Columbia Journal of Transnational Law*, Vol. 45 (1), January 2006.
- ³³⁹ "Inequality: Recent Trends in China and Experience in the OECD Area," in *China in Focus: Lessons and Challenges*, OECD, 2012, p. 16-34, <https://www.oecd.org/global-relations/keypartners/50146214.pdf>.
- ³⁴⁰ "Harmonious Society," *China Daily*, September 16, 2010, http://cpcchina.chinadaily.com.cn/2010-09/16/content_13918117.htm.
- ³⁴¹ "Reducing Inequality in the People's Republic of China through Fiscal Reform," Asian Development Bank, March 2013, pp. 3-4.
- ³⁴² Kevin Yao and Eileen Wang, "China Lets Gini Out of the Bottle; Wide Wealth Gap," Reuters, January 18, 2013, <https://www.reuters.com/article/us-china-economy-income-gap-idUSBRE90H06L20130118>.

³⁴³ Chris Buckley, “China Issues Proposal to Narrow Income Gap,” *The New York Times*, February 3, 2013, <https://www.nytimes.com/2013/02/06/world/asia/china-issues-plan-to-narrow-income-gap.html>.

³⁴⁴ Nargiza Salidjanova, “China’s New Income Inequality Reform Plan and Implications for Rebalancing,” U.S.-China Economic and Security Review Commission, March 12, 2013, p. 2.

³⁴⁵ *The 13th Five-Year Plan for Economic and Social Development of the People’s Republic of China (2016-2020)*, Central Compilation & Translation Press, p. 180, https://en.ndrc.gov.cn/newsrelease_8232/201612/P020191101481868235378.pdf.

³⁴⁶ “Why Is the Communist Party Telling the All-China Federation of Trade Unions to Reform?” *China Labour Bulletin*, October 10, 2018, <https://clb.org.hk/content/why-communist-party-telling-all-china-federation-trade-unions-reform>.

³⁴⁷ “In Group Discussion with New ACFTU Leadership, Xi Jinping Emphasises the Unified Mobilisation of Million of Workers to Build the New Era and a New State in the Labor Movement and Trade Union Work” (习近平在同中华全国总工会新一届领导班子成员集体谈话时强调团结动员亿万职工积极建功新时代开创我国工运事业和工会工作新局面), Xinhua News Agency, October 29, 2018, http://www.xinhuanet.com/politics/leaders/2018-10/29/c_1123631014.htm.

³⁴⁸ In addition to “political consciousness,” the other two natures are *progressiveness* (先进性 *xianjinxing*) and the nature of popular legitimacy (群众性 *qunzhongxing*). The focus of the reform initiative was to eliminate the four impediments (namely, regimentation, bureaucratisation, elitism and frivolousness) in the ACFTU’s work, and “increase the three natures” (political consciousness, progressiveness, popular legitimacy) of the ACFTU. See “The Implementation of Trade Union Reform in the ACFTU’s Own Words,” *China Labour Bulletin*, October 25, 2018, <https://clb.org.hk/content/implementation-trade-union-reform-acftu%E2%80%99s-own-words>.

³⁴⁹ Jun Dong, “Stimulating Organisational Vitality and Promoting Comprehensive Innovation: An Overview of the Effects of ACFTU Reform” (激发组织活力 推进全面创新——全国总工会改革成效综述), Xinhua News Agency, September 29, 2016, http://www.xinhuanet.com/politics/2016-09/29/c_1119646239.htm.

³⁵⁰ All-China Federation: Total Number of Workers in China Reaches 391 Million” (全总：我国职工总数达 3.91 亿人), Xinhua News Agency, January 17, 2018, http://www.xinhuanet.com/2018-01/17/c_1122274062.htm.

Chapter 11: Stepping into the Union’s Shoes

³⁵¹ “2016 Migrant Worker Monitoring Survey Report,” National Bureau of Statistics of the PRC, April 28, 2017, www.stats.gov.cn/tjsj/zxfb/201704/t20170428_1489334.html.

³⁵² “2018 Migrant Worker Monitoring Survey Report,” National Bureau of Statistics of the PRC, April 29, 2019, http://www.stats.gov.cn/tjsj/zxfb/201904/t20190429_1662268.html.

³⁵³ All of these incidents have been recorded on an interactive database, accessible on the trade union reform page of CLB’s Chinese website. Trade Union Reform and Accountability Map (工会改革观察与促进), <https://www.clb.org.hk/zh-hans/content/%E5%B7%A5%E4%BC%9A%E6%94%B9%E9%9D%A9%E8%A7%82%E5%AF%9F%E4%B8%8E%E4%BF%83%E8%BF%9B>.

³⁵⁴ “China Labour Reform Observation and Promotion Map,” *China Labour Bulletin*, <https://www.clb.org.hk/zh-hans/content/工会改革观察与促进>.

³⁵⁵ “Local Trade Union Officials Express Desire to Support Workers But Acknowledge Limitations,” *China Labour Bulletin*, April 11, 2019, <https://www.clb.org.hk/content/local-trade-union-officials-express-desire-support-workers-acknowledge-limitations>.

³⁵⁶ Chongyi Feng, “The Dilemma of Stability Preservation in China,” in: *Journal of Current Chinese Affairs*, 42, 2, 3–19 (2013), <https://journals.sub.uni-hamburg.de/giga/jcca/article/download/630/630-655-1-PB.pdf>.

³⁵⁷ “Our Company Responds to the Action of the Liyang Federation of Trade Unions to Establish a ‘Gridded’ Early Warning System for Labour Relations” (公司响应溧阳市总工会建立劳动关系“网格化”预警机制行动), Jiangsu Hanyu Construction Group, May 10, 2018, <http://www.jshanyu.cn/content/?331.html>.

³⁵⁸ Yongshun Cai, “Grid Management and Social Control in China,” *Asia Dialogue*, April 27, 2018, <https://theasiadialogue.com/2018/04/27/grid-management-and-social-control-in-china/>.

³⁵⁹ “Shining a Light on the Work of China’s Trade Union Officials,” *China Labour Bulletin*, March 6, 2019, <https://www.clb.org.hk/content/shining-light-work-china’s-trade-union-officials>.

-
- ³⁶⁰ “Our Factory Has Closed Down. The Boss Can’t Pay Us Back Wages, and They’ve Run Off Owing the Staff Two Months of Wages and Tens Millions to Suppliers” (我们厂倒闭了, 老板给不了工资, 人也跑了, 欠员工两个月的工资, 欠供应商的好几亿), Weibo post by user “Don’t let me give up 98625” (别让我放不下 98625), August 28, 2018, 00:36, https://weibo.com/tv/show/1034:4277788887206479?from=old_pc_videoshow.
- ³⁶¹ “Workers Protest Toy Manufacturer Sudden Closure, Demanding Payment of Wage Arrears and Compensation in Shenzhen, Guangdong, Arrested and Beaten,” CLB Strike Map, August 28, 2018, <https://tinyurl.com/23yunvxx>.
- ³⁶² Changyu Li and Jie Deng, “Association Membership by Couriers and Eight Other Groups to be Promoted” (将推动快递员等八大群体入会), *People’s Daily*, April 11, 2018, <http://politics.people.com.cn/n1/2018/0411/c1001-29917885.html>.
- ³⁶³ “Trade Union Officials in Shandong Struggle to Get Up to Speed in Organizing Delivery Workers,” *China Labour Bulletin*, November 4, 2019, <https://www.clb.org.hk/content/trade-union-officials-shandong-struggle-get-speed-organizing-delivery-workers>.
- ³⁶⁴ “Frontline Trade Union Officials Kept in the Dark As Leaders Hold Meetings,” *China Labour Bulletin*, May 2, 2019, <https://www.clb.org.hk/content/frontline-trade-union-officials-kept-dark-leaders-hold-meetings>.
- ³⁶⁵ “China’s Truck Drivers’ Strike Over Stagnant Pay, High Fuel Costs and Arbitrary Fines,” *China Labour Bulletin*, June 11, 2018, <https://www.clb.org.hk/content/china’s-truck-drivers-strike-over-stagnant-pay-high-fuel-costs-and-arbitrary-fines>.
- ³⁶⁶ “A Tragedy On China’s Highways Illustrates the True Cost of Next Day Delivery,” *China Labour Bulletin*, February 11, 2019, <https://www.clb.org.hk/content/tragedy-china’s-highways-illustrates-true-cost-next-day-delivery>.
- ³⁶⁷ “Who Are the Teamsters?” International Brotherhood of Teamsters, visited March 26, 2021, <https://teamster.org/about/who-are-teamsters/>.
- ³⁶⁸ “Wuhan’s Good Trade Union Official Struggles to Be Heard,” *China Labour Bulletin*, July 16, 2019, <https://clb.org.hk/content/wuhan’s-good-trade-union-official-struggles-be-heard>.
- ³⁶⁹ “What Is the Latest Published Minimum Wage Standard in Hubei in 2016?” (2016 年最新公布湖北最低工资标准是多少?), June 3, 2016, *Sohu.com*, https://www.sohu.com/a/79885492_394384.
- ³⁷⁰ “New Content To Be Added to Beijing Courier Industry in 2020 Special Collective Contract” (北京快递行业 2020 年专项集体合同签订添新内容), *Laodong Wubao*, October 21, 2020, <https://card.weibo.com/article/m/show/id/2309404562406608338970>.
- ³⁷¹ *Trade Union Law of the People’s Republic of China* (2009 Amendment), Standing Committee of the National People’s Congress, August 27, 2009.
- ³⁷² *Labour Law of the People’s Republic of China*, Standing Committee of the Eighth National People’s Congress, July 5, 1994.
- ³⁷³ *Work Safety Law of the People’s Republic of China*, Standing Committee of the National People’s Congress, June 10, 2021.
- ³⁷⁴ “Three Injured in Fire at a Coal Mine in Sangzhi, Hunan,” CLB Accident Map, July 20, 2020, <https://tinyurl.com/2b4mkucv>.
- ³⁷⁵ “Government Inspections Fail to Protect China’s Coal Miners,” *China Labour Bulletin*, October 7, 2020, <https://clb.org.hk/content/government-inspections-fail-protect-china’s-coal-miners>.
- ³⁷⁶ “Provincial Federation of Trade Unions Comes to Sangzhi County to Carry Out Warmth Activities” (省总工会来桑植县开展送温暖活动), Zhangjiajie City Government (official website), January 21, 2021, archived at <http://webcache.googleusercontent.com/search?q=cache:eoioNdAkTOJ:sangzhi.zjj.gov.cn/c2370/20210121/i593069.html&hl=en&gl=de&strip=1&vwsr=0>.
- ³⁷⁷ Qiang Ji, “Jiangsu Trade Unions At All Levels Have Issued More Than 21 Million Yuan in Spring Festival Comfort Fees to Model Workers (江苏各级工会发放劳模春节慰问金 2100 多万元), *Xinhua Daily*, February 7, 2021, http://csj.xinhuanet.com/2021-02/07/c_139727277.htm.
- ³⁷⁸ “Worker’s Plea for Help Spurs Local Trade Union Into Action,” *China Labour Bulletin*, December 1, 2020, <https://clb.org.hk/content/worker’s-plea-help-spurs-local-trade-union-action>.

Chapter 12: Unions in a Campaign State

- ³⁷⁹ Kristin Looney, “Beijing Relies on the Extraordinary Deployment of People and Resources to Achieve Some of its Aims,” *Financial Times*, January 26, 2021, <https://www.ft.com/content/3223deec-2cb6-45a5-9119-8495728566b5>.

³⁸⁰ “Workers Protest Wage Arrears Owed by Construction Project in Bazhong, Sichuan,” CLB Strike Map, November 7, 2018, <https://tinyurl.com/36zadc62>.

³⁸¹ “Sichuan Trade Union Kept Busy with Poverty Alleviation Projects While Workers Go Unpaid,” *China Labour Bulletin*, June 24, 2019, <https://www.clb.org.hk/content/sichuan-trade-union-kept-busy-poverty-alleviation-projects-while-workers-go-unpaid>.

³⁸² “Local Trade Union Officials in Henan Are “Powerless” When It Comes to Work Safety,” *China Labour Bulletin*, July 14, 2020, <https://www.clb.org.hk/content/local-trade-union-officials-henan-are-“powerless”-when-it-comes-work-safety>.

³⁸³ “ACFTU Trumpets Self-Proclaimed Achievements in Poverty Alleviation,” *China Labour Bulletin*, October 13, 2020, <https://www.clb.org.hk/content/acftu-trumpets-self-proclaimed-achievements-poverty-alleviation>.

³⁸⁴ “Statement by H.E. Xi Jinping President of the People’s Republic of China At the General Debate of the 75th Session of The United Nations General Assembly,” Ministry of Foreign Affairs of the PRC, September 22, 2020, https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1817098.shtml.

³⁸⁵ Using Advantages, Cohering Strengths, Taking Proactive Action, the ACFTU Helps Win The War Against Poverty: Trade Union Anti-Poverty [Work] Delivers a Strong Report Card” (发挥优势、凝聚力量、主动作为，全国工会助力打赢脱贫攻坚战：工会扶贫，交出精彩答卷), ACFTU, September 29, 2020, <http://acftu.people.com.cn/n1/2020/0929/c67502-31879500.html>.

³⁸⁶ “Construction Workers Under Pressure as More Cities Rush to Build Hospitals,” *China Labour Bulletin*, February 6, 2020, <https://clb.org.hk/content/construction-workers-under-pressure-more-cities-rush-build-hospitals>.

³⁸⁷ “Workers Protest Against Delayed Payments of Wage by Complain to Media at the Construction Site of Huoshenshan Hospital for the nCov-2019 Virus in Wuhan, Hubei,” *China Labour Bulletin Strike Map*, February 17, 2020, <https://tinyurl.com/2pew962n>.

³⁸⁸ “A Trade Union in Lockdown,” *China Labour Bulletin*, May 4, 2020, <https://www.clb.org.hk/content/trade-union-lockdown>.

³⁸⁹ Christian Shepherd and Sue-Lin Wong, “China Detains Students, Labor Activists in Deepening Crackdown,” Reuters, January 23, 2019, <https://www.reuters.com/article/us-china-labour-rights/china-detains-students-labor-activists-in-deepening-crackdown-idUSKCN1PH0HS>.

CONCLUSION: Delivering on the Promise of Common Prosperity

³⁹⁰ Chris Buckley, Alexandra Stevenson and Cao Li, “Warning of Income Gap, Xi Tells China’s Tycoons to Share Wealth,” *New York Times*, September 7, 2021, <https://www.nytimes.com/2021/09/07/world/asia/china-xi-common-prosperity.html>.

³⁹¹ “Xi: Principal Contradiction Facing Chinese Society Has Evolved in New Era,” Xinhua News Agency, October 18, 2017, english.www.gov.cn/news/top_news/2017/10/18/content_281475912458156.htm.

³⁹² Xi Jinping, *Political Report to the 19th National Congress of the CCP*, CCP Central Committee, October 2017, full text available at <https://shss.sjtu.edu.cn/Upload/Files/2017-12-07-10-40-50-543156.pdf>.

³⁹³ “Deng Xiaoping: First Let a Few People Get Rich” (邓小平：让一部分人先富起来), *People.com.cn*, retrieved February 9, 2022, cpc.people.com.cn/GB/34136/2569304.html.

³⁹⁴ “From Grassroots to Lawmaker: A Glimpse of China’s ‘Whole-Process Democracy,’” *CGTN*, October 25, 2021, <https://news.cgtn.com/news/2021-10-24/A-glimpse-of-China-s-whole-process-democracy--14BX3wxFJCG/index.html>.