STUDY ON MIGRANT WORKERS’ APPEAL FOR RIGHTS AND TRANSFORMATION OF LABOR RELATIONS IN GUANGDONG PROVINCE (1978-2014)

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1. Background

- In 1980s, Chinese rural economic reforms, such as Household Responsibility System, had freed a significant portion of rural surplus labors, as well as improved the agricultural productivity.

- In 1984, it was first put forward in the Central First Document that migrant workers could settle in downtown by self-rations, which was a mark that peasant could work in cities freely.

- In the context of the international industrial transfer, enterprises of Guangdong hired a large number of workers to develop the “three-plus-one” trading-mix.

- By the end of 1993, Guangdong had accumulated a total of 6.5 million migrant workers, accounting for 9.87% of the total population.
2. Research Question

• At different stages of development, what is the appeal of rights for migrant workers in Guangdong?

• With economic development and social transformation, what is the change of labor relations in Guangdong?

• How do the government, enterprises, migrant workers and social forces affect the labor relations?
3. From 1978 to 1994: Pay attention to economic demands

(1) The living condition of migrant workers in cities

• To many migrant workers, making money was the primary purpose for them to work in the city.

• In enterprises, migrant workers often did the entry-level jobs and earned low income; but they were still faced with the major problem of wage arrears.

• Most enterprises seldom provided or only provided low insurance for workers and did not sign any contract with them in the 1990s.

• Migrant workers were forced to work extra hours, the working condition was also poor.
When their rights were infringed

- Migrant workers chose to reflect their demands to the enterprise individually or through their group, and hoped to get proper compensation.
- However, the enterprises refused to shoulder their responsibilities relying on their capital power and the uncompleted legal system.
- In the situation of “the labors’ weak forces facing the capital’s strong forces”, it was hard to guarantee the lawful rights of the migrant workers in the real sense by themselves.
(2) The double restrictions of institutional regulations for migrant workers

• In 1958, household registration system divided Chinese residents into agriculture account and non-agriculture account, in order to control the migration of rural population and set up urban-rural dual resource allocation system.

• Therefore, peasants were excluded from national welfare system. They could only depend on the weak village collectives and their own cultivated farmland.
• China had lifted the control over household registration system in 1984, which made it possible for peasants to work in the city, but the reform only stopped in the population flow rather than shake the allocation institution of rights and resources behind the household registration system.

• As a consequence, peasants working in the city was only a spatial flow instead of a social identity change. They could not become a real citizen.
• The limitation of institutional structure to migrant workers also reflected in the legal construction process.

➢ The state and local government had focused on manipulating the population flow, rather than coordinate the labor-capital relationship.

➢ The laws and regulations carried out by Guangdong mainly aim at staff in state-owned enterprises and collectively-owned enterprises, but do not cover staff in enterprises with higher market process.

➢ All of the labor insurance policies were administrative regulations that were hard to restrain the enterprises.
(3) The expansion of capital versus the labor rights

- At the beginning of the reform and open up, “investment promotion” has been one of the major approaches for Guangzhou to develop its economy.
• On one hand, it could bring in advanced techniques and equipment, which would promote production efficiency. On the other hand, it was an important index for GDP competition among regions, and also for the promotion of official careers.

• In the tide of rapid economic development, central and local governments had emphasized too much on attracting capitals but at the same time ignored the intervention on labor-capital relationship.

• The absence of national force had indulged the unconstrained expansion of capital, which made the rights of migrant workers worse.
4. From 1995 to 2007: In pursuit of labor rights (1) the improvement of the living conditions of migrant workers

- The motivations for migrant workers to work in the city had changed.

- As the statistics showed, 33.38% believed young men should go out and make a fortune. 33.24% thought the income was too low for farming. 29.75% believed there would be more opportunities in the city than in their hometown.

- Compared with the old generation, the younger generation values more the opportunity to open their horizons in the city.
• Income of migrant workers were increasing, but lower than the disposable income per capital of the Guangdong. The problem of wage arrears had also been tackled with.

• Compared with the first arena, more migrant workers were purchased with insurance now, but were still in small percentage.

• The percentage of workers who had signed a contract was almost the same as the first arena, with only 42.35% signing a labor contract.

• Most of the workers had experienced extra working hours, accounting for 68.60%.

• The poor working environment needed improving. 30.20% of the workers said the environment was harmful to their health.

Statistics of this part is based on the Academic Research Database Sharing Plan of Sun-yet-sun University. The survey has interviewed 3974 migrant workers from 9 cities of the Pearl River Delta in 2006.
the awareness and behaviors of rights

• Migrant workers dared to expressed their appeals for rights to the enterprises. Such as communicating with the supervisors or the boss.

• 46.98% were willing to safeguard their rights by taking collection action.

• However, many migrant workers still worried that the open complaints and protests would put them in a great risk. Thus, a special way to protest arises, which was named as everyday forms of resistance by Scott.

• Nearly 60 percent were not satisfied with the solutions given by the government.

• It was easy for migrant workers to choose extreme individual ways to fight for their rights, such as suicide, if their appeals were turned down.
(2) the discrepancy between institutions and practice on labor rights protection

• The Labor Law issued in 1995 was the first basic law to regulate the labor-capital relationship, and opened the prelude for China’s management on labors to transit from administrative management to the governing by laws.

• Migrant workers were admitted instead of being repelled. Especially the acknowledgment, endowment, and demise of individual rights in institutional level made it possible for migrant workers to enjoy the same welfare as urban residents.
However, the goals, powers and responsibilities among central, provincial, and local government were discrepant. The central and provincial governments focused on giving instructions in a micro view. But the local governments concentrating on the implementing of policies were faced with the pressure from lack of resources, which led to an embarrassing situation.

- ex. Free education for Children of migrant workers
(3) the collusion of government and capitals in labor management

• From 1994 to 2007, the Pearl River Delta had gradually become the spot of “world factory”.
• The east coast pattern & The west coast pattern
• Guangdong's economic development relied on not only foreign investment but also the promotion of the local government.

• The decentralization reform of “all round contract” gave the local government more authority to develop economy, which played the key role in government incentives. At the same time, the strategy of “taking economic construction as the center” changed the index for local official promotion.

• So the government incentives and the profit-seeking nature of capitals collided together in the tide of economic development.
5. From 2008 to 2014: Focusing on self-actualization

(1) New trend of migrant workers

• In the Pearl River Delta of 2009, the average monthly was 1667 yuan, most worked in private-owned enterprises.

• The average working time was 9 hours a day, 6 days a week. Extra working generally existed.

• After the implementation of the Labor Law, 60% enterprises signed contracts with the migrant workers.

• More workers enjoy the welfare and insurance, with 49.51% and 52.63% bought with medical insurance work-related injury insurance.

Statistics of this part is based on the Academic Research Database Sharing Plan of Sun-yet-sun University. The survey has interviewed 1766 migrant workers from 9 cities of the Pearl River Delta in 2009.
• 2010 to 2012 was the high-incidence season for collective protests with an average of 181 cases each year.
• Most of them happened in Guangdong.
• The main reason for the mass incidents was labor disputes.
- Honda Strike in Nanhai

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<td>Appeal</td>
<td>labor rights</td>
<td>self-actualization</td>
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<tr>
<td>Organization method</td>
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<td>well organized</td>
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<tr>
<td>Action strategy</td>
<td>No strategy</td>
<td>within the legal framework to fight for their own rights</td>
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(2) Economic situation forces enterprises to pay attention to labor rights

- The strategy of “development the west” has led to the turnover of migrant workers in Pearl River Delta.
- Under the financial crisis of 2008, More and more enterprises had to change the form of growth.
- Thereby, more and more enterprises have increased their salary and provided opportunities for development so as to control the labor turnovers and attract high-skilled personnel.
(3) Local governments construct rights protection system for migrant workers

- In 2010, Guangdong has formally issued Opinions on the Registration Work of Migrant Workers through Points System. So migrant workers can be provided with public services and the quota to obtain the citizenship.

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<th>Public service and rights</th>
<th>Citizenship</th>
<th>Migrant workers</th>
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<tbody>
<tr>
<td>Free education for Children</td>
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<td>Children to take college entrance examination in Guangdong</td>
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<td>Children to join the army in Guangdong</td>
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<td>Application for business subsidies</td>
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<td>Apply for low-rent Houses</td>
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<td>Apply for social assistance</td>
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• The local governments also devote to consummating other policies and regulations to protect the legal rights of migrant workers. The most impressive one is the 2014 newly issued Collective Contract Regulations in Guangdong’s Enterprises.

• Bottom rights & Interests sharing

• Not related to laws or regulations, the share of interests belongs to the allocation within an enterprise, which is beyond the intervention of the administrative power, should be negotiated between the employers and the workers.
(4) Social powers to the cultivation of rights protection

• Besides governmental and capital forces, more and more social forces have joined in the labor rights protection, including federation of trade unions and non-governmental organizations.

• Provide them with necessary legal aid and employ professional lawyers.

• Set up interactive platforms to resonate migrant workers in sharing and communication.
6. Conclusion

- **1978-1994**: the government had paid too much attention to attracting capitals while ignoring the intervention on labor-capital relationship. Faced with disordered capital expansion, migrant workers were willing to bear and accept all the inequality.

- The labor-capital relationship do not show apparent tense and conflicts because of the dominance of capital, the weak power of labors and the absence of administration.
1995-2007: the national concerns and the awareness of rights had prompted migrant workers to take various measures to satisfy their appeals of rights. However, the discrepancy in labor rights protection between central and local governments, and the collusion of local government and capitals had lead to a difficult position for migrant workers to safeguard their rights.

2008-2014: the appeals of migrant workers have turned to the actualization of individual values, who have tended to collective protests. The economic situation, the local government and social forces have promoted the labor-capital relationship into an arena with various powers.
Thank you!