

Chinese Workers Pay Personal Price for Employer Noncompliance with Labor Safety Rules

Xu Tianlong, a migrant worker from southwestern China's Sichuan province, was beaten last year after he demanded payment of wages owed by a contractor in Jinan in eastern Shandong province. Infuriated, Xu doused himself with gasoline and set himself afire, grabbing the contractor in an attempt to kill them both. Xu was severely injured.

China's state-controlled media, often constrained by censors in their coverage of sensitive issues such as worker unrest, have finally begun highlighting selected cases of worker mistreatment. The account of Xu's self-immolation came from the official Xinhua News Agency. *China Daily* carried a photo last year of a worker perched atop the arm of a construction crane, threatening to jump if denied his pay. The newspaper *Nanfang Zhoumou* [*Southern Weekend*] coined a new phrase, *tiaolou xiu*, or "jump protesters," to describe workers who commit suicide by leaping from buildings to protest against what it called "black-hearted" bosses who flee without paying wages.



A young Chinese woman applies glue to the soles of sports shoes at a factory in Zhongshan, Guangdong Province, in January 2003. Although factory managers say the workers are instructed to use masks and gloves to guard against fumes and chemicals in the glue, many prefer to work without the protective equipment. (Photo by E. Griggers-Smith)

For many workers, shut out of the court system, lacking legal representation or know-how, such desperate measures may seem the only recourse. Many workers shun legal labor recruitment centers, fearing they will be cheated, and refuse to sign employment contracts, objecting to required fees. Zhou Litai, a lawyer who has handled the cases of hundreds of workers seeking compensation for injuries and other employment-related troubles, says he is unconvinced new rules to defend workers' rights will have much impact.

"Lots and lots of migrant workers come looking for me," he said in a recent phone conversation. "I get more and more cases all the time, and the workers have no money to live on. Economically, it's very difficult for me, very difficult."

Some of the disabled workers staying at a shelter run by lawyer Zhou, himself a self-educated, former migrant laborer, admit that in hindsight, they should have heeded warnings to use safety shields, helmets, and other equipment. But most said that excessively high work quotas and overtime were the biggest hazards.

At Zhou's place, the workers—lacking hands, feet, arms, legs—pass the months it can take for their cases to come to court by watching television, playing cards, playing ping-pong, and studying. Few will be able to return to manual labor. The women shut themselves in their room—unwilling to be seen or photographed, but the men are happy to chat with a visitor.

"I want to find a way to stay here. There's nothing I can do back home," said Bai Jiangning, who lost a leg from the hip down while driving a truck for a factory, resting in a room crammed with bunk beds occupied by other injured workers. His wife, Yu Shuhua, sold the family home to pay for a lawsuit against Bai's employer and traveled to Shenzhen to nurse Bai. The couple worry over how to keep their daughter in an art school back home in Shanxi, and over their future.

"He has his pride—most people back home don't know about his situation," said Mrs. Yu. "We're getting older and we have nothing." Another, younger,



A young Chinese woman operates a machine used to reinforce bonding between uppers and soles at a sports shoe factory in Zhongshan, Guangdong Province, in January 2003. Workers in their late teens and 20s, many from Sichuan and Hunan Provinces, predominate in such factories. Managers say they face intense pressure from their brand-name customers in the West to ensure the assembly line meets labor safety standards. (Photo by E. Griggers-Smith)

migrant who lost an arm in a factory accident excuses himself to leave for a computer training program he hopes will equip him for white-collar work.

Although he still handles cases across the country, Zhou retreated last year to his hometown of Chongqing, in southwestern China, after running afoul of authorities in the southern border city of Shenzhen who ordered him to close his office there. A staffer at the local lawyers' association said that although the formal reason for forcing Zhou out was that his office was not registered locally—though it is in Chongqing—Shenzhen officials were incensed by his support to workers seeking compensation from employers. "The Shenzhen and Guangdong authorities are very angry with me. They blame me for driving away foreign investors," Zhou says.

Since young migrants, especially women, are often fired by the time they reach their mid-20s, few view factory work as a desirable future. A survey early last year of 1,800 migrant workers by the Guangdong Communist Party Youth League found that about half hoped to someday become self-employed, 22%

wanted to become professionals, 19% hoped to become civil servants, and only one in ten aspired to be lifelong factory workers.

Though in many factories, excess overtime and shoddy equipment are to blame, labor standards monitors complain that a lack of worker awareness contributes to the problem.

A recent visit to a sports shoe factory in an export-processing zone in Zhongshan, on the west bank of the Pearl River Delta, found quite a few young female workers shunning protective goggles and masks. The factory, run by Kingmaker Footwear Holdings—a supplier to Timberland, Sketchers, Caterpillar, and Stride Rite, among other big name brands—is a model for safety.

Workers are strictly limited to 12 hours a day and a 60-hour workweek, says Philip Kimmel, Kingmaker's



A young Chinese woman fits the upper of a sports shoe to a mold at a factory in Zhongshan, Guangdong Province, in January 2003. The factory was winding down for the Lunar New Year holiday, when many of its workers would board buses chartered to take them back to their home towns. Though this worker was employed in relatively good conditions, many are deprived of their year-end wages by bosses—a problem the government is attempting to tackle with high-level orders to respect migrant workers' rights and to pay up back wages. (Photo by E. Griggers-Smith)

marketing director. Dangerous goods are stored at a safe distance from the factory workshops, and fire drills are held on a regular basis. "We tell them to wear the masks, but sometimes they just refuse or take them off, saying it's too hot," Kimmel says.

Goaded into action by demonstrations by tens of thousands of laid-off workers in the rust belt of the northeast and by dramatic individual acts of protest like Xu's, China's Vice President Hu Jintao and other leaders elevated to top positions during a national Communist Party congress in November 2002 have pledged to protect workers' rights, improve industrial safety, and do more to boost lagging rural incomes.

"All illegal behavior that insults the human dignity of peasant laborers and violates the personal rights

of peasant laborers must be severely punished," the State Council declared in an edict outlining the duty of local authorities to provide the country's 94 million migrant workers treatment equal to that of urbanites.

Though the greater attention paid to such issues and the promises of greater legal protection for migrants' rights and higher safety standards are welcome, prospects for enforcement remain unclear. High-level edicts are routinely ignored by local authorities and by employers.

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