



# FALLING THROUGH THE FLOOR

Migrant Women Workers' Quest for Decent Work  
in Dongguan, China

China Labour Bulletin

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*Founded in 1994 in Hong Kong by independent trade unionist Han Dongfang, China Labour Bulletin actively promotes democratic union organizing and the protection of labour rights and workplace safety in mainland China. CLB's work is based on China's labour laws and on ILO Conventions Nos. 87 and 98, which provide for the right to freedom of association and the right to free collective bargaining. CLB pursues these goals through its Case Intervention program, by assisting workers to bring pro-labour rights lawsuits; through research and publications work; by formulating policy recommendations to the Chinese government; and through international advocacy, educational, and solidarity initiatives.*

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# 中國勞工通訊

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## 1. INTRODUCTION

*The overall goal of the International Labour Organization is decent work for women and men in all countries... Decent work goals move upwards with economic and social progress. But while there is no ceiling, there is a floor, set by the fundamental principles and rights at work of the ILO Declaration of 1998, and by the need for people to have opportunities for work, income and basic security.*

– ILO Director General, May 2004<sup>1</sup>

*As our survey has shown, the average monthly wage of migrant workers [in the Pearl River Delta] is only 600-700 yuan. Based on the local cost of living, such an income is only enough to buy four bowls of fried bean-sauce noodles a day.*

– Director of the PRC Bureau of State Statistics, May 2005<sup>2</sup>

Many studies have highlighted the exploitation of women workers in low-wage manufacturing jobs around the world. Seen by companies as tractable and hardworking, young women workers have become the preferred employees in low cost production centres such as China's Pearl River Delta. In this survey report, Chinese women workers tell us in their own words about their arduous experiences of trying to earn a fair and decent living in Dongguan, one of the country's fastest growing and most prosperous cities. As their accounts vividly show, while China's GDP has continued to rise by around 10 percent a year over the past decade, the women migrant workers who have contributed so much to that economic growth have not only failed to secure their fair share of the rising urban prosperity all around them - they are increasingly at risk of sinking below the minimum "floor" level for decent work as defined by the ILO.

In addition to describing the working and living conditions of the women workers interviewed, this survey report by China Labour Bulletin also looks at the rapid rise of job migration among women workers in the Dongguan area in recent years as a means of bargaining for better working conditions and wages. In view of the fact that the Pearl River Delta as a whole has been experiencing a major labour shortage since late 2003, especially with regard to the unskilled migrant workforce, these tactics could reasonably have been expected to produce the desired results. In fact, migrant workers' wages in the various cities of the Pearl River Delta

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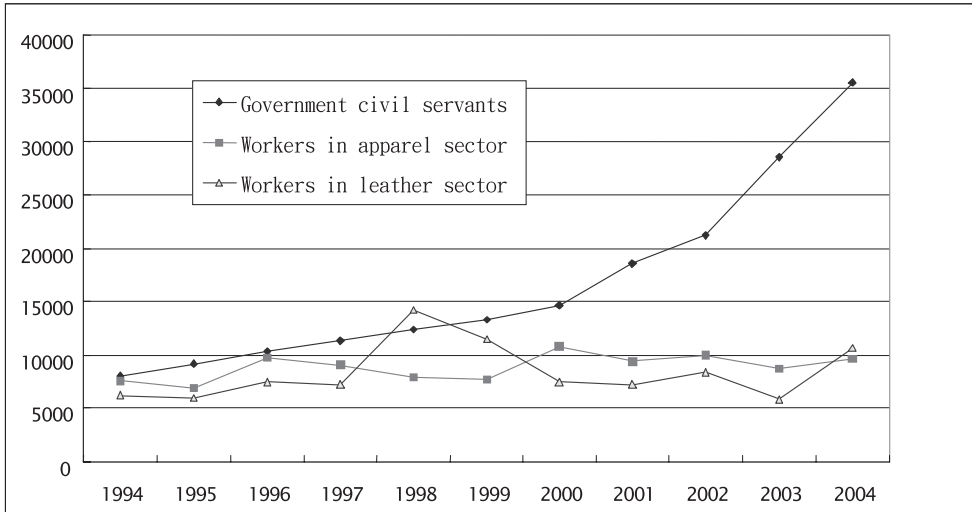
<sup>1</sup> "Decent Work Country Programmes" and "A Framework for Implementing the Decent Work Agenda," ILO Circulars No. 598 and 599, Director-General's Announcements Series: 1, 20 May 2004.

<sup>2</sup> "'Laodongli Dilian' zhi Wei - Zhongguo Laodongli Jiazhi yu Guoqiang Minfu" (Crisis of 'Low-cost Labour-power' - The value of labour-power in China and the [goal of] national strength and prosperity), *Zhongguo Jingji Zhoukan* (China Economic Weekly), 30 May 2005; available at: [www.nmpx.gov.cn/gongzuoyanjiu/t20050530\\_35419.htm](http://www.nmpx.gov.cn/gongzuoyanjiu/t20050530_35419.htm).

have remained unacceptably low and there appears to have been no significant overall improvement in working hours and conditions. Meanwhile, the labour shortage problem for employers throughout the region - a highly counterintuitive phenomenon, given China's still vast reserve of underemployed rural labour - has continued to worsen.

Various factors have been cited to explain this labour shortage: for example, the lure of alternative employment opportunities for migrant workers in the new export-processing zones that have sprung up elsewhere in China; and the recent reduction or abolition of agricultural taxation, which has led to greater rural prosperity in some provinces and thereby lowered the incentives for rural residents to seek work in the cities. The main reason, however, appears to be the continuing low wages, long working hours and poor working conditions endured by most migrant workers in the Pearl River Delta today. In increasing numbers, these workers have simply had enough and are voting with their feet.<sup>3</sup>

**Table 1: Comparative Income Trends in Dongguan City, 1994-2004 (yuan/annum)<sup>4</sup>**



As Table 1 shows, over the decade 1994-2004, the average income of civil servants in Dongguan Municipality increased by as much as 340 percent, from around 8,000 yuan to more than 35,000 yuan per annum. But during the same period, the average annual income of migrant workers employed in the city's clothing and leather manufacturing enterprises remained within the general range of 6,000 to 10,000 yuan. Average wages in the leather and shoe industry

<sup>3</sup> For a further analysis of this issue, see below: "The Labour Shortage and Failure of the Free Market".

<sup>4</sup> Source of data: *Dongguan Shi Tongji Nianjian* (Statistical Yearbook of Dongguan Municipality), 1995 to 2005 editions, China Statistics Publishing House. (No salary data for civil servants appears in the 1995 and 1996 editions, so the data points shown for those two years are linear averages only.)

NB: No separate income data are available for non-migrant workers, i.e. workers with full urban resident status, in the Dongguan area. This is doubtless because there are very few such workers in Dongguan: the vast majority of the city's manual-labour workforce is made up of rural migrant workers.

increased (mainly during 2003-04) by a total of 71 percent over the decade, while those in the apparel industry rose on average by only 28 percent. In other words, the increase in civil servants' salaries between 1994 and 2004 was around five times that of the leather and shoe workers, and more than ten times that of the clothing workers. Taking inflation and cost-of-living increase into account, migrant workers' income in Dongguan remained more or less static in real terms, and in certain sectors must actually have fallen. The vast majority of workers in Dongguan are rural migrants.

According to a recent report, moreover, as of May 2005 the average monthly wage earned by frontline production workers employed in the Pearl River Delta's manufacturing sector was still only between 600 and 700 yuan. Worse, these figures included both overtime earnings and employee-deductible social security premiums.<sup>5</sup> As one mainland analyst has remarked, in this region of China, even a wage of 800 yuan would barely suffice to cover a migrant worker's monthly food, accommodation and travel expenses.<sup>6</sup> So while consumption levels and the cost of living have soared in the Pearl River Delta over the past decade, it is clear that migrant workers' income has allowed them to maintain only the lowest local standard of living - or what the senior government official cited above referred to as "four bowls of fried bean-sauce noodles a day".

The present survey report is based on interviews with rural migrant women workers that were conducted by CLB in the Dongguan area in late 2004 and early 2005. Most of the women interviewed were working 12 to 14-hour shifts, seven days a week and with only one day off a month, and were earning monthly wages that ranged from 450 to 1,000 yuan (US \$56-124). In addition, out of 11 factories for which such data was known, among the total of 16 factories surveyed in this report only one had allowed the All China Federation of Trade Unions (ACFTU) - China's only legal union - to set up a union branch for its workforce. Since the government strictly prohibits the formation of independent trade unions, workers in the other factories were effectively denied the right to any form of collective representation.

The factories maintained harsh disciplinary regimes, and the women workers lived in fear of the heavy fines regularly imposed for breaches of the rules, however minor. In some of the factories, they could be fined a week's wages merely for "talking back" to supervisors. A few women reported that strikes had occasionally occurred in their factories and that in some cases workers had appealed to the local Labour Bureau for help; but such assistance was never forthcoming. The factories maintained a close relationship with the Labour Bureau staff, and were even able to co-opt the workers into disguising the illegal aspects of their labour practices during official inspections.

In such circumstances, unable to negotiate with their employers or take industrial action, most of the workers interviewed resorted to the one remaining tactic at their disposal - changing jobs. The issue of job mobility was one of the most frequently raised topics among the

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<sup>5</sup> See, for example: "Zhu San Jiao Mingong-huang Yijiu Jinzhang - Yipi Jingying bu Jia Zhong-xiao Qiye Daobi" (Migrant Labour Shortage in Pearl River Delta Still Severe - A Number of Failing Small and Medium Enterprises Close Down), Laodong Xinwen Wang (originally carried on Xinwen Wang, 20 April 2006), available at: [www.labournews.com.cn/newscent\\_play.asp?news\\_no=111885](http://www.labournews.com.cn/newscent_play.asp?news_no=111885).

<sup>6</sup> "Laodongli Dilian' zhi Wei...", op cit.



interviewees. At the time of this survey, several of them had just resigned from their jobs, while others were either about to quit or were planning to do so soon. In a market economy, this strategy should have been an effective means of securing better terms of employment. As this report shows, however, job migration rarely brought these workers such a result. Far from competing with each other for the dwindling number of young women migrants prepared to work for such long hours and generally low wages, factories across the Pearl River Delta have been able to maintain roughly the same wage levels and conditions as before.

### **The ILO's Decent Work Agenda**

1. The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity.

2. Decent work sums up the aspirations of people in their working lives – for opportunity and income, for rights, voice and recognition, for family stability and personal development, for fairness and gender equality. It reflects the concerns of governments, workers and employers, who together provide the ILO with its unique tripartite identity. In the ILO's action, decent work is captured in four strategic objectives: fundamental principles and rights at work and international labour standards; employment and income opportunities; social protection and social security; and social dialogue and tripartism.

3. These objectives hold for all workers, women and men, in both formal and informal economies, in wage employment or work on own account, in the fields, in factories or in offices, in their home or in the community.

4. The goal of decent work is the expression today of the ILO's mandate as laid out in its Constitution, which calls for "humane conditions of labour", and "universal and lasting peace...based upon social justice". It is the ILO's distinctive contribution within the UN system, and carries forward the framework of the Universal Declaration of Human Rights and the Declaration of the Copenhagen Summit on Social Development.

5. Progress towards decent work depends on the freedom of people to express their concerns, organize, defend their rights and participate in the decisions that affect their lives. It requires opportunities for employment that is productive and delivers fair incomes, and that in turn must be built upon entrepreneurship and enterprise, and an enabling environment for investment. It calls for action to promote security in the workplace, decent conditions of work and social protection for families. And social dialogue, grounded in the tripartite structure of the ILO, is both an end in itself and a means to achieve these goals – a flexible tool that enables governments, and employers' and workers' organizations, to manage change and achieve both economic and social goals at all levels....

8. Decent work is at the heart of global, regional, national and local strategies for economic and social progress. It is central to efforts to reduce poverty, and a means for achieving equitable, inclusive development. Its principles are – in the words of the Declaration of Philadelphia - "fully applicable to all peoples everywhere... while the manner of their application must be determined with due regard to the stage of social and economic development". Decent work goals move upwards with economic and social progress. But while there is no ceiling, there is a floor, set by the fundamental principles and rights at work of the ILO Declaration of 1998, and by the need for people to have opportunities for work, income and basic security.

— *"A Framework for Implementing the Decent Work Agenda," ILO Circular No. 598,  
Director-General's Announcements Series: 1, 20 May 2004.*

Moreover, many of the factories in this survey resorted to coercive methods to retain workers, such as arbitrarily blocking resignations and withholding wages. As a result, the one strategy open to the workers that had the appearance, at least, of enabling them to bargain for better working conditions in fact resulted, in most cases, only in a change of location, unchanged conditions and the loss of several months' pay.

## The Survey

Dongguan Municipality is located in the eastern-central part of the Pearl River Delta. It covers 2,465 square kilometres and has an official resident population of 1.59 million. In addition, there are 4.4 million people - mostly migrant workers - from other provinces and areas living in the city. In the more than 20 years since China's economic reforms were launched, the city has developed the manufacturing of electronics and communications equipment, clothing and footwear, and paper products and food processing into pillar industries. Investors have come from Hong Kong, Taiwan, Japan, South Korea, Singapore, the United States, the United Kingdom, Germany, France and many other countries to do business in Dongguan. The city has become a major base for international manufacturing and processing, as well as one of China's most important exporting centres. In recent years, the city has averaged an economic growth rate of 22 percent, making it one of the fastest growing areas of China.

As a result, the city has attracted a huge number of people from other parts of the country to work in its manufacturing centres. According to local government statistics, in 2004 the city was a temporary home to 4.13 million workers from outside Guangdong Province. The great majority of them are migrant workers from the countryside, and they are mainly employed in the city's private sector factories producing electronic goods, toys, garments and footwear.<sup>7</sup> The ratio of men to women workers in Dongguan is approximately 1:3, and there are currently an estimated three million or so women workers from outside the province employed in the city's factories.

In the course of the present survey, CLB interviewed 30 female and two male migrant workers employed in 16 privately owned factories in the Dongguan area. Six were owned by Taiwan companies, four by domestic Chinese companies, and two by Hong Kong companies; two were joint ventures between Taiwan and domestic companies; one was a joint shareholding company; and the ownership status of the remaining factory was unclear. (See Appendix I, Tables 2 and 3, for further details of the factories concerned.) The youngest interviewee was 14 years old (the legal working age in China is 16), the eldest was more than 30, and the majority were aged between 20 and 25; one interviewee, a former migrant worker, had recently begun working for a local NGO. The workforces in all 16 factories were either mainly, or almost entirely, female.

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<sup>7</sup> There are two main categories of "rural migrant worker" (*nongmin gong*) in China: 1) those employed as workers in the locality where they are officially domiciled under the rural household registration (*nongcun hukou*) system; and 2) those who have left their place of official household registration and found employment in urban areas. Although rural migrant workers now make up the bulk of the workforce in most of China's southern and coastal cities, in the great majority of cases they are still not allowed to acquire urban registration (*chengshi hukou*) status.

In-depth interviews were the primary methodology used in carrying out the survey. All the factories had strict policies controlling access to the workers' dormitories and other living quarters, so the meetings with the women workers had to be conducted outside of the factory premises, at unspecified times and whenever an opportunity arose. It proved impossible to conduct interviews or obtain substantive information from any of the line managers or security guards at the factories. Interviews with the migrant women workers were carried out either during their rest breaks or after they had finished work for the day, and in public places such as markets, shopping malls or even on the streets. The women were interviewed either individually or in small groups of two or three; the largest group consisted of five.

In all cases, the names of both the factories and the individual interviewees have been omitted in this report: the latter for reasons of interviewee confidentiality and safety; and the former because we believe the conditions in the factories surveyed are broadly typical of those in the Dongguan area, and our primary goal here is to document these typical conditions rather than to "name and shame" individual companies.

## Main Findings

The survey found that nearly all of those interviewed were working compulsory overtime hours well in excess of the limit imposed by China's Labour Law.<sup>8</sup> In the worst cases, they were expected to work up to 16-hour shifts. Moreover, while management usually explained such overtime arrangements as being a temporary necessity to cope with new orders, they were often extended over long periods of time. In most cases, it was clear that the employers' abuse of overtime arrangements was basically a means of compensating for the growing labour shortage in Guangdong.<sup>9</sup>

The survey also looked at the low wage levels offered by the employing factories. The income of those interviewed ranged from 450 yuan (the local minimum wage in Dongguan at the time)<sup>10</sup> to about 1,000 yuan a month. The actual composition of these wages - that is, how they were earned - was determined by a range of complex factors, the combined effect of which was both to confuse the workers and to greatly reduce the employers' payroll burden:

- Most of the factories pegged their "basic wage" (the amount earned for a standard working month of 40 hours per week) at the same level as the Dongguan government's "local minimum wage" - which is generally set at between only 40 percent and 60 percent of average individual monthly living costs.<sup>11</sup>

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<sup>8</sup> According to the PRC Labour Law, the standard working week is 40 hours and a legal maximum of 36 hours of overtime can be worked per month.

<sup>9</sup> See also: "Survey Report on the Shortage of Migrant Labour" (*Guanyu Mingong Duanque de Diaocha Baogao*), Research Group of the Ministry of Labour and Social Security; website of the Ministry of Labour and Social Security Publishing House, 9 September 2004, available at:

<http://www.class.com.cn/newsdetail.cfm?iCntno=2392>.

<sup>10</sup> On 1 March 2005, the Dongguan minimum wage was raised to 574 yuan; on 1 September 2006, it was further increased to 690 yuan per month.

<sup>11</sup> See below: Note 18, and section headed "Wages, Arrears and Deductions".

- Workers could therefore increase their earnings above this low level only by working substantial amounts of overtime. Indeed, the survey found that overtime pay accounted for between 30 to 50 percent of the interviewees' final monthly pay packets.
- In addition, the factories routinely failed to pay workers properly for their overtime hours. The most frequent practice was to pay only part of the hours in excess of the 40-hour week at overtime rates, and to do so at well below the legally stipulated rate. Another method was to switch workers from an hourly rate to a piece-rate basis and then set unrealistic quotas for the number of items to be completed per hour.
- Moreover, many of the workers were paid solely on a piece-rate basis: in their case, there was no guaranteed "basic wage" at all, and they generally had to work for much longer than 40 hours a week before earning even the equivalent of the local minimum wage.
- The workers' meagre earnings were further reduced by charges for accommodation and food and by the many fines charged by the factories for trivial infractions of rules, such as "looking around", "sitting cross-legged" or "spending too long in the toilet".

The net result of these harsh wage policies and practices was that many of the women workers were unable to accumulate any significant savings, despite the fact that their main purpose in coming to Guangdong had been to find work to provide for their families back home in the countryside.

Very few of the women interviewed had tried to press for better terms and conditions of employment. They were well aware that their employers' preference for hiring young female workers was based on the notion that they would be less likely to stand up for their rights. As one interviewee put it, "The factories hire young women because they are obedient and easy to manage, whereas young men tend to stand up more for their rights." Mainly for this reason, most of the fast-growing number of cases of labour unrest and worker protest in China nowadays tend to involve male workers.<sup>12</sup> However, the reality is that all migrant workers, regardless of gender, suffer from much the same kinds of problems at work - and women workers often have serious additional difficulties to contend with.

Migrant workers in general form a large social underclass in Dongguan, as in most other Chinese cities today, mainly as a result of the reduced legal and social rights they enjoy as "temporary guests" in the cities. Under the country's household registration (*hukou*) system, for example, until very recently their children could not attend public schools in most cities. Most migrant workers are also effectively denied access to urban healthcare services because their employers fail to provide them with legally required medical insurance. Their second-class status is further compounded by their sense of isolation from any of the networks that might have supported them at home.

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<sup>12</sup> In April 2004, for example, thousands of workers took part in rowdy protests at two shoe factories in Dongguan owned by Stella International, a large Taiwanese company. Women made up about 70 percent of the labour force, but it was mainly their male colleagues who took part in the protests. (See: "Release and Sentence Reductions for Stella Shoe Factory Workers," CLB, 10 January 2004; available at: <http://iso.china-labour.org.hk/public/contents/article?revision%5fid=18223&item%5fid=8511>.)

In particular, the women workers interviewed in this survey had received no support of any kind from local labour rights agencies; and in only one of the 11 factories for which such data was known was a trade union branch allowed to operate on the premises. In 2001, the ACFTU announced that it had begun setting up trade unions in private enterprises, and by late 2004 it was actively seeking migrant workers as members. This programme, clearly, has so far failed to reach the vast majority of migrant workers in Dongguan.

In such circumstances, switching from one job to another had become the one means available to the workers to “bargain” for better conditions. Under usual market conditions, this strategy should have generated an upward pressure on wages, particularly given the labour shortage currently prevailing in the Pearl River Delta. However, the average wage levels of migrant workers in the region have barely, if at all, kept pace with inflation and the rising cost of living since at least 1994. While the phenomenal economic growth of the Pearl River Delta is usually attributed to the successful application of market economics, the thousands of local factories that employ migrant workers appear not to have been subject to the normal forces of supply and demand. Far from competing with each other for the dwindling number of young women migrants arriving to seek work, factories have been able to maintain more or less the same wage levels and conditions across the region. Indeed, migrant workers’ weak legal status and lack of knowledge about their rights have allowed many factory owners to adopt blatantly coercive means to keep them in their jobs, such as systematically withholding wages and then threatening workers that they will lose their wage arrears if they try to leave.

Since the low cost of labour is officially seen as being the region’s main competitive advantage, little external pressure has been put on factory owners to ensure that workers are given a fair deal. While this strategy has been extremely successful in promoting economic growth - Guangdong Province currently produces around one-third of the country’s exports - it has also exacted a huge human cost. This cost is being borne disproportionately by China’s most vulnerable group of workers: the migrant women workers whose situation we will now consider in more detail.

## **2. WORKING CONDITIONS**

The main anchor points, as laid down in the PRC Labour Law, for the protection of basic workers’ rights in China today are, firstly, the individual labour contract (*laodong hetong*); and, secondly, the social security and labour insurance system (*shehui baoxian zhidu*). The labour contract between employer and worker provides the latter with proof of his or her employment and hence confers clear entitlement to the various rights protections set forth in the Labour law. Without it, no such protections can be claimed or enforced, even (indeed especially) in a court of law. For this reason, among others, all employers in China are legally obliged to provide their workers with individual labour contracts.

In the past, social security and insurance coverage was provided to workers directly by their employing unit, usually a state-owned or collectively-owned enterprise. But with the start of the “socialist market economy” and the program of “enterprise restructuring” from the early 1990s onwards, employers were divested of these obligations and a national system of social

security and labour insurance was created instead. Again, all employers are legally obliged to establish and pay into the social security and labour insurance account of each of their workers on a monthly basis; the worker's own contribution is deducted from her monthly wage. The various key items covered under this scheme include the old-age pension plan, unemployment insurance, medical insurance, childbirth insurance and work-related injury and illness insurance.

However, workers at only three of the 16 factories included in the CLB survey reported that their employers had provided them with any form of labour contract. Eleven of the factories had failed to do so, and the situation in the remaining two factories was unclear.<sup>13</sup> The great majority of the women workers interviewed also reported that their employers were not providing their legally mandatory social security and labour insurance contributions, thus leaving the workers bereft of the above-mentioned key protections. Only workers who remained on the payroll for a certain number of years were held to be “eligible” for such treatment; at the same time, senior managerial staff was provided with commercial insurance coverage. A list of the various special protections for the rights and welfare of women workers in China, as specified under the PRC Labour Law, is provided in Appendix III below.

### Working Hours

Most of the young migrant women workers interviewed by CLB in Dongguan worked 12 to 14 hours a day, seven days a week, and with only one day off a month. This meant they worked between 84 to 98 hours a week on a regular basis. According to China's Labour Law, the standard working day is eight hours and the normal working week is 40 hours. If an



• *Women workers on the assembly line*

employer wishes to lengthen the working period for business reasons, this can lawfully be done only after negotiations with the official trade union and/or the workers. The working day can be extended by one hour, or under special circumstances by no more than three hours, but the total number of additional hours per month may not lawfully exceed 36 hours. The Labour law is also quite clear on how overtime pay is to be calculated: on normal working days, it is to be paid at one and a half times the regular hourly rate; on weekends or other rest days, at twice the regular rate; and on public holidays, at three times the regular rate.

<sup>13</sup> For details, see Appendix I, Table 1. According to Article 16 of the Labour Law, employers are obliged to provide all their workers with signed individual labour contracts. Articles 72 and 73 of the same law requires that employers participate in the social security and labour insurance scheme on behalf of all their employees.

Most of the women interviewed were clearly unhappy with their long working hours and low pay, but they were forced to accept the situation because overtime was compulsory, leave was very rarely granted and they would be penalised for not showing up at work. Only those working in two of the 16 factories covered in this survey said that they seldom worked any overtime. In all the other factories, the women worked substantial overtime on a regular or even daily basis. Normal overtime could be anything from two to eight hours per day, and it often continued into the early hours of the morning. In some cases, therefore, the normal working day was as long as 16 hours. In one factory, moreover, during peak production periods the workers had sometimes had to put in 16 hours of overtime - making a 24-hour working day.<sup>14</sup>

According to the women workers interviewed by CLB,<sup>15</sup>

– [Working hours] are normally from 7:30 am to 12:00 noon, and from 1:30 to 5:30 pm. Evening overtime is from 6:30 to 9:30 pm if there's not much to do. If there is a lot to do, then we have to work overtime about 26 or 27 days a month. We only get one day off at the end of the month. As for the major public holidays, like May 1, October 1 and January 1, these cancel out the regular day off at the end of the month, which means that we don't really get a holiday. In April and May when there's not as much work to do, we don't have to work overtime. If they ask us to work overtime, we have to do it. If we don't work the overtime, that is regarded as skiving off, and a fine gets deducted from our wages. There's far too much overtime, and many of us really don't want to do it. I know some women who've fainted because they were so exhausted. (#1/2)

– Some weeks we work overtime every day, about 12 to 13 hours a day. When there's a lot to do, we often work until midnight. The factory makes us start work at 8 am, but we also have to run and do military-style training in the field starting at 7:30 am. We usually only do this training for about five minutes and then we go back to the factory and start work right away. We stop for lunch at noon. The afternoon shift is from 1:30 to 5:30 pm, and then we have to work overtime from 6:30 to 10:30 pm. If we're rushing to complete an order, then we'll work overtime until around 11:30 pm. (#13/3)

– When there's a lot to do, we often work overtime. We work about 170 hours or more of overtime every month. Sometimes, we work all night and we have to work our shift as usual the next day. You have to work overtime. If you don't, it's regarded

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<sup>14</sup> See Appendix I, Table 2, for details.

<sup>15</sup> All the interviewee responses are shown below in indented format. A dash at the start of a paragraph indicates that a new or different interviewee has begun speaking. In all cases, the names of both the factories and the individual interviewees have been omitted. Instead, each individual response ends with an Interview Code placed in brackets: e.g. "(#1/2)". The first part of the code denotes the particular group of interviewees concerned; and in most cases, this number also corresponds to a particular factory. In a few cases, however, more than one group of workers was interviewed from the same factory, while in others, a single interviewee group included workers from more than one factory. The second part of the Interview Code indicates the number of workers who took part in the interview. For further details of the various factories and interviewee groups, see below: Appendix I, Tables 1 and 2.

as skiving off. For every day of work you miss, they'll deduct three days' wages. But sometimes you're just so exhausted that you have to take a day off anyway. (#11/3)

As mentioned above, China's Labour Law stipulates an eight-hour normal working day, with maximum permissible overtime set at 36 hours per month. But the interviews showed that many factory owners in Dongguan make their workers put in far longer working hours than this.

– We work 14 hours a day. The working hours are from 7:30 to 11:30 am, 1:30 to 5:30 pm, and 6:30 to 10:30 pm. If we're rushing to fill an order, then we continue working right through until 12:30 am the next morning. We have a break for something to eat in the evening. These periods when we're rushing to finish an order and working lots of overtime can go on for 20 days or more at a stretch. If we're not rushing to complete an order, then we only work about four hours of overtime a day. You have to work the overtime. If you don't, they'll fine you. (#3/2)

– The factory works three rotating shifts. The early shift is from 6:30 am to 2:30 pm; the middle shift is from 2:30 to 10:30 pm; and the night shift is from 10:30 pm to 6:30 am. Each shift is eight hours, with half an hour off in the middle for a meal. If we have to work overtime, then the shift lasts for 12 hours. For example, the early shift women will have to come back to work from 7:30 pm to 11:30 pm. Right now, a lot of workers have left this factory, so we're pretty busy and have to work overtime. But it's not every day, only about three days a week. If you're assigned to the day shift then you always work that shift, and it's the same for workers on the other two shifts. The way we look at it is, since we've nothing else to do, we might as well put in the overtime hours. (#8/1)

The factory managers' methods of calculating overtime hours also clearly contradicted the relevant provisions of the Labour Law. According to the interviewees, managers basically regarded the payment of overtime as an internal matter to be decided on by the factory, and not as a statutory right of the workers. Indeed, many of them seemed to award overtime pay as a kind of "discretionary bonus" entirely untied to the actual number of overtime hours worked.

– The working hours are from 7:00 am until 8:30 pm, and only three hours of that is counted as overtime. In fact, even if you work until 9:30 pm, it's still only counted as three hours of overtime. Only working on Saturdays is considered overtime. (#9/2)

– The working hours are usually from 7:30 am to 11:30 pm and sometimes even longer. We often work eight hours of overtime, but that counts as only two hours of overtime pay. They call this way of doing things "voluntary overtime". (#10/1)

The workers, of course, were obliged to work this so-called voluntary overtime. Another method favoured by the Dongguan factory owners to avoid paying for overtime was to apply the concept of "extended hours" (two ban). This involved the factory setting individual production quotas for each worker at a level that was impossible to meet within normal working hours.



Whenever these production quotas were not met, workers were then required to continue working until they had done so - and they received no overtime pay for these extra hours of work.

–There’s too much overtime. We’re really exhausted by it. Management gives us a quota and if you can’t finish the quota in the overtime period, then you have to extend your hours until you’ve met the quota for the day. Extended hours aren’t considered as overtime, so you don’t get any overtime pay; and you know, we’re always having to do these extended hours. Sometimes we work all night, sometimes until 7:30 in the morning, and they still won’t let us quit. We have to keep going until 9:30 am, until we can’t even keep our eyes open. Our boss is just cruel and greedy. (#3/2)

– The supervisor on the floor is a relative of the boss and he doesn’t understand a damned thing. He’s simply not up to the job of being a manager: he only knows how to scold people. He knows that in one hour you can only manage to do 15 pieces, but he sets the quota at 50. If you can’t meet the quota, then you have to put in extra hours. But there’s no overtime pay for that. They say “other people can meet the quota, so why can’t you?” In fact, no one can ever fill the quota in time. (#11/3)

– If you can’t meet the quota you’re given, then you have to extend your shift. Extended hours aren’t counted as overtime, so you get no extra pay for them. Usually you have to extend about half an hour to one hour on average a day. There was a time when we were rushing to fill an order and there was some problem with the quality of the pieces, so they were sent back to us. We started working on them again at 6:30 am and didn’t finish until 2.00 the next morning. That day, though, we had to get up and go to work as usual. We get no pay for the hours spent working on anything that gets sent back. (#13/3)

In addition, in several of the factories overtime hours were arbitrarily juggled around. If the day shift was 13 hours long, for example, only four of those hours would be treated as overtime, rather than the statutory five hours. However, if the night shift was 11 hours long, four of the hours would be considered as overtime, instead of the statutory three hours. The workers believed that their bosses were giving them an extra hour of overtime pay for doing the night shift. In fact, it was the day shift workers who were paying for this “extra” overtime pay.

### **Rest Days and Sick Leave**

The usual pretext given for these excessively long working hours was that the factories needed to meet contract deadlines or fulfil urgent new orders. But as the interviews revealed, some form of overtime was often included in “normal working hours” for protracted periods of time. This situation clearly underscored the importance of factories observing the workers’ legal right to take rest days; but as the interviews also showed, in practice most of the women workers were also obliged to work on their normal rest days and even on public holidays.<sup>16</sup>

<sup>16</sup> According to Articles 38 and 40 of the PRC Labour Law, employers must give their staff at least one day off work per week. In addition, all statutory holidays must be observed - 1 January; the first three days of Chinese New Year; the International Labour Day break, 1-3 May; and the National Day holidays, 1-3 October - and workers must be paid normal wages for these days.

- We work overtime 26 or 27 days a month. We only get one day off at the end of the month. But whenever there are official holidays, such as May 1, October 1 and January 1, they take the place of our monthly day off, so we don't really get those public holidays at all. (#1/2)
- We have no Saturdays or Sundays. There's only one day off work a month. The 30th of the month is payday, and we then get the next day off. (#3/2)
- We normally work eight hours a day and six days a week. We work three hours of overtime on Monday, Tuesday, Thursday and Friday evenings. There is no overtime on Wednesday and Saturday and we have Sunday off. (#6/1)
- We don't have a weekend really. Working on Saturday is not considered overtime; but Sunday is, if you have to work that day. We only get a break on Sundays if there's no more material to work on or if there's no electricity. But I've only come across those situations twice since I've been here. (#8/1)

In addition, none of the women who were actually able to avail themselves of their personal rest days and statutory leave periods received any wages for those days, which was another clear violation of the Labour Law.

- We're given 45 days maternity leave and 20 days marriage leave. If that's not enough you can sometimes get another five days. Even if you've been working here for a long time, you can't get any more than that - and you don't get paid for any of those days off. If a woman has a baby, her mother might come here to take care of it, or she'll send the baby home to her parents when it's about one month old. (#1/2)
- We get the day off on the May 1 and October 1 holidays, but we don't receive any wages. As for how much time we can get off at Chinese New Year, that depends on the size of the orders we have to complete.<sup>17</sup> If we've a lot to do, then we might get about 10 days off, and if we're not busy we'll get about two weeks. But we don't get paid at all for it. You can get between two and four weeks of leave if you get married, and about two months' maternity leave if you have a baby. I'm not sure whether you get any pay for that time off. (#3/2)

During peak production season, the women were required to work many hours of overtime, and this often took a severe toll on their health. It was especially difficult for them to get a day off at such times; and if they managed to do so, the factory would always deduct something from their wages or monthly bonus. Many women reported that they sometimes had no option but to take days off work without permission - a step that resulted in large fines being imposed.

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<sup>17</sup> The Chinese New Year period is the longest holiday of the year and the main opportunity for migrant workers to return home.

– It wouldn't be fair to say that you can't ever get time off; but if you're sick, the most you can expect is one day off. If you're really tired and need a rest, the only thing to do is go absent without leave. But it's not worth it unless you've just no choice, because then you'll lose your full attendance bonus and overtime pay, and they'll deduct four days wages as a fine. We all came here to work for money, not to have fun; so unless there's some kind of an emergency we don't ask for a day off. We really wish the factory would let us take the day off when we really need it, instead of forcing us to go absent without leave. They fine you 100 to 200 yuan for each day you do that. (#5/2)

– If it's not too busy, you can ask for the day off, but then you'll lose your 30-yuan full attendance bonus. If you ask for Sunday off, they won't deduct anything from your wages. You can only ask for four to six days leave [without pay] in a month. If you ask for more than that, they'll deduct 13 yuan from your month's wages for each additional day. When we're really busy, it's hard to get even a single day off. The most you can hope for is a half-day's break. (#8/1)

– If we have orders to fill, then absolutely no one can take a day off. If you're sick, you just have to go absent without leave. If you're so sick that you can't get out of bed, the manager will still try and tell you to get up and go to work. Only if you're actually dead will he give you the day off. (#11/3)

### **Wages, Arrears and Deductions**

Over the past decade or so, both male and female factory workers in the Pearl River Delta area have seen little real improvement in their basic wage rates, which have continued to hover closely around the minimum wage levels set by local governments. While most of the migrant women workers interviewed for this survey earned monthly income significantly higher than the Dongguan minimum wage of 450 yuan per month, this was only because of the excessively long overtime hours they worked. In some cases, the factory-set basic wage was well below the local minimum wage.

China has had a minimum wage system in place since 1994. Under the country's Minimum Wage Regulations, local governments at city and county level are required to set local minimum wage levels on the partial basis of the average monthly cost of living in their area.<sup>18</sup> According to Article 12 of the Regulations, moreover, the minimum wage is defined as being exclusive of payments for any overtime worked, employer-provided social security premiums, and other benefits. The basic wages set by individual factories cannot lawfully be lower than the local minimum wage, and skilled workers or those with seniority are entitled to receive a higher basic pay.

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<sup>18</sup> *Zuidi Gongzi Guiding* (Minimum Wage Regulations), Ministry of Labour and Social Security, effective March 1, 2004. This document superseded the Ministry of Labour's November 1993 "*Qiyue Zuidi Gongzi Guiding*" (Minimum Wage Regulations for Enterprises.) The local minimum wage, which is reviewed and periodically adjusted by city and county governments, is generally set at between 40 percent and 60 percent of average individual monthly living expenses.

As was noted earlier, most of the Dongguan factories set their basic wage at the same level as the local minimum wage - an amount equivalent to 40 to 60 percent of the average individual monthly living costs for urban residents. To earn significantly more than this, migrant workers had to put in long hours of overtime. In addition, the factories routinely failed to pay them properly for this overtime, instead paying only part of the hours worked in excess of the 40-hour week at overtime rates - and often at a level well below the legally stipulated rate. Another commonly used trick was to switch workers from an hourly pay rate to a piece-rate basis and then to set unrealistic production quotas; failure to fulfil the quota within normal working hours meant staying on until the job was done, but without earning any overtime pay. Finally, for those workers who were paid solely on a piece-rate basis, the factories provided no “basic wage” at all: in most cases, these women had to work much more than 40 hours a week before earning the equivalent of the local minimum wage.

The original purpose of China’s minimum wage system was to ensure that, even in the worst-case scenario, wages would not fall below the stipulated minimum level. It was clearly not to create a situation whereby workers would have to put in excessively long overtime hours simply to earn a decent final wage. But by pegging the “basic wage” to the local minimum wage and resorting to the various other methods listed above, Dongguan’s factory owners have created just such a situation. In practice, the minimum wage system - coupled with a lack of proper monitoring and enforcement by local authorities - has facilitated collusion among factory owners in maintaining low wage levels and conditions across the city.

The CLB survey found that overtime pay accounted for as much as 30 to 50 percent of the workers’ final monthly wages. Among those interviewed, moreover, few earned a total wage of more than 1,000 yuan a month. This finding was confirmed more generally in a report issued by the Guangdong Federation of Trade Unions in January 2005, which stated that 76.3 percent of rural migrant workers employed in Guangdong Province earned a total wage of less than 1,000 yuan per month; the take-home pay of 63 percent was between 500 and 1,000 yuan, while 13.2 percent earned less than 500 yuan. Moreover, these wage levels have to be viewed in the context of the increase in the cost of living and inflation in recent years. According to the same report, the overall cost of living for a migrant worker in the Pearl River Delta was currently around 500 yuan per month. It follows that the 13.2 percent of migrant workers in the region who earned less than 500 yuan per month were failing even to make ends meet. And many of those in the next higher income bracket - the majority - were able to save only a small amount each month. In virtually all cases, the workers concerned had to work excessive amounts of overtime in order to achieve even this level of income.<sup>19</sup>

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<sup>19</sup> “White Paper on Migrant Labour in Guangdong: In the past 12 years, wages have only risen by 68 yuan” (*Guangdong Wailaigong Baipishu: 12 nian lai gongzi zhi tigele 68 yuan*), Yangcheng Evening News (*Yangcheng Wanbao*); republished in Nanfang Wang, 20 January 2005, available at: <http://www.southcn.com/news/gdnews/sh/yg/gz/200501210053.htm>.

*Low wages*

Not surprisingly, strong dissatisfaction with existing wage levels was expressed by nearly all of the respondents to this survey.

– We’re working on a piece rate basis and there is no basic wage here. I’m working on the preliminary inspection line right now. Each day I usually go through about 10 dozen pieces. There are 12 pieces in a dozen and I get 2.20 yuan for each dozen. So everyday I earn about 20 to 30 yuan. Piece work is really lousy. If you’re too quick, the factory will lower the pay you get per piece. When we’re filling an order, we work overtime like crazy and still our wages won’t be more than 1,000 yuan. When there are few orders, our wages can be as low as 100 to 200 yuan. When you first start working in the factory, you’re very slow, so you only earn about 90 yuan a month. (#4/2)

– If you’re working on piece rate basis and you get a lot of overtime, you’ll earn more than 900 yuan a month, but if there’s no overtime, then you’ll only get about 600 to 700 yuan a month. If you’re working on an hourly basis, you’ll get between 600 and 700 yuan a month when there’s no overtime and up to 900 yuan a month if there’s overtime. Overtime pay is four yuan an hour.

– The basic monthly wage is 450 yuan. Overtime pay is 3.65 yuan an hour. Every month they take out 60 yuan for daily expenses and five yuan for toiletries. That leaves about 300 to 400 yuan, which is not enough to pay for your expenses when you go home at Chinese New Year. (#10/1)

– In that plant, our wages were a little more 700 yuan a month. We often worked overtime. The hourly wage used to be 1.60 yuan an hour, but it’s been raised to two yuan an hour now, except for those who do piece work. The basic wage is about 550 yuan a month. A lot of people have quit recently, so they’ve increased the basic salary a bit and raised the overtime rate a little. They usually pay the wages on time. (#17/5)

– We get no holidays when we have orders to fill. We just work non-stop. But when there are no orders, we still have to go the factory and hang around. We just sit there for nine hours. Periods like this used to be considered as “holiday time” and workers weren’t even paid; but now because they want to keep people, especially the technical staff, they’re going to pay us 400 to 500 yuan a month for periods when we’re just sitting around. (#5/2)

*Payment delays and wage arrears*

In addition to the excessively low wages, workers also complained of frequent delays in the actual payment of wages and about various unjustified deductions from their monthly pay. Although the payment delays were not as severe as those commonly seen in the construction industry in China, they could still be as long as three months. In some enterprises, delaying

the payment of wages was a commonly used means of holding on to workers who would otherwise have quit their jobs.

– Sometimes the factory doesn't pay us on time. They should pay at the beginning of the month, but they usually delay until the seventh or eighth day of the month. That means that we don't get the money for the previous month until the 10th day of the next month. If you don't want to live and eat at the factory dormitory, the company will give you 120 yuan in living expenses, but right now, they're about four months behind in paying that. (#5/2)

– The factory often doesn't pay wages on time. It's about one month behind. One month's wages are about 500 to 600 yuan. Overtime pay is 2.50 yuan an hour. But the amount of overtime that the boss calculates and what we calculate are never the same thing. Sometimes when we divide the total overtime pay by the number of hours that we worked, we find he's only paying us 1.50 yuan an hour or even just 1.00 yuan an hour. That's why a lot of people don't want to work here. We really hate this factory. Everyone wants to quit - including the clerical staff, the workshop foremen and even the managers. But the boss won't let them. (#11/3)

- The biggest problem with this factory is that they hold back the wages. They're usually about two months behind in paying our wages. Now it's already December, but we haven't even received our wages for October yet. Some people need to send money home, so they have to borrow from others. (#13/3)

### *Fines and penalties*

Another common complaint of the women workers was that any minor infringement of the factories' strict rules and regulations resulted in substantial fines being imposed. In this way, their already thin pay packets would often be reduced still further by the end of the month.

– When I was working at the shoe factory, our working hours were from 7:30 am to 10:30 pm; the rest time per shift was two hours in all. When we were working, we weren't allowed to get up and walk around or even to look around us. If we were caught doing either of these things, we'd get fined. (#8/1)

– I get fined all the time. I get fined for anything and everything. After two hours on the job in the morning, we get a 10-minute rest break. It's only during those 10 minutes that you're allowed to go to the toilet. If you try to go at any other time and you get caught, you're fined. When you first start working here, they don't give you any kind of training. They only tell you what you'll get fined for. On Sundays if you go out and come back after 1 am, you'll be fined. The factory says it's because they're concerned about the safety of the workers. If any of the material you're using falls on the floor, you'll be fined 50 yuan. The line manager and the workshop supervisor often pick quarrels with the workers on the shop floor. If it's you, you get fined for that too. This factory must be really short of money. Why else would they be fining

us for this and that? (#11/3)

– When you enter this factory, you’re under their control. They are always imposing fines. You get fined for this and fined for that. They are really strict about everything. You can’t sit with your legs crossed - they say that’s not the proper way to sit while working. If you get tired sitting in one position and you want to stretch your neck or whatever, you can’t. They won’t even allow you to look around! You’re not allowed to wear any kind of flip-flops or sandals in the workshops. If they find you doing it then you have to mop the floor as punishment, and if you refuse, you get fined.

If you want to use the toilet, you need a permission slip. Forty or 50 people working in one unit and each one needs a permission slip to use the toilet! Only one person can use the toilet at a time, and if they discover that two people have gone at the same time, you’ll both be fined. There are no exceptions, even when you have your period. Nobody cares about your situation. If you’re in the toilet too long and a lot of stuff gets piled up on the assembly line, you’ll be yelled at by the supervisor and fined 50 yuan. So sometimes you’ll go the entire morning without being able to use the toilet.

If you’re even one minute late for work, they fine you. And if you’re sick, you can’t get any time off. If you don’t do the overtime hours after dinner, you’ll be fined 50 yuan. If you don’t clean the table after dinner, you’ll be fined. Some months, some people have as much as 200 yuan in fines taken out of their pay; and you know, one day’s wages are only 15 yuan! (#13/3)

## Workplace Health and Safety

As noted earlier, factories in low-wage environments generally prefer to employ young women workers, since they are seen as tractable and hardworking. From the employers’ point of view, however, one disadvantage of hiring female workers is that they sometimes become pregnant. In the case of Dongguan, all of the women interviewed by CLB stated that their employers made no special provision or allowance for female employees during their menstrual periods, or for pregnancy, childbirth or nursing. In a further contravention of the Labour Law, the same factories provided no paid maternity leave,<sup>20</sup> so workers who became pregnant had no option but to leave their jobs without pay or compensation, and then apply to be rehired again at the factory soon after giving birth.

– The factory doesn’t make any allowance for us during our periods, and if you’re feeling unwell you can’t get the day off. If you’re sick, it’s impossible to get time off work unless you’re actually running a fever. Then you’re allowed a day off. (#1/2)

– The factory doesn’t do anything for us when we have women’s problems. You can ask for a day off when you have your period, but if you do, they deduct your full attendance bonus for that month and you lose part of your wages as well. There’s no

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<sup>20</sup> According to Article 62 of the Labour Law, women employees are entitled to not less than 90 days maternity leave with pay.

clinic or nurse's station in the factory. The worst is when you have to work at night and you're really exhausted. We've had cases of people getting ill from this. For example, when we're rushing to fill orders during the peak season, some girls have collapsed because they're so weak and tired. (#3/2)

– One time I had really bad cramps during my period. They went on from 9 in the morning until 10 at night. I asked the supervisor for some time off work, but she refused. (#4/2)

Most of the women interviewed worked in the electronics, shoe and toy manufacturing industries and frequently came into contact with hazardous or toxic substances. However, they reported having been given no training in basic workplace safety or on how to handle these harmful substances. Most of the factories also lacked proper safety equipment and provided no insurance cover for work-related illnesses or injuries.

– Every month there are a few girls who pass out while taking a shower because they're so exhausted. The last time someone collapsed, she fainted in the workshop and knocked paint thinner all over herself. A few fellow workers from her hometown helped carry her back to the dormitory to rest. They won't send you to the hospital in this kind of situation. For something like this, they'll only let you have one day off work at most. (#13/3)

– In the painting workshop people come into contact with paint thinner, and that kind of thing is hazardous. It's not good to breathe it in over a long period of time. It gives you a headache and it's not good for your skin. The factory doesn't have any protective equipment in place, though, and they don't give you any help if you have problems. There's nothing to be done about it. Many people work here for just a few months and then leave. (#3/2)

– We often come into contact with paint thinner. The thinner we're using now is worse than the stuff we used to have. It stinks something awful, and you get pimples all over your face. We know it's bad for you to breathe it in for long periods, but what can we do? It doesn't seem to have affected my periods yet, but there was one girl who started work at the factory in 1995 and after a while she came down with leukaemia. She went back to her hometown and died soon afterwards. We haven't heard of other workers getting occupational illnesses here, but then the factory never gives us any kind of medical check-ups. So who knows what kind of illnesses we might be getting? (#13/3)

- There are accidents sometimes, such as when a worker gets her finger crushed in one of the machines. If that happens the factory pays for medical treatment, but the worker gets a black mark in her record and has 90 yuan deducted from her pay. Also, they cut your wages by 50 percent while you're in hospital. If you get three black marks, then you're fired. (#6/1)



- To keep the machinery in good condition, they have the air conditioner on all year long and they use a dehumidifier. This is bad for the workers because it dries your skin out and you have to drink lots of water every day. We also come into contact with electronic components during our work. I've heard that they contain some kind of radioactive materials, but there's no protective equipment in the factory... They don't arrange physical check-ups, and there's no medical examinations for the women workers. I don't know why, but I find it really hard to recover when I get sick these days. I've had a cold for a month now and it just won't go away. Xiao Zheng and I stay in the same room. Her period started when she was 14, but a year after she started working here it stopped coming. She's afraid this is because of radiation from the electronic parts she has to handle. She's young and doesn't know how to take care of herself, and she's too shy and embarrassed to go see the doctor. If you fall ill here, there's no way to ask the boss for compensation. The main problem is that we don't have any kind of evidence. What would we base our claims on? (#5/2)

### **Living Conditions in the Factories**

Since factories in Dongguan and other parts of the Pearl River Delta mostly employ rural migrant workers from the poorer inland provinces, they generally provide them with food and accommodation. In their recruitment notices, however, they often fail to note that the "food and board included" is not free of charge. More than half of those interviewed by CLB said they were charged for food and accommodation: the charges for meals ranged from 60 yuan to 135 yuan a month, and dormitory accommodation cost anywhere from 10 to 80 yuan a month. Also, workers were often charged "management fees" in the range of 10 to 15 yuan a month. So the total monthly wage deductions for these various items could exceed 200 yuan.

While most of those interviewed had their room and board provided by the factory, few were at all satisfied with the facilities and meals available. Many women said the standard of hygiene in the dormitories was unacceptably low and that the canteen food was often inedible.

- In my dormitory there are 12 to 14 women per room, and we all sleep in bunk beds. The room is very crowded. There's a separate shower for each room, but you have to clean it yourself. Married women often rent a room outside, but the factory doesn't give you a subsidy for that.<sup>21</sup> The meals are lousy. We get vegetables and turnips, but hardly ever any meat. The food's really tasteless. (#3/2)

- I live in the factory dormitory. Sometimes there are as many as 10 people living in one room. A lot of workers have quit lately, so there are mostly only about six people in each room now. The food is really bad. There's no gravy in the dishes and there are bugs in the vegetables. It's unhygienic and I don't dare eat it. When I first came here, the canteen seemed okay - but that's only because I wasn't looking too closely. Now, whenever I see the bugs, I can't eat there for several days. (#4/2)

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<sup>21</sup> Some employers in China give workers a small rent allowance if they choose not to live in the factory dormitory.

– The dormitory used to be the patients' ward of an old hospital. It's really run-down and dirty. There are 12 people in each room, and the rooms are just big enough to hold six double bunk beds. There are communal toilets and showers, but they're really dirty. We often can't get any hot water, because there's only one water heater for the entire dormitory. (#5/2)



• *Women workers' dormitory*

– You can lose weight here for free! I can't eat any of the food in the canteen. I lost more than 10 kilos in the first few months I worked here. Actually, the food here is slightly better than in some of the other factories. We get three main dishes and a soup at each meal. But I still can't bring myself to eat it. (#5/2)

– The food, rice and vegetables in the canteen are really bad. There are bugs in the vegetables and most people are afraid to eat them. One time, they served us rice that was only half-cooked. We could only eat the other stuff. But then we discovered there were bugs in the vegetables, so that left only the soup. Then we saw bugs in the soup too. So we couldn't eat a thing. Sometimes the eggs we get have already started to develop - you can see the feathers on the embryos. Also, the meat they put in the fried noodles sometimes has maggots in it. And they add far too much salt, so you have to drink water non-stop afterwards. The refrigerator has broken down, so the meat always smells funny. They buy the cheapest of vegetables, usually half-rotten. The meal they serve at midnight for the night shift workers is basically leftovers from the day before. It often smells bad. Most people would rather go hungry than eat it. The canteen provides bowls and chopsticks, but they never clean them properly, so it's best to bring your own. (#11/3)

– Around 1997-98, the factory's dormitories were just awful. There were bugs all over the beds in summer and some girls were bitten so badly they had red bite marks all over their bodies. It itched like crazy and you couldn't get off to sleep; some girls would just lie there and cry. We told the factory about it, but all they did was sprinkle some paint thinner over the beds and that didn't do anything. After a couple of weeks, the eggs had hatched and we were getting bitten all over again. At that time the shower room was too small and there were lots of people using it. Sometimes when we worked overtime until one in the morning, you had to wait to get into the shower for more than an hour. (#13/3)

– The factory provides room and board without charge, but the food is really terrible. There are black spots in the rice and the vegetables are just the rejected stuff from the market. So the most I'll eat in the canteen is one meal a day. Some workers have gone on strike because of the bad food. The longest strike was three days and the shortest was just a few hours. But it didn't do any good. (#15/1)

– The factory says it provides room and board, but they're only providing the bare minimum. The food is awful. The dormitory is actually several large workshops. There used to be 1,000 girls living in them. Now there are only about 600. They use four workshops as dormitories, and each one holds around 100 to 200 people. Many of the women rent a room outside the factory compound, using their own money, but most of them are married. (#17/5)

### **3. RIGHTS AWARENESS AND AVAILABLE REMEDIES**

Despite the generally dismal lives they led as workers in Dongguan, the migrant women interviewed for this report had been quite unable to assert themselves in ways that might have led to an improvement in their terms and conditions of employment. One obvious reason was that most of them were relatively young, and so they were easily intimidated by overbearing or tyrannical supervisors. The underage workers (four of the interviewees were below the legal working age of 16 and had got their jobs by showing borrowed or false identity cards) were particularly vulnerable in this regard. Supervisors subjected them to greater pressure and ridicule than their older colleagues, and they were often scapegoated for other workers' infractions of the rules.

As one 16-year-old worker told us,

– I often get scolded. I'm yelled at for every mistake. There is one supervisor per workroom and they're always finding fault with us workers. If there is any problem, I'm sure to get blamed even though it has nothing to do with me. (#5/2)

And according to an interviewee who was only 14 years old,

– One time I got a nosebleed while I was working. I ran to the toilet to wash up and the supervisor saw me. He said I'd got the material dirty and he fined me 100 yuan. Another time, someone else was nodding off while on the job. The manager tried to scare her to wake her up. I thought it was funny and I bust out laughing. But when the supervisor saw me laughing, he took me to his office and scolded me no end. Then he fined me 30 yuan and posted up a notice about it on the bulletin board. (#11/3)

#### **Organizational Awareness and Legal Knowledge**

Another reason cited by the interviewees as to why so few incidents of worker complaint or protest arose in the factories was that they had no form of group representation or self-organisation and so were fearful of being punished or fined if they stepped out of line. Some of the companies

had set up channels for communicating with staff, while others had set up an employees' representatives' group or an employees' rights committee; and in some of the smaller enterprises, employees were technically permitted to raise issues directly with senior management. In practice, however, these measures did little to help solve the workers' real problems.

– Sometimes the boss comes down to the shop floor to have a look around and see what's going on. We tell him about our problems, but it's no use. We tell him the food is bad, but afterwards the rice and the dishes are the same old thing. We've never thought of organising ourselves. We don't know what a union is. What does a union do? We don't have a workers' representative. We only have a personnel manager. (#1/2)

– The factory set up an employees' rights committee, but the main thing is that the management set it up. It wasn't the workers' decision. The committee has held a few parties, things like that. There's also a suggestion box in the factory. If you're unhappy about something, you can write it down and put it in the suggestion box. (#7/2)

– No one here has ever tried to negotiate with the factory about overtime pay. People just quit because the wages are so low. One woman here is the younger sister of the factory director. If you have a problem you can go and talk to her about it, but people don't often do that. She's okay, but she's nosy and usually doesn't do anything to help. We'd certainly like to get organised. We'd like to have our own representatives or a trade union to speak out for us, and to negotiate with the boss to get us higher wages, but we've never really tried. (#8/1)

– There's an employees' rights committee in this factory, but the workers didn't get to choose who sits on it. The committee's main job is to sort out conflicts between the factory and the workers. For example, if workers complain about the long overtime hours, the committee is meant to try and solve the problem. After a few days, though, it's always back to the same old situation. (#9/2)

– In this factory, if you have good connections with the manager, like if you're both from the same hometown, then you won't have to work as hard as the others. But if you don't have any connections and you're just a regular person, then they'll give you more work to do. If you can't finish your work quota, then you get scolded and have to put in extended hours. The supervisor will call you a "stupid pig" - things like that. (#13/3)

The women interviewed had very little knowledge of the rights they were supposed to enjoy as workers. Most of them had heard about the Labour Law, but they were unclear as to what protections it might offer them. They also had little confidence in the willingness or ability of outside agencies, including the official trade union, to intervene on their behalf.

– I know a bit about the Labour Law. I know that our factory violates various several parts of it. (#9/2)

– I’ve heard of the Labour Law, the Trade Union Law and the Law on the Protection of Women’s Rights, but I don’t really know what’s in them. I think the Labour Law protects workers and has to do with work-related injuries and overdue wages. Another person from our village has seen a copy of the Dongguan Labour Handbook. Apparently there were a few good things in that. (#3/2)

– I don’t understand the law, and even if I did what good would it do me? What’s the use of reporting things to the Labour Bureau? If you want to improve your situation, the only thing to do is go find another factory. Most factories owners are just greedy villains. (#4/2)

– Our factory only gives workers the basic wages plus room and board. It doesn’t bother with social security insurance or anything like that. You’re just a worker. If you get sick and you have money, then you can go to the doctor. If you don’t have any money, then you can’t. If you die, you die. The factory doesn’t care what happens to you. (#5/2)

– I don’t have any kind of legal knowledge. The Labour Bureau comes to the industrial park where our factory is located, once in a while, to show videos about the labour laws. But I’ve never gone to watch them. (#7/2)

### **Collective Bargaining**

On the few occasions where workers had tried to negotiate with management - for an increase in wages and overtime pay, or for a reduction in overtime hours and so forth - these attempts were never successful. Most of the interviewees simply pinned their hopes for an improvement in working conditions either on changes in the law, or on the employers themselves eventually taking some kind of initiative in this direction.

– Actually, we’ve spoken several times to our work team supervisor about the food, the overtime hours and the hourly wages, but nothing ever comes of it. About a dozen workers from the initial inspection workshop once went to the supervisor’s office to try to discuss some problems with him, but he wouldn’t even let them in the door. (#4/2)

– No one ever thinks about talking to the boss. There’s no way the overtime pay is ever going to be raised. We’re all paid by the hour, so unless they increase our basic wages, the overtime rate isn’t going to go up either. Also, the workers aren’t really united. The older ones have their way of looking at things, and the younger ones have theirs. Most of us are pretty uneducated, and these are all unskilled jobs we’re doing. If you don’t want the job, somebody else will want it. You may think the wages are too low, but someone else will think they’re not that bad. There are so many factories here nowadays and they’re all short of workers. If you get fed up, all you can do is move on to another factory.

You have to rely on the boss's good will for a raise. If he sees you working really hard and he's in a good mood, then maybe he'll give you a raise. If not, then just forget it. Sometimes when we're feeling exhausted from all the overtime work, we've asked the supervisor to let us take a rest. But he just says: "You're here to earn money. If you're not tired, you won't get any money." (#5/2)

– The factory sets the wage level. How can you negotiate with the factory? The only way to earn any more money around here is to work harder and longer. Even if they raised the wages, the charges for room and board would probably go up as well. So we never even think about asking for a raise. (#6/1)

### Collective Protest Actions

A few of the women reported that protest strikes had occurred at their factories. But since only a minority of the workforce had taken part, it had been easy for managers to single out those involved for subsequent punishment.

– We all think the hourly rate at our factory is too low. We get only 800 yuan a month, including overtime pay. If there's no overtime to work, we get around 600 or 700 yuan. On one occasion, the workers in one of the workshops all went on strike together. They were paid by the hour. They stayed away from work for the whole day and the evening as well, but nothing ever came of it. They were all fined between 100 and 200 yuan each, and some of them got fired. (#1/2)

– Some older workers in our factory have organised strikes two or three times in the past. The reason was that the factory switched people working on an hourly-rate basis over to a piece-rate basis, and the older workers didn't like it. People who've been working here for five or six years get a higher basic pay than the others, and they were worried that being switched to a piece-rate basis would put them under too much pressure. They were also afraid that if they worked too fast, the factory would just lower the piece rate payment. The strikers didn't come in to work their shift one day, and they stayed away from the overtime hours that evening as well. The factory said something about maybe adjusting the wages if people thought they weren't fair and reasonable. But a month later, they still hadn't made any changes. I suppose they need more time. (#3/2)

– Some workers here once went on strike because of the long overtime hours. They were all dealt with as absent without leave and got fined 50 yuan each. Two workers were fired for taking part in the strike. No good came of it. It's pointless to go on strike. (#4/2)

– There haven't been any strikes at our factory, and no one thinks of fighting back over what they put us through. We've never thought of going on strike. For one thing, the workers aren't united enough. Most of us don't want to risk being fined. The other reason is that we're all quite young. We're just not brave enough. Also, half the workers here are from Hunan and the other half are from Sichuan. The Hunan workers

all come from the same village as the boss. (#11/3)

– A lot of workers here would like to go on strike, but the supervisor is always watching us. We don't get a chance to organize anything and we're afraid of being fined. The only thing to do is just keep on working. Some workers went on strike once. They had 100 yuan deducted from their wage packets and the managers posted up a warning notice about it. They said the fines were a way of compensating the factory for its losses. (#13/3)

## Channels of Complaint

### *Official agencies*

Since most of the workers felt powerless to take any action on their own behalf, the role played by outside channels and agencies was potentially very important. However, only one of the factories surveyed had allowed the ACFTU to set up a branch, and none of the women interviewed had succeeded in getting help or support from the local Labour Bureau or other labour rights agencies. Most of them felt a strong sense of isolation and of having nowhere to turn to in times of need.

The workers' scepticism about the chances of getting any help from outside agencies was further reinforced by the clear lack of diligence shown by the official labour inspectors who came to their factories. Indeed, the workers suspected that these officials were directly colluding with factory owners in covering up labour rights abuses:

– Just recently, a worker fainted while we were doing overtime, and one of us secretly made a call to the Labour Bureau. The inspectors came over and did an inspection of the factory. For the next few days, we weren't given any overtime work to do. But then it was back to the same old routine again. Many workers here want to report the factory to the Labour Bureau because of all the extra overtime we're made to do, but no one actually does it. Who's going to step out of line that way? (#1/2)<sup>22</sup>

– Last year, one worker wanted to quit her job but the factory wouldn't let her. She reported it to the Huangjiang Village Labour Bureau, but they never got back to her about it. Whenever the Labour Bureau people come to the factory to carry out an inspection, the boss puts on a big performance for them. He shows them phoney time sheets, and changes the pay slips and overtime records to make it look as if we've been paid more and worked fewer hours than we really have. He meets the officials at the factory gate and takes them straight in to his office, and when they're done, he escorts them straight back to their car. They never get to see any of us. (#4/2)

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<sup>22</sup> Article 85 of the Labour Law requires local labour administration agencies to inspect and enforce the implementation of the country's labour standards and regulations.

– If we want to make a phone call we have to go over to the main gate of the factory, and the security guard there always asks us who we’re calling. Sometimes one of the workers from the boss’s hometown follows us and does the same thing. They’re afraid we might be calling the Labour Bureau. But actually, we don’t even know the telephone number for it. Anyway, it seems they’re not really afraid of the Labour Bureau. (#11/3)

– Once I had an argument with my supervisor and I told him I was going to quit. He said, “If you don’t want to work here, then just leave.” But when I asked him to settle my wages, he replied: “You want wages too? You’ll be lucky to leave here with your clothes, let alone wages.” I told him I’d complain to the Labour Bureau. He said, “Who do you think you are? Do you think the Labour Bureau is going to care about you? You think they’re going to give me any trouble? I’m the boss, so of course I have a good relationship with the Labour Bureau.” Later on, he told the workers: “Don’t think the Labour Bureau is going to help you. They’re not your relatives, so why should they care? We’ll just give them some money and that’ll take care of it all.” (#11/3)

– The last time a worker here wanted to quit her job and the factory wouldn’t let her, she reported it to the Labour Bureau. A woman answered the phone and said: “You want to quit? You all do. What’s going on over there?” Then she just put the phone down. So don’t even think about trying to take on the boss. We’ve heard that he’s bought off the entire Labour Bureau. Whenever they send inspectors over, the factory manager makes the workers tell them a bunch of lies. Stuff like: “We work nine hours a day and only work two hours of overtime on Mondays, Wednesdays and Fridays. Overtime pay is one and a half times the normal day-shift pay. If we work overtime on Saturdays, we get paid at double time, and we never do overtime on Sundays.” (#13/3)

### *Buyer inspections*

Several of the women interviewees worked in factories that supplied goods to multinational companies. In theory, this should have provided them with an additional layer of protection, since most multinationals monitor the labour practices of their suppliers as part of their corporate social responsibility programs. But here again, the women workers reported that when the buyers’ representatives came to inspect the factories, the managers tried to deceive them by co-opting the workers into providing false information.

– Before the buyers come to the factory to carry out their inspections, the supervisors give each employee a chart, and we’re supposed to answer any questions using the information shown on the chart. For example, “We start work at 8:30 am each morning. We don’t work on Sundays. The latest we work overtime is until 9:30 pm” - things like that. In fact, we always start work at 7:30 am. But we don’t dare tell the truth, because the boss is standing right there watching us. (#1/2)



On one occasion, however, a group of workers resisted getting involved in the subterfuge by simply staying silent:

– Each time a foreign buyer comes to visit, the factory sends us a list of lies we’re supposed to tell them when they ask us questions. For example, we’re supposed to say that the basic monthly wages are 450 yuan and that we don’t work more than 36 hours overtime a month. The reason we have to say our basic wage is 450 yuan is because that’s the local minimum wage.<sup>23</sup> On the day of the inspection, the workers under 18 years old are told not to do their shifts that day, and they’re not to hang around the factory either. They get the day off on full pay. Once, though, all the workers were feeling united and we decided that if they wouldn’t let us tell the truth, we weren’t going to say anything at all. So we didn’t, and the factory failed the inspection. (#3/2)

### **Obstruction of Right to Resign**

In an effort to circumvent market pressure on wages and conditions, several of the factories used unlawful methods to prevent the women workers from quitting their jobs and moving on to a better factory. The basic tactic used was to pay wages one or more months in arrears. According to the Labour Law, if employees give 30 days’ notice they can leave their jobs without incurring any penalty, such as a partial loss of wages for the month in question. But when the workers followed this procedure, their employers would then refuse to pay them their outstanding wage arrears at the end of the month. Some employers compounded this illegal behaviour by flatly refusing to accept any attempts to resign with 30 days notice, instead arbitrarily defining all such cases as “resignations without notice” (*zi li*).

In theory, the workers could recover their unpaid wage arrears some months later, but to do this they would have had to remain in Dongguan after quitting their jobs, or else make a special trip back again - often impossible if their new jobs were in other cities, and in any case their former employers could still simply refuse to pay them. In practice, therefore, quitting a job usually meant the loss of several months’ pay. Since most of the women had not been provided with any kind of labour contract, recourse to the law was not a feasible option, and so they felt powerless to challenge this unjust and arbitrary system.

– The biggest problem at this factory is that they hold back your wages. They’re usually two months behind in paying them. It’s now December, but we haven’t even received our wages for October yet. Some of the workers need to send money home, but they have to borrow money from someone else to do so. (#13/3)

– It’s more difficult than usual to resign these days, because the factory is having a hard time finding workers and there’s a lot of work to do. If you want to quit, then you have to leave on the day you resign. And if you resign before the end of the month, then the factory deducts half a month’s wages. (#1/2)

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<sup>23</sup> The interviewees were all experienced, semi-skilled workers and so should have been paid at above the minimum wage.

– Something came up back home in July, and I wanted to resign and go home. I went to the supervisor, but he told me to wait because we were rushing to fill orders. He said I should wait until October and we'd talk about it then. In October, he told me to wait until December. Then in December he told me to wait until February next year. So finally I went to see the factory manager, but he said I needed to have the supervisor sign my resignation request. He said, what was he supposed to do if all the employees started coming to him like this? When I got back from the manager's office, the supervisor gave me a real earful, and my resignation still hasn't been approved. I can't wait any longer now, so I'm just going to quit. I'm not going to give up my family for two months' pay. (#13/3)

– There are two ways to quit, the fast route and the slow route. If you take the slow route, you get all your wages; but if you take the fast route, you only get half a month's wages... What counts is your relationship with the supervisor. Whatever he says goes. If they won't give you your wages on the day you resign, then you have to wait until the next pay day and get someone from your hometown to collect them for you. If there's no one like that working in the factory, then you'll just have to give up on getting your wages. (#5/2)

– One time, we all decided to quit and we went to see the supervisor. He sent us up to see the factory director. The director sent us back to the supervisor and then he yelled at him. After that, the supervisor yelled at us and said we'd pushed our way uninvited into the factory manager's office. He said he was going to fine us, and if we didn't want to work there anymore we could all leave right away. But we all knew what that meant. If we left just like that, we'd be throwing away two month's wages - probably more than 1,000 yuan.... But we can't just hang around here and wait to get our wages. It costs too much to rent a room and pay for meals. We're not planning to come back after Chinese New Year, even though we'll lose our wages. (#13/3)

Given all these obstacles, many workers simply gave up any thoughts of leaving their jobs. However, a few managed to find ways of quitting without losing their wage arrears. Some worked deliberately slowly, or disrupted the workflow and got into arguments with their supervisor, thereby forcing the factory to fire them. Because they needed official approval to be able to resign with full pay, some would repeatedly pester the supervisor until he got annoyed and approved their resignation. Another method was to give the supervisor presents, thereby in effect bribing one's way out. The only other option was to "quit without notice", which meant forfeiting any outstanding wages and arrears. This situation gave rise to some quite absurd scenarios:

– The factory won't let anyone quit their jobs, because they're having trouble finding workers these days. If you quit, they'll fine you half a month's wages. Even if you want to go home to get married or have a baby, they still won't give you your wages. There was one worker who was heavily pregnant and they still wouldn't let her quit. If you're going to have a baby, you need to leave work a month or two in advance, but even then they won't pay your wages. Sometimes workers disrupt things if they aren't

allowed to quit and in the end they get themselves fired. If that happens, at least you get paid when you leave. People don't want to have to leave like that, but that way they have to settle your wages. (#4/2)

– I felt big changes during the first two months of my pregnancy, so I wanted to resign and go home. I talked to my supervisor about it several times, but she refused to accept my resignation. I couldn't think of anything else to do, so I bought her a present and finally got her permission that way. There was another woman who was working in the spray-painting section, which meant she was in contact with poisonous fumes. When she got pregnant, she applied to resign but was turned down. Two months later she applied again, but they still refused to let her go. She worked on for another 10 days and then had a miscarriage. Her husband came to the factory and demanded to know why they wouldn't approve her resignation. The supervisor got scared at that point - he thought the guy might attack him or something - so in the end he let the woman resign.

Our factory's like that. If you know some of the local tough guys, the supervisor will be afraid of you and your resignation will get approved. But if you're an honest kind of person and he thinks you've got no outside support, then he won't let you resign. If you can't resign, you just have to leave without notice, but then you'll be throwing away two months' wages. That's the reason why the factory holds back wages: to prevent workers from leaving. If you want to resign, the only way to do it is just to leave. But taking off even two days without notice is considered quitting, and then you won't get a cent out of them. (#13/3)

#### **4. THE LABOUR SHORTAGE AND FAILURE OF THE FREE MARKET**

In the absence of any prospect of successfully negotiating with their employers for better conditions, quitting their jobs and moving on to another factory had become the workers' only effective means of expressing resistance and asserting their basic dignity. While the lure of new opportunities in the cities may be motivating many young migrant workers to seek jobs far from home in China today, in the case of the women workers interviewed for this report it was financial necessity alone that had driven them to do so. Their disillusionment at finding themselves trapped in the grinding tedium of jobs involving long overtime hours and only one day or so off per month was clearly the main factor that prompted them to start switching jobs. But whether doing so brought them any real improvements - in the form of higher wages, shorter working hours, a safer working environment or better living conditions - was quite another matter.

A survey report released by the Ministry of Labour and Social Security (MLSS) in September 2004 provided the first official evidence that a substantial labour shortage had begun to emerge in key parts of the country.<sup>24</sup> The most severe labour shortages were said to be in the Pearl River Delta, the south-eastern part of Fujian province, and the coastal and southern areas of

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<sup>24</sup> "Survey Report on the Shortage of Migrant Workers": see Note 9 above.

Zhejiang Province - all areas with a high concentration of manufacturing and processing industries. In the worst hit regions, the labour shortage was officially said to be as high as 10 percent, and reports indicate that this trend has continued since then. The increased willingness of migrant workers to leave their jobs and seek better conditions elsewhere has clearly been a major factor, and most likely the main one, contributing to the growing labour shortage problem in many southern and coastal cities such as Dongguan.

At the time of the MLSS's survey report, there were about 19 million migrant workers living in Guangdong Province, most of them concentrated in the Pearl River Delta area. This was also the area with the greatest labour shortage: according to the survey, employers reported a shortage of about two million migrant workers, or roughly 10 percent of the number actually required, at the end of 2004. In Shenzhen the total migrant workforce stood at 4.2 million, but an additional 400,000 workers were needed. In Dongguan, the situation was even worse: a survey of 15,000 enterprises (representing less than half the city's total number) that employed migrant workers found that 17 percent were experiencing a labour shortage and that the total labour shortfall across these enterprises was around 270,000 workers - a higher proportion even than in Shenzhen.<sup>25</sup>

In September 2006, the minimum wage in Dongguan was increased to 690 yuan per month, up from 574 yuan last year and 450 yuan in 2004. These appear to be substantial increases, but in fact they are minimal as compared to the kinds of salary increases enjoyed by civil servants in Dongguan (see above, Table 1) - and they barely match the local rise in inflation and cost of living over the same period. Moreover, as we have seen, the response of employers to local government-ordered increases in the minimum wage level has often been to readjust working hours and overtime rates so that migrant workers have to put in greater amounts of overtime simply to earn a decent final wage.

The labour shortage and the increased willingness of workers to shop around for the best wages and working conditions should, of course, have led to considerable competition between factory owners for the dwindling pool of young women workers. Consequently, one would expect to have seen wages rise and working conditions improve. Under normal market forces, this would also have served to draw new migrant workers into the cities from the countryside and thereby increase the overall pool of available labour power. China still has a huge reserve of unemployed or underemployed rural population and is clearly not suffering from any absolute shortage of labour. But instead, as the present report has shown, employers in the private manufacturing sector have responded to the labour shortage by forcing their existing migrant workforces to work increasingly long hours of overtime, and at more or less the same rates of pay as before.

Two questions therefore arise: First, why have employers in Dongguan and other cities affected by the labour shortage not responded to market forces by improving their terms and conditions of employment as a means of attracting new migrant workers? And second, why has the migrant, and predominately female, workforce that has driven the Pearl River Delta's economic

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<sup>25</sup> Ibid.

boom over the past 20 years been unable to exert any meaningful pressure on their employers to do so, despite the comparative market advantage that the current labour shortage should clearly have brought them?

The answer lies in the fact that, despite China's 15-year-old "socialist market economy", a genuinely free market in labour does not really exist in the Pearl River Delta and other areas affected by the current labour shortage. Instead, a one-sided situation exists whereby employers unilaterally dictate the terms and conditions of employment, while migrant workers are left free to respond on a "take it or leave it" basis. While this general arrangement has served the interests of big business very well over the past decade and more, what is striking about the current situation is that employers themselves are now also suffering as a result of it, through their evident inability to attract sufficient workers. But they appear, for the most part, to be entirely locked into the existing model, and quite unwilling to take any effective steps to stimulate or reform the current operation of the labour market.

A free market for business, in order to operate properly and efficiently, also implies a free market for labour. This is essentially absent in China because workers, denied the right to freedom of association, have no organized representation and therefore cannot freely negotiate the terms and conditions of their employment. Deprived of the opportunity to negotiate better wages and shorter working hours, the only real options they have are either to keep moving from one job to another, in the hope of eventually finding a better employer; or else to abandon their original dream of social advancement through moving to the cities and simply return to

their homes in the countryside.

The latter option is nowadays being taken by more and more migrant workers in China, partly also as a result of the government's recent steps to reduce agricultural taxation and stimulate the rural economy.



• *A factory canteen*

The former option, as the stories of the women interviewed for this report make clear, is largely an illusory one. Unlawfully long working hours and jerry-mandered calculation of overtime hours and payment is the norm, not the exception, in the Dongguan factories where they

work. Indeed, one would be hard-pressed to find a significant proportion of private-sector factories anywhere in southern China that actually abides by the maximum working hours and overtime payment provisions laid down in the PRC Labour Law. But "hope springs eternal", and so migrant workers - assisted by the formidable networking potential of the mobile phone - continue to move from one job to another with increasing frequency in China today.

Indeed, much of the country's apparent labour shortage is almost certainly caused by the large amounts of "down time" accumulated, at any given period, by millions of migrant workers who have just quit one job and are in the process of looking for another. No official statistics have as yet been made available concerning the overall turnover rate for the labour force in Guangdong Province, but numerous reports in the Chinese media have painted a clear enough picture of the situation in individual enterprises. In the gigantic Shenzhen manufacturing plant of Foxconn, a Taiwanese company that produces electronic consumer items such as the Apple iPod, for example, the annual turnover rate among blue-collar workers is around 30 percent, with as many as 70,000 workers resigning each year.<sup>26</sup> In this case, as in so many others in the Pearl River Delta, the high turnover rate among workers is clearly a result of the abusive employment conditions. According to a recent investigative report by the U.K.'s Mail on Sunday, the iPod production lines at the Foxconn plant are staffed by women workers because (according to a security guard) "they are more honest than male workers". The report added that the women live in dormitories that house 100 people, and no outside visitors are permitted. The women toil for 15 hours a day and earn around 405 yuan (US \$51) per month.

In other cases in the Shenzhen area, enterprises are reportedly experiencing turnover rates among newly hired workers of as high as 70 to 80 percent a year.<sup>27</sup> Such a situation is not only hugely wasteful of human resources, it also provides striking evidence that the existing labour market in China is both highly inequitable and inefficient. Indeed market forces, in the normal sense of the term, appear hardly to be operating at all where the workforce itself is concerned. Instead, the situation is one of abnormally high job mobility that is explained less by the emergence of a free labour market, and more by the fact that the great majority of migrant workers in China, denied the right to any form of organized expression or representation, can assert their independence only by moving between jobs that all offer more or less the same kind of wages and conditions.

## 5. CONCLUSIONS

Since the present survey was completed, there are signs that some employers in the Dongguan area have begun improving wage levels in response to the current labour shortage. In addition, others have apparently started paying partial wages to workers during periods of waiting for materials to arrive or during the off-season, instead of only paying them for actual hours worked. These are welcome developments, but they remain the exception rather than the norm.

As noted above, local governments across China have raised minimum wage levels again this year; and in Shenzhen, the government passed a regulation on July 1 empowering Labour Bureau officials to impose fines of up to 50,000 yuan on companies that fail to pay the minimum

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<sup>26</sup> See: "Fushikang Laogong-Men Muhou Diaocha: Diyu Biaozhunxian 30% de Dixin" (A Behind-the Scenes Investigation into Foxconn's 'Labour-Gate': Wages as Low as 30 percent Below the Minimum Standard), *Ershiyi Shiji Jingji Baodao* (21st Century Economic Report); article carried on *Xin Lang Wang* website, 17 June 2006, available at: <http://tech.sina.com.cn/it/2006-06-17/1000994905.shtml>. For details of an investigation by the Mail on Sunday (11 June 2006) into abusive labour conditions at the Foxconn factory in Longhua, Shenzhen, see: "Inside Apple's iPod factories", MacWorld website, 12 June 2006, available at: <http://www.macworld.co.uk/news/index.cfm?NewsID=14915>.

<sup>27</sup> See: "Qiujie Mingong-Huang: Teding Gongzi Shuiping Buzu he Teding Renqun Duanque" (In Search of Reasons for the Migrant Labour Shortage: Wage Levels Set Too Low, and Fixed Labour Supply Inadequate), *Nanfang Zhoumo* (Southern Weekly), 09 September 2004.

wage. What has been signalling lacking to date, however, is any real evidence of commitment on the part of local governments around the country in two key areas: actual monitoring and enforcement of these, or any other, labour standards and regulations. As a result, the overall picture for China's estimated 120 to 150 million migrant workers has remained basically unchanged.

Far from gradually ascending, in line with the ILO's formula whereby "decent work goals move upwards with economic and social progress", the capacity of the migrant women workers discussed in this report to earn a decent livelihood had clearly begun to fall beneath the minimum "floor" level set by the international body - namely, "the fundamental principles and rights at work of the ILO Declaration of 1998, and... the need for people to have opportunities for work, income and basic security." It goes without saying that the Declaration's core components are the right to freedom of association (i.e. to form trade unions) and the right to engage in collective bargaining. Ultimately, these rights are underpinned by workers' ability to withdraw their labour and go on strike.<sup>28</sup>

Chinese workers enjoy none of these core rights, and the results speak for themselves. According to a report issued by China's National People's Congress this year, cases of non-payment of wages and unlawful wage deductions accounted for as much as 41 per cent of all cases investigated by provincial labour departments around the country in 2004. In the 16 months before October last year, in one coastal city alone, there were 156 such cases in which the employers concerned actually went into hiding to avoid paying their workers and to evade official investigators.<sup>29</sup>

In addition, as many as 76 per cent of migrant workers from the countryside currently receive no overtime pay for working on public holidays or on rest and vacation days, according to a recent research report issued by the State Council.<sup>30</sup> And the All-China Federation of Trade Unions earlier this year found that around 70 per cent of the country's migrant workers had experienced being paid either late or not at all.<sup>31</sup>

All of these problems are getting worse by the year. In 2004, Beijing's court system dealt with 12,462 cases where migrant workers had been paid either late or not at all, involving a total of 330 million yuan, according to figures from the Beijing High People's Court. Last year, the

<sup>28</sup> Chinese workers formally enjoyed the right to strike until 1982, when the Deng Xiaoping leadership ordered its deletion from the PRC Constitution. Strike action has not, however, been formally criminalised in China, and in practice it falls within a grey area of the law. For a detailed discussion of this issue, see: Chang Kai, "Lun Zhongguo de Bagongquan Lifa" (On Right-to-Strike Legislation in China), paper presented at the International Conference on Globalisation, Labour Rights and Labour Policy, Beijing, January 2002; text available at: [www.usc.cuhk.edu.hk/wk\\_wzdetails.asp?id=3289](http://www.usc.cuhk.edu.hk/wk_wzdetails.asp?id=3289).

<sup>29</sup> See: He Luli, "Quanguo Ren-Da Changweihui Zhifa Jianchazu Guanyu Jiancha <Zhonghua Renmin Gongheguo Laodong> Fa Shishi Qingkuang de Baogao" (Report by the NPC Standing Committee's Law-enforcement Monitoring Group into the State of Implementation of the PRC Labour Law), 28 December 2005; article carried on *Zhongguo Laodong Wang* website, available at: <http://www.labornet.cn/printpage.asp?ArticleID=616>.

<sup>30</sup> See: Tian Yu, "Guowuyuan Baogao Cheng 76% de Nongmingong Jie-jiari Shang Ban Meiyou Jiabanfei" (State Council Report Says 76 Percent of Rural Migrant Workers Not Receiving Overtime Pay for Working on Public Holidays and Rest Days), *Xin Hua Wang* website, 01 May 2006; available at: [http://news.china.com/zh\\_cn/domestic/945/20060501/13291671.html](http://news.china.com/zh_cn/domestic/945/20060501/13291671.html).

<sup>31</sup> See: Zhang Lei, "7 Cheng Nongmingong Bei Tuoqianguo Gongzi, Zhuanjia Jianyi Yong <Xing Fa> Tiaozheng" (Seventy Percent of Rural Migrant Workers Experience Delays in Getting Paid - Experts Propose Use of Criminal Law to Rectify the Situation), *Beijing Wanbao* (Beijing Evening News); article carried on *Renmin Wang* website, 28 March 2006, available at: <http://finance.people.com.cn/GB/1037/4246238.html>.

same court system dealt with 25,987 such cases involving 619 million yuan - or almost double the amount of the previous year.<sup>32</sup>

So serious has the situation become that, at a labour-law conference in March this year, legal experts proposed that the new crime of “withholding labour remuneration” should be added to the Criminal Law as a deterrent. But even criminalising employers’ delinquent behaviour is unlikely to change their ways so long as government inspectors continue to fail to monitor workplaces effectively and workers are denied any direct and organised involvement. Until the situation whereby workers enjoy neither freedom of association nor the right to free collective bargaining is changed, and until they are granted the right to strike as a measure of last resort, their employers will continue to have little to fear from the law.

As developments over the past few years have shown, however, this does not mean that factory owners’ behaviour has been cost free. In fact, the labour shortage afflicting many southern and coastal areas is a direct consequence of their own harsh employment practices over the past 15 years. The one option Chinese workers do have, when their basic labour rights are violated, is to vote with their feet - and, as we know, they are doing this in ever greater numbers nowadays.

As a researcher from the Fujian provincial labour department recently noted, instead of responding to market forces, “Enterprises invariably use the minimum wage standard as the basis for setting their general wage scales.” She added, “This has created a vicious circle whereby labour-intensive enterprises in the provinces currently hit by the labour shortage are unable to hire new workers. The employers are reaping what they’ve sown.”<sup>33</sup>

If the Chinese government really wants to improve labour relations, create a healthy labour market and protect fundamental labour rights - and moreover if it wants to realize its oft-proclaimed goal of “safeguarding political and social stability” - then it needs to start thinking out of the box. It should pass legislation affirming that Chinese workers will henceforth enjoy freedom of association, the right to engage in free collective bargaining, and the right to strike. Without these measures, even criminalising the worst abuses will not deter employers from failing to pay wages, from keeping those they do pay at an artificially low level, and from consigning the majority of the country’s migrant workforce to a twilight world of social marginalisation in which “decent work goals” remain but a pious dream.

In short, a policy of social inclusion must be adopted - one that allows China’s migrant workers to negotiate a fair market rate for their labour, and which acknowledges their major contribution to national economic development by treating them as workers in the full sense of the word, rather than as merely temporary guests in the cities. Without such measures, the labour shortage will no doubt continue to increase for urban enterprises throughout China’s southern and coastal areas, as more and more migrant workers decide to opt for a quieter and healthier life back on the farm.

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<sup>32</sup> Ibid.

<sup>33</sup> Shao Fangqing, “*Yingdui Mingong-Huang, Min Zuidi Gongzi Biaozhun Diaozhi Zuigao 600 Yuan*” (In Response to the Migrant Labour Shortage, Fujian Adjusts the Minimum Wage Level to 600 Yuan), *Diyi Caijing Ribao* (First Economic Daily), 20 June 2005.



## Appendix I

Table 2: Factory Details and Worker Benefits

Interview Code <sup>34</sup>	Type of Enterprise	Type of Industry	Workforce Size	Labour Contract	Social Security/Insurance Benefits	Trade Union
#1/2	Joint venture (Taiwan)	Garments	2,000 to 3,000 employees: over 90% women	None	Medical insurance and pension plan provided after 3 years' service	None
#2/2	Privately owned (domestic)	Electronics	Over 100 employees: 80% women	None	Pension plan: no medical insurance	n/a <sup>35</sup>
#3/2	Taiwan-owned	Lighting fixtures	200 to 300 employees: mostly women	None	None	None
#4/2	Privately owned (domestic)	Knitting mill	Almost 200 employees: 60-70% women	None	None	None
	Hong Kong-owned	Yarn mill	400 to 500 employees	None	None	Yes
#5/2	Hong Kong-owned	Electronics	200 to 300 employees: 60% women	None	None	n/a
#6/1	Taiwan-owned	Shoes	Over 10,000 employees: 80% women	Yes	None	None <sup>36</sup>
#7/1						
#8/1	Taiwan-owned	Electronics	Over 600 employees: more than 2/3 women	None	n/a	None

<sup>34</sup> The first part of the Interview Code identifies the various interviewee groups who participated in the survey. In most cases, this number also corresponds to a particular factory. In a few of the cases listed, however, either more than one group of workers was interviewed from the same factory, or else a single interviewee group included workers from more than one factory. The second part of the Interview Code indicates the number of workers who took part in the interview in question.

<sup>35</sup> n/a = information not available.

<sup>36</sup> An employees' rights committee (*yuangong quanqi wei yuanshui*) had been set up at this factory.

#9/2	Privately owned (domestic)	Shoes	Mostly women	None	Medical insurance	No <sup>37</sup>
#10/1	Taiwan-owned	Shoe parts	Mostly women	Yes	n/a	n/a
#11/3	Privately owned (domestic)	Electronics	100 to 200 employees: mostly women	None	None	None
#12/1	Shareholding company (domestic)	Chemicals	More than 200 employees: only 20 women.	Yes	Only some staff eligible for benefits	None
#13/3	Taiwan-owned	Ceramics	More than 200 employees: more than 60% women	None	None	None
#14/1	NGO	Migrant worker support group	n/a	Yes	Yes	n/a
#15/1	n/a	Electronics	Mostly women	n/a	None	n/a
#16/2	Taiwan-owned	Shoes	Over 1,000 employees: 80% women	n/a	n/a	None
#17/5	Joint venture (Taiwan)	Ceramics	Nearly 1,000 employees: 50% women	None	None	n/a

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<sup>37</sup> Ditto.

Table 3: Overtime Hours and Rates of Pay

Interview Number	Type of Industry	Extent of Overtime	Maximum Overtime per Day	Overtime Pay
#1/2	Garments	Depends on orders in hand: slow periods, occasionally until 10 pm; peak periods, 26 to 27 such days per month.	3.5 hours	No overtime rate for those on piece-rate basis; if paid on hourly basis, overtime at 1.9 yuan/hour
#2/2	Electronics	Little overtime, only in busy season	2 hours	n/a
#3/2	Lighting fixtures	Daily overtime, including on weekends	8 hours	All paid on piece-rate basis; no overtime rate
#4/2	1) Knitting mill; 2) Yarn mill	Overtime only when orders to fill	16 hours	All paid on piece rate basis; no overtime rate
#5/2	Electronics	Day shift, 13 hrs; night shift, 11 hrs (factory uses a 9-hour working day)	Day shift: 5 hours; night shift: 3 hours	2.3 yuan/hour
#6/1	Shoes	Overtime daily except Wednesdays and Saturdays 6-day working week normal	3 hours	3- 4 yuan/hour
#7/1				
#8/1	Electronics	Occasional overtime; 7-day working week; Saturday a normal working day; Sunday counts as overtime	4 hours	1.8 yuan/hour
#9/2	Shoes	Work day from 7:00 am until 8:30 pm, only 3 hours of which count as overtime; same applies if work day lasts	6 hours	n/a

		until 9:30 pm; all-day Saturday counted as overtime			
#10/1	Shoe parts	Work day from 7:30 am until 11:30 pm or later; only 2 hours per day counted as overtime	8 hours	3.65 yuan/hour	
#11/3	Electronics	At peak periods, overtime extended until 11 pm, and even 1 am or through the night; regular working hours required the next day	16 hours	n/a	
#12/1	Chemicals	Very little overtime work	n/a	n/a	
#13/3	Ceramics	Seven-day work week, 12-13-hour work days	8 hours	1.5–2 yuan/hour	
#15/1	Electronics	Daily overtime; mandatory Saturdays; Sunday work required during peak seasons, counted as overtime	2.5 hours	2.88 yuan/hour	
#16/2	Shoes	Occasional overtime; mandatory Saturdays	2–3 hours	n/a	
#17/5	Ceramics	Frequent overtime	n/a	2 yuan/hour	

## Appendix II

### The Case of Ms. Zhang: Peregrinations of a Young Migrant Worker

*Ms Zhang is a 21-year-old worker currently employed at a workers' service centre NGO in Shenzhen. She started working at 15 and has worked in a wide variety of manufacturing jobs, which has given her first-hand experience of the many hazards young women face in such work. This is her account of her six years in and out of factory jobs, mostly in the Pearl River Delta, and her analysis of what needs to be done to improve the wages and conditions of her fellow workers.*

I left home and started working at the age of 15. That was in December 1998. The reason I did so was to be able to help my family. I have several sisters and I am officially considered to be “outside the quota”.<sup>38</sup> My parents were fined when I was born. At the time I left home, my brother had reached the age when he was getting ready to set up his own family and needed money. I decided to start working early to help my parents and brother financially. Actually, my grades in school weren't bad at all. If I'd gone to high school, I think I could have had a good chance of getting into a university. In the past four years, I've worked in nine different factories.

#### First job: Flowers and Christmas trees

I came to Guangzhou through a professional recruiter for this industry. He charged 250 yuan [about US\$30] as a middleman's fee or introduction fee. Being underage, I didn't have an identity card at the time, so he wanted another 50 yuan, which he said was to get me an ID card. Then, he said that I would need another certificate of some sort when I started working at the factory and he took another 50 yuan for that. In fact, he never applied for any kind of ID for me, he just took my money and left.

This factory made handicrafts and gift items, and had foreign money behind it. In the summer we made flowers and in the winter we made [artificial Christmas] trees. We worked seven days a week. We only had three days off a year. We worked overtime every day until 10 pm in the evening. In the beginning I was assigned to the hardware department. The working conditions were terrible. Every day we worked on the stands for the Christmas trees. We polished the stands using a cloth dipped directly into thinner. After we wiped the stands, we sent them to the kilns to be fired. The workshop where we worked was always filled with smoke. It was so smoky you couldn't see very far. When you entered the room, your eyes would burn and water, and you'd have difficulty breathing. The factory issued us a new pair of gloves and a facemask every week, but they weren't much use. This was a really dirty job and the mask

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<sup>38</sup> This is a reference to China's one-child per family policy, and it means that Ms. Zhang was born without authorisation from the local family planning committee. The parents of “out of quota” children usually have to pay heavy fines to the local authorities, in order to get their children legally registered under the country's “household registration” (*hukou*) system. From Ms. Zhang's account, it seems clear that her primary motivation in seeking work in the cities, rather than furthering her own education, was to earn money to help her parents repay the debts they had incurred at the time of her birth.

would get dirty in no time and then you really couldn't wear it. The gloves would also be ruined in no time at all. I worked there for less than 30 days and earned more than 500 yuan. I lived in the factory dormitory. You couldn't get a day off at that factory. Only when there were no orders and no work could you take a long holiday and go home.

There was no such thing as maternity leave or marriage leave. If you got pregnant, you could only quit and go home. There was no union in this factory. This was a pretty big plant and it had branches in other places, I never heard anything about unions in those places, either. Later, the plant said it was looking for a statistician or counter. I applied for the job and took the examination. I did well - my score was the highest, so I worked as the statistician, and you could say the working conditions were a bit better.

I worked at that plant for about eight to nine months. I left there because I really had no choice. At that time when I was working as a statistician, the pay for that position was 1.80 yuan an hour. But they decided to pay the statistician who was hired after me only 1.70 yuan an hour. She didn't like that, so she used her [romantic] relationship with the head of the unit as a way to get back at me. Even if I'd wanted to keep working there, it wouldn't have worked out, so I left and went home.

At that time I never thought about taking any action, like suing the plant or making a report. I didn't think that it was unfair and that includes when I first started working in such a hazardous job. At that time, I just thought that working [in a factory] was like that. After I went home, I studied how to use industrial sewing machines and I planned to work in a garment factory when I finished my course.

### **Second job: Toys**

When I left home again and went back to work, I went to Chenghai city in Guangdong province, but I couldn't find a job in a garment factory, so I took a job in a toy factory. This was a small factory set up by a local man. It was really small, more like a kind of cottage industry carried out in someone's home, and it normally only employed a few dozen people, sometimes there were less than 10 people working there. The factory was the kind with all three units under one roof: the factory, the warehouse and the dormitory all in one building. The first floor was where we worked, the second floor was the dormitory and the third floor was where the boss and his family lived. The conditions in the dormitory weren't really terrible. It was a big open dormitory with more than 10 women sleeping in one room and all the men sleeping in another room and there were a lot of mosquitoes. After working there a few days, one's face would be covered with mosquito bites. There were only two shower rooms and we had to go to the river to fetch water and we washed our clothes in the river. As for the work, we had to put the screws in with our hands, and our hands swelled up as a result and we got lots of blisters. I quit after just a few days.

**Third job: Handicrafts**

Someone from my hometown introduced me and two of my relatives (a younger female cousin and an older male cousin) to jobs in a handicrafts factory. This factory was in the city of Chenghai and employed between 20 and 30 people. The factory was on the ground floor of a normal low-rise building. A second story had been created above the factory and we slept there. Someone tall like me couldn't even stand up straight. In the summer, it was really hot there, and there was no air conditioner or even a fan. You simply couldn't sleep. They put up a simple partition to separate the men and women. The only way up or down was by a ladder. If someone on one side wanted to go down, they'd have to ask someone on the other side to bring the ladder over. There was only one toilet with a shower for everybody. We had to line up to use the shower when we finished work, which was at about 11:30 pm every day.

This factory used the piece rate system, but I didn't understand how they calculated it. Our wages never seemed to match the amount that we produced. We had to buy our own food. We worked 14 hours a day, seven days a week. We worked there for about a month and then decided that it wasn't worth it. We only earned between 400-500 yuan a month and after deducting what we spent on food, we basically hadn't saved much money. One day my cousin was listening to the radio with the earpieces in her ears while she was resting. She was also a slow worker. The boss said to her that he didn't want her to work there anymore and that she could go. So the three of us, me and my two cousins, all decided we didn't want to work there.

But the boss's wife didn't want to let us go, and she said a lot of nice things to us and asked us to keep on working. But my older cousin thought that it wouldn't work out if we stayed, so we left anyway. The boss kept our IDs and wages. We didn't want to go to the Labour Department but what else could we do? We went to the Labour Department and the official there told us that this was the practice in this area: If we quit after just one month, we wouldn't get any wages. The only thing they could do was to help us get our IDs back. In the end, we didn't get any pay. Adding it all up, we didn't earn any money that month and we were out-of-pocket for all the money we spent on food.

**Fourth job: Toys**

After that I went to work in another privately owned toy factory in Chenghai City. This one was a little bigger than the second and third places that I'd worked in and the conditions were a bit better. This factory employed more than 50 people. We worked eight hours a day, four hours in the morning and four in the afternoon. If there were orders on hand, we'd work another four hours in the evening. We never got a day off. We'd only get a break if there were no orders or the electricity went off. Once we had a small fire in the factory caused by the electrical wiring. We all ran out in a hurry but nothing happened. I pasted labels on the toys in that factory. The wages were determined by the production process and the speed of the line. Some people could make as much as 1,000 yuan a month; others only got between 400 and 500 yuan. The conditions in the dormitory were also better than before. About 50 people or more all lived in a separate building, and you could cook your own food. This factory was privately owned and built by the boss himself, so he was more understanding and courteous to

us. If you needed to go home, you could, and if someone from your family came to see you, they could stay in the dormitory. I worked in this factory for just three months. I'd learned how to use an industrial sewing machine, and I still wanted to work in a garment factory. I also wanted to earn more money, so I quit and went with someone who'd just arrived from my hometown to Dongguan to look for a job.

### **Fifth job: VCDs**

When we got to Dongguan, we spent the first few days living in the train station and then the bus station. Later, we found my cousin and at night we sneaked into her dormitory and stayed with her. We hadn't been able to find a job for days, and we were really feeling down. That factory didn't allow outsiders to stay in the dormitory, and we were afraid of getting my cousin in trouble, so we moved to the home of another person, also from our hometown. Although he was a good person, he was a man, so I didn't think that was it was such a good idea to stay even though he never did anything to me.

One evening I went to watch the movies that run all night. The next morning when I was eating breakfast, I discovered that I'd lost my wallet. I had to wait there until my cousin came to pay for my food. Law and order in that place was really bad. We had taken one of those unregistered mini-buses to get from Chenghai to Dongguan. We had paid them a lot and then they dropped us off in the middle of nowhere. In the end, I didn't go to work in a garment factory. I got a job in an electronics factory that made VCDs. Two other girls that were with me decided not to go to work in a factory. They got jobs as attendants in a hotel.

This factory employed more than 200 people, most of whom were women. The first impression you got from this factory is that it was exceptionally clean. All the workers wore uniforms, and the workshops were also very clean. I worked in packaging in this plant. We were paid by the hour, 2.00 yuan an hour and 2.50 yuan for each hour of overtime. We didn't work overtime on weekends. It took me a while to discover what was wrong with this place: I had nothing to do all day. I only earned between 200 and 300 yuan a month and from that they'd deduct 90 yuan for food, so in fact in a month, I'd only earn between 100 and 200 yuan. This factory also had a pension plan, and they took out 10 percent for that. You could get that money back when you left the factory. There were no industrial accidents in this plant. Men and women got the same pay for the same job. I worked in this factory for four to five months, then I left because I couldn't earn any money there. I had to forfeit a month's wages when I left. According to the company's rules, you must work a full year before quitting to get a full settlement of your wages. That's to say, you only have one chance every year to quit.

### **Sixth job: Ceramics**

After I quit that job, I went to work in a ceramics handicrafts factory. The minimum monthly wage in this plant was 480 yuan. The overtime pay in the first three months was 1.00 yuan an hour. After you have worked for three months, you would get a pay rise. The amount of the rise depended on the department head's assessment. The workers were divided into three categories, A, B and C. "A" group was the highest and got a (daily) increase of eight yuan a



day. “B” group earned 7.50 yuan and “C” group 7.00 yuan. The department head’s assessment was based on your performance. We didn’t really understand how she assessed us. If the worker was from the same area as the head, then she’d get a slightly higher rating. She gave me a “B” rating which was pretty good, because I finished a lot of work. If one didn’t take any days off during the month, you could get 100 yuan in a bonus in addition to your monthly pay.

The factory provided two meals a day and didn’t deduct anything for food. They also gave you 2.00 yuan a day for breakfast. We worked seven days a week. The best situation would be not working overtime on Sunday. If we had to work overtime, we worked five more hours, from 6 pm to 11:30 pm. We were supposed to start work at 8 am, but actually we had to meet at the athletic field for exercises and running at 7:30 am. Normally, we’d only exercise for about five minutes, and then we’d go to the workshop and start working. This factory had about 400 to 500 people working there, 60 percent of whom were women. This plant had comparatively safe working conditions. In our unit, we packed flower moulds with clay and the job required some skill, so the manager treated our unit rather well and the pay was a bit higher.

The work in some units, like the painting unit for example, was much simpler. They painted the flower moulds that we produced. This didn’t require much skill and the pay was worse. They had to take it in turns to go to the toilet in that unit. They could only go to the toilet half an hour after they’d started working. The passes would be issued one by one for each production line, and if you didn’t go when it was your turn, you would miss the chance and you’d have to wait until it came around to you again. You couldn’t spend more than five minutes in the toilet each time; even when you had your period you’d only get five minutes. And you couldn’t disrupt the flow of the production line by going to the toilet. At work, you had to sit properly. You weren’t allowed to sit cross-legged. Those were the rules in that unit.

We didn’t have such rules in our unit. There were a lot of people in the other units and the skill level was not very high. Ours was a technical unit, so a higher skill level was required. If they were too strict with us, people would just leave. It took at least two weeks to train a new person so that they were able to produce something of decent quality. If you encountered unfair treatment, you’d just have to grin and bear it. Nobody goes to the Labour Bureau.

### **Seventh job: Clothes**

When I left the ceramics factory, I went home for a while. After that, I went to work in a clothing factory in Beijing. The plant was called Jiushan Garment Factory. It was in Miyun County, a district of Greater Beijing. The owner of the plant was from Anhui province and there were about 100 people working there. We worked nine-hour shifts and overtime work in the evenings was optional, but we never got a day off.

They calculated wages using the piece rate method. The minimum wage was 380 a month and they didn’t count hours worked overtime as overtime, so there was no separate overtime pay. The conditions in this plant were really terrible, worse than any plant in Dongguan. There was only one shower room and no one was assigned to do the cleaning, so it really stank. We were put up in a one-storey building with seven to eight people to a room.

At that time, the factory was three months behind in paying wages. I had been there for just a month, so this didn't really affect me. But then one day I had a run-in with the supervisor, and on the same day I wanted to go out to make a call home in the afternoon. That factory is in a village far from anywhere and you have to walk a long way to find a telephone. I wanted to call home because I'd been away for quite a while without contacting them. But the supervisor wouldn't let me go until I'd finished everything. We only said a few sentences to each other. We didn't say much. She said, "You're spending too much time on yourself." I said, "If you're not satisfied with me, then you can give me an exit slip [to get out of the factory] and I'll go."

It was just at that time that the other workers were asking the boss for their back pay. They'd already talked to the boss many times but got nowhere. Then, they said that if they weren't paid, they'd quit. The plant manager threw a fit and said he wasn't going to pay anyone. The assistant plant manager was a woman and she was more polite. After she came in, she said that the plant manager had been kidnapped a few days ago and had spent a lot of money and had nothing in hand right now. If the staff didn't have any money for meals, the factory could help out. Later, we were all given between 30 and 50 yuan. She said that they had an order for some cotton garments that was quite urgent and if we could get this order out first, then she'd see if we could be paid right after that.

We worked on that order for two days and they still didn't pay us. I talked to the boss myself many times. I always believed that we should use peaceful means to resolve our problems, but I was new and I didn't have much in the way of back wages owed to me. The boss later wrote us a note saying that he was having a financial crisis. He also said that he would pay us within a specified period of time.

But we heard some news about the boss which indicated that we would have a hard time getting our wages. So we got the feeling that it was really hopeless to try to get our back pay from him. We tried again, asking the factory manager for our salary and he said that if we wanted to leave, we should leave now. He could say that because he knew that we hadn't been paid in a long time and that we had no money to leave. We didn't even have the bus fare to get to Beijing!

In the end we decided that we would leave, even without our pay, and we'd decide what to do when we got to Beijing. Usually, the factory locked the main gate to the compound. If someone wanted to go out to make a telephone call or to buy something to eat, they needed to get a permission slip from the boss. All factories have this kind of requirement. To leave the factory compound, you need a permission slip. They're afraid that you might take something out of the factory. For this reason you wouldn't be allowed to take any luggage out of the factory without a permission slip. So it would be really difficult to leave on your own.

In the end, all of us joined forces and left together. We left in the evening. At that time there was only one guy watching the main gate. There was one guy who was working on our side of the plant and he'd stolen the key to the gate. After the gate was open, the guard couldn't hold us back. And that was how we all got away. At that time, we were really pleased with ourselves. We

thought we had won some kind of victory. In fact, there were those in our group who had lost four months wages. They all said I was lucky, because I had only lost one month's wages.

We didn't go to the Labour Bureau. We really didn't know anything about anything. After we got out, we all put our money together to buy bus tickets to Beijing. When I got to Beijing, I found my cousin and borrowed money from him to get home.

### **Eighth job: Clothes**

I only stayed at home for one week and then I went to Shenzhen and started working in a place called the Hongcheng Garment Factory. This one was set up with Taiwan money. They made things for children. There were 600 people in that plant. The set-up was half assembly line and the other half was done by hand. I paid a deposit of 80 yuan when I started working at the plant. They said that this was to process my staff card, the factory license and some other documents. I was put on one of the industrial sewing machines, and it was really hard work.

We worked overtime every day and the earliest we would get off would be around 11 pm. Sometimes we would work until two or three in the morning, and we would have to go to work the next day as usual. We started at 7:30 am until 12 noon. They said that we had half an hour break for lunch and a rest, but in fact as soon as we finished eating, we would go back to work. There was no rest break. The best day was Sunday when we only had to work overtime until 9:30 pm. Really, we were exhausted. Some even fainted, because they were so tired.

There were some people who got their fingers caught in the needles of the sewing machines, because they were so tired. Afterwards, they couldn't say why their hands were near the needle and got caught in it. But in fact, it was because they were overtired and half asleep. There was always a meeting in the morning. Once a woman fainted suddenly in the middle of the morning meeting. We tried but we just couldn't rouse her. In the end, her husband, who worked in my section, carried her home and she took a day off to rest. No matter how much you needed to take a rest, if they wouldn't let you, then you still had to come to work.

We worked on the piece rate method, and there was no overtime pay. But the wages were high. The minimum was about 800 yuan a month and the maximum could be as much as 2,000 yuan. But later they set the highest pay for staff at 1,800 yuan a month, because the section chiefs were getting 2,000 yuan.

The salary was good at this factory, but their system of fines was also pretty strict. We punched a time clock and they would dock one yuan for every minute you were late. They were always fining people. If there was any problem with the quality of the work on the garments and they were returned to the factory, then we would get fined. If you talked back to the section head, you'd get fined. If the floor was dirty, you'd be fined.

There was one woman working there who was much older. Once the section chief told her to re-do something and she refused. In fact, you couldn't say that the way she'd sewn the garment was wrong, but if the section chief told you to do something, then you had better do it.

So she was fined. After she was fined, she still wouldn't do it and quarrelled with the section chief. So she was fined again! That month her fines totalled at least 600 yuan. Even so, in the end she still got about 1,000 yuan in wages that month.

The food in that factory was okay. They served a soup and three dishes at lunch and dinner, and the rice and the dishes tasted quite good. In the afternoon, they'd pass out fruit and there was a late night meal when we worked overtime. If we worked as late as 3 pm, there was another meal for us, so the canteen in this factory often made five meals a day. You would rarely find this in other factories. There were all kinds of things on offer at breakfast, but most people didn't get up for breakfast, because they were too tired. They just wanted to stay in bed. There were 20 people in one room and there weren't enough showers and toilets for everyone. In the evening, there was no hot water.

The workers weren't given any labour contracts at this factory. No one brought that up when we started working there. The longest holiday you could have was one month, and you could only have one big holiday a year of 20 days to one month. But most people had a hard time getting even a day off. If you didn't turn up for work, you'd get fined. And each fine was between 50 yuan and 100 yuan. We didn't get a day off on National Day or Labour Day. The best you could expect was that we wouldn't have to work overtime on Mid-Autumn Festival. There was no trade union in this factory and we never heard anything about laws on labour protection and we never had any training in labour protection.

I worked there for two months and then I quit. I was just too exhausted. The only other thing was that they changed my position several times in the first month. And they set my quota too high; I could never finish it, and I had to work overtime by myself. Sometimes I would work until three in the morning and I still couldn't finish it. I was really angry. According to the regulations in this factory, you had to work for at least three months before you could quit. So when I wanted to quit, they wouldn't let me. I found the section chief and told her and she approved it. So I went to look for the division chief and he refused to approve my resignation.

So I had to write a letter to the assistant general manager from Taiwan. At that time, my family had arranged for me to be engaged to someone, and I didn't want it. But I used this as an excuse to quit my job. In the letter, I said my family had arranged the marriage and that they had already received 2,000 yuan in gifts for the bride. I said that I didn't agree with this arrangement and I wanted to go home to put a stop to it. Marriage was one of the biggest events in one's life and it is forever. After I cancelled the engagements, I would come back to work, because I needed to earn the 2,000 yuan to pay the people back.

The assistant general manager told me come to his office; he told me to come back at the end of the month and he would approve it. I was afraid that he wouldn't keep his word, so I asked him to sign his name at the bottom of a letter I'd written. But later, his subordinate still didn't agree and wouldn't let me leave. There was nothing I could do. I just kept on working. When I first started working at that factory, I did a good job on the garments that I worked on, but later I didn't try so hard and they didn't want to keep me. In the end, they approved my request.

Our group was producing a kind of children's playpen. It sold very well, and there were good orders for it. Other factories couldn't seem to produce it, and in our factory it was only our division that could make them. So ours was the highest paid unit in the factory and that is also why it was difficult to leave that position. But it was really exhausting working in that factory, so they found it hard to get workers and a lot of people quit. Those who stayed were older or young men who couldn't find a job anywhere else. Someone had written on the wall of the toilet: "Girls should not be working at this factory." This plant was actually really cold-hearted. In 2003, during the SARS [flu-like epidemic] crisis, there was one guy who was running a high fever and he went to the clinic to get a doctor's note to say so. But the factory still wouldn't give him sick leave, and they wouldn't let him come to work. Whatever it was that you wanted, they wouldn't allow it. In the end, the guy just left.

### **Ninth job: Clothes**

After I quit that job, I went immediately to a garment factory in Longgang District in Shenzhen, a place called New Horse Garment Factory. This plant was making well-known designer clothing. I don't know who originally set up the plant. I think it was Hong Kong investors. I worked there for one year. I was a thread inspector, that is, the one who checks that there are no loose threads showing on the exterior of the garment.

The usual working hours were eight-hour shifts with two hours of overtime on Monday, Wednesday and Friday. If we worked overtime on the weekends, we would get double pay. This job paid by the hour, and I got 2.77 yuan per hour. The wages were paid one month in arrears. The minimum pay was 700 yuan a month. You got an extra 7 yuan for working the evening shift. After working for three months, the factory put you on the piece rate method. This factory also gave us medical insurance and work-related injury insurance. Every month you had to pay 60-70 yuan toward that.

There were eight to 10 people in every room in the factory dormitory, but there was a balcony off each room. The factory often held fire drills and emergency training. There was a recreation room in the factory where you could play ball or watch movies. After three months, I switched to another type of job. I worked in the spraying section. The spraying is done to improve the quality of the material. The others were not pleased, but I had studied dressmaking and I worked hard, so the other women couldn't say much.

This division worked the night shift and it was on the piece rate basis. Then the rate was cut by 40 percent. Originally, the pay was about 1,700 yuan, but later it fell to 1,000 yuan. That was because the number of garments sent to the night shift fell on average. If you wanted to earn more, then everyone had to compete with each other and grab more garments to work on. At that time, the biggest complaint was that we didn't get equal pay for equal work. The job was the same, only the order was different, so the wages were different.

Later, I was transferred to the pressing department. At that time, there were too many orders and there weren't enough machines. So they rented a machine that was made in China. It wasn't really safe to use. It was always breaking down. But the factory had assigned me to that

one and there was nothing I could do. That machine had a shield or guard, but a screw was loose and the shield often fell off. The electrician had a look at it and said that it could be still be used, but you just had to be careful. Afterwards, I didn't pay too much attention to that. If it could be used, then I used it. After the supervisor discovered this problem, he told me that if the shield fell off again, we wouldn't use it [the shield] anymore.

On 25 March 2004, I was working the night shift and the shield fell off several times, so I stopped using it. At about 3 am, the accident happened. My hand got caught in the iron roller. Someone who was there at the time saw what happened and thought that the machine had jammed and turned off the machine. But my hand was still inside and I couldn't get it out. No one there knew what to do, but they called the electrician. The electrician was sleeping and didn't come for another six minutes. When the electrician released the pressure of the machine, I got my hand out. The skin on my hand was already badly burnt by the time I got my hand out. The security man called for a factory car to take me to the hospital, but they couldn't find a driver. It was another half hour before they called a taxi and I went to the hospital by myself. Nobody went with me.

I was in the hospital for 21 days. I had surgery to transplant skin to my hand because the original skin on my hand was already dead. While I was in the hospital, I asked the factory several times before they provided me with money to pay for the treatment. In the factory they started rumours about me, saying that I had no sense of safety. In fact, it was the electrician and the supervisor who said there was no danger and let me take off the shield, otherwise why would I have taken off the shield? The factory didn't send anybody to the hospital to see me or stay with me when I was having surgery on my hand. Afterwards, I asked them several times if they couldn't let one of the workers from the factory stay with me for a few days, and finally they agreed.

While I was in the hospital, the factory only gave us about 100 yuan for food. We were afraid that we wouldn't have enough money, so we didn't eat the hospital meals. My cousin made something every day and brought it to the hospital for me to eat. Before I had fully recovered the factory stopped paying the hospital bills and the hospital discontinued the injections. Later, the hospital said I had already recovered and that I didn't need the injections anymore, even though we had paid for the treatment. If they hadn't stopped the treatment in the middle, I would have recovered more quickly and properly.

About 10 days or so after I was released from the hospital, the factory started to push me to come back to work. I said that I wasn't completely recovered yet. The supervisor called me to his office and asked me to pick up a piece of paper. He asked me whether I could eat and put on my clothes. I thought that he meant well and told him that I could do all these things by myself, that I didn't need anyone's help to do these things. Then, right away he asked why couldn't I come to work if I could eat and put on my clothes by myself?

At that time I really didn't expect him to talk to me like that, and I was really angry. The doctor had suggested that I have a second round of skin transplants on my hand, because my hand was not completely better. I was afraid at that time that this hand would be crippled or de-

formed later, so it was really a terrible time and I felt like jumping out of a window. When I was in the hospital, someone from a workers' service centre in Shenzhen came to interview me about this work injury. Later, I got information about this service centre from someone in the hospital. I checked the address and went to see them when I was still recovering from the surgery. They gave me some help, but there was a limit to what they could do.

Later, I went to have the second round of surgery on my hand. I went alone again. At that time, I didn't know that the work-related injury insurance included transportation costs and meals. To save money, I took a long public bus ride to the hospital. The surgery was fairly successful. I have recovered almost completely the functioning of my hand. But when the weather is bad, the skin from the skin graft cracks easily. Maybe that's because it didn't recover completely the first time. The factory still has not paid me my wages and all the insurance money that they owe me.

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I'm now working in a workers' service centre in Shenzhen. On the basis of my working experience, I believe that what women workers need the most is to know something about the law. Only when they have some knowledge of the law can they protect their rights, and only when they know how to protect their rights can they make progress and improve their condition.

In fact, the first step is difficult enough. Most of those who are working in these types of jobs don't have any knowledge of the law. They have never thought that they have rights and they never try to discover what their rights are. They think that going out into the working world is like that. While I was in between each of my nine previous jobs, I was effectively living on the street. We knew that the railway station would not kick us out, and that we could close our eyes for a while and rest there. When you quit a factory, you have to leave the factory. Before we went home, we went to those all-night movie theatres and waited there until dawn when we could get a bus home.

The Labour Bureau did nothing to help us or protect us. All the Labour Bureau thinks about is moving along any worker that comes into its offices. They are not paid well either, so the less they have to do the better they like it. If they are not pressured to take up a case, they won't and that is one less case for them to handle. And, of course, there is the relationship between the factory owners and the people in the Labour Bureau. The owners will invite the Labour Bureau people for dinners and so on.

There are also problems with the present laws. Take maternity leave for women workers, for example. According to the regulations, a woman is entitled to antenatal leave of 15 days. This regulation is actually very bad for the health of those women from other parts of China who are working in the south. Suppose that they get on a bus 15 days before their due date? What if something happens on the way? What will they do? When the child is one month old, they have to go right back to work, and this is bad for the child that is nursing. Another common problem is painful period cramps. But right now, not one factory, including those with good working conditions, finds it possible to give those women any special attention.

## Appendix III

### PRC Labour Law<sup>39</sup>

#### Chapter 7: Special Protection for Women and Underage Workers

Article 58: The State mandates special labour protection for women and underage workers. An underage worker is one who is between the ages of 16 and 18.

Article 59: It is absolutely prohibited for women to engage in mining, in labour that is at Grade IV of Labour Intensity, or as otherwise provided by law.

Article 60: During their menstrual periods, women shall not engage in labour at high elevations, low temperatures, or in cold water, or perform other labour that is at Grade III of Labour Intensity.

Article 61: Pregnant women shall not engage in labour at Grade III of Labour Intensity or labour otherwise prohibited to pregnant women. After the seventh month of pregnancy, women shall not work overtime or be assigned the night shift.

Article 62: Women are entitled to at least 90 days of paid maternity leave after giving birth.

Article 63: Women who are nursing a child under one year of age shall not engage in labour at Grade III of Labour Intensity or other labour prohibited to nursing mothers, nor work overtime or be assigned the night shift.

Article 64: Underage workers shall not engage in mining, unhealthy or hazardous work, labour at Grade IV of Labour Intensity, or as otherwise prohibited by law.

Article 65: The employer shall arrange for underage workers to have regular physical examinations.

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<sup>39</sup> Adopted at the Eighth Meeting of the Standing Committee of the Eighth National People's Congress on July 5, 1994, and effective as of January 1, 1995. The above translation is taken, with minor adaptations for style, from Hilary K. Josephs, *Labour Law in China (Second Edition)*, Juris Publishing Inc., 2003, p.147.



## CHINA LABOUR BULLETIN RESEARCH SERIES

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China Labour Bulletin has produced seven research reports over the past year and a half. The original Chinese versions are available at [www.clb.org.hk](http://www.clb.org.hk), together with English editions of two of the reports (Deadly Dust and Falling Through the Floor.) The reports range in length from 20 to 60 pages, and additional English editions are currently in preparation. Each report addresses a different key issue on China's labour rights landscape, and together they provide an in-depth account and analysis of the wide range of problems faced by Chinese workers in seeking to protect their legally specified rights in the workplace.

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- *Standing Up: The Workers Movement in China, 2000-2004*

This report chronicles the main events and developments in the workers' movement in China from 2000 to 2004. It reviews the wide range of collective protests undertaken by workers to defend their rights, discusses the workers' primary complaints, and assesses the social impact of these labour protests and the range of countermeasures adopted by government agencies to deal with them.

(Chinese edition: September 2005)

• *Deadly Dust: The Silicosis Epidemic among Guangdong Jewellery Workers*

The main focus of this report is on the case intervention work undertaken by China Labour Bulletin during 2004-05 to assist jewellery workers who had contracted chronic silicosis to win fair and appropriate compensation from their employers. In seven collective case accounts of this type, CLB highlights the severe health cost to Chinese workers of the country's current model of economic development and reveals the daunting procedural obstacles that occupational illness victims must surmount in order to secure compensation.

(Chinese edition: June 2005; English edition: December 2005.)

• *Bloody Coal: An Appraisal of China's Coalmine Safety Management System*

The incidence of major coal mine accidents in China - defined as ones in which more than ten people died - reached a new peak during 2005. There were 58 such accidents, as compared with 41 in 2004; and the number of miners killed totaled 1,739, as compared with 979 in 2004. These are increases of 41.5 percent and 77.6 percent respectively. In this report, CLB examines the reasons why the government's coalmine safety policies have thus far failed, and emphasizes that the way forward is to allow coal miners to play an active role in monitoring their own safety underground.

(Chinese edition: March 2006)

• *Small Hands: A Survey Report on Child Labour in China*

Child labour has long been a problem in China, and it is currently being exacerbated by the shortage of migrant labour in much of the country's private sector. In this report, however, based on 77 interviews with child workers, students, parents, teachers, and government officials in three separate provinces, CLB examines the issue from the supply side rather than the demand side. Two main causal factors are identified: continuing rural poverty, and farming families' inability to pay onerous school fees.

(Chinese edition: May 2006)

• *Falling Through the Floor: Migrant Women Workers' Quest for Decent Work in Dongguan, China*

Migrant women workers in Dongguan and other key cities of the Pearl River Delta have consistently been denied their fair share of the rewards of China's rapid economic growth over the past decade and more - indeed, they are increasingly falling below the ILO-defined minimum standard for socially acceptable work. In this survey report, Chinese women workers tell us in their own words about their arduous experiences of trying to earn a decent living in the boomtowns of the Chinese economic miracle today.

(Chinese edition: May 2005; English edition: September 2006.)

## FALLING THROUGH THE FLOOR

### Migrant Women Workers' Quest for Decent Work in Dongguan, China

According to the International Labour Organization, the concept of decent work lies at the heart of any fair and equitable national development strategy, and the standards for defining it should rise as economies grow and prosper. Moreover, decent work goals depend upon the maintenance of a minimum "floor" level of workers' livelihood – defined as respect for fundamental labour rights and the provision of sufficient work, income and basic security. Local minimum wages provide one concrete indicator of the requisite floor level; workers' freedom of association and collective bargaining rights provide another. In September 2008, the ILO launched an "Asian Decent Work Decade" aimed at linking the goal of decent work with the global poverty reduction agenda.

In this survey report by China Labour Bulletin, young Chinese women workers tell us in their own words about their arduous experiences of trying to earn a decent living in the boomtowns of the Chinese economic miracle today. Women workers from the countryside form the bulk of the migrant workforce, now numbering well over 100 million, that has driven China's unusually high urban economic growth rates over the past 15 years. But as this report shows, women migrant workers in Dongguan and other key cities of the Pearl River Delta have consistently been denied their fair share of the economic rewards – indeed, they are increasingly falling below the ILO-defined minimum standard for decent or socially acceptable work. Compelled to work illegally long overtime hours, allowed only one day off work per month and earning monthly wages that often barely exceed the legal minimum, they lead working lives of unremitting tedium and exhaustion.

Based on a series of in-depth interviews with 30 rural migrant women working in privately owned factories in Dongguan, Guangdong Province, the report highlights the wide range of unethical and unlawful practices used by employers to extract the maximum amount of effort from such workers at the lowest possible price. Also addressed is the failure of local government agencies and the official trade union, through their lack of proper monitoring and enforcement of China's labour laws, to protect this vulnerable majority of the migrant workforce.

Concerning the serious labour shortage currently affecting many of China's major cities: the report concludes that the government's continuing denial of freedom of association for workers has had a structurally adverse impact on the operation of the free market itself in southern and coastal China, and that the labour shortage is unlikely to end until all migrant workers – including women – are given both the right and the means to negotiate a fair and equitable price for their labour.