



# Understanding Labor and Employment Law in China

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# Understanding Labor And Employment Law In China

**John Garrick**



## **Understanding Labor And Employment Law In China:**

**Understanding Labor and Employment Law in China** Ronald C. Brown, 2009-10-12 Continued economic prosperity in China and its international competitive advantage have been due in large part to the labor of workers in China who for many years toiled in underregulated workplaces More recently labor law reforms have been praised for their progressive measures and at the same time blamed for placing too many economic burdens on companies especially those operating on the margins which in some cases have caused business failures This combined with the global downturn and the millions of displaced and unemployed Chinese migrant laborers has created ongoing debate about the labor laws Meanwhile the Chinese Union has organized many of the Global Fortune 500 companies and a form of collective bargaining is occurring Workers are pursuing their legal labor rights in increasing numbers This book provides a clear overview of the labor and employment law environment in China and its legal requirements as well as practices under these laws used to deal with labor issues

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systems have been reformed accordingly In the light of these changes Malcolm Warner one of the leading authorities on management in China explores the past present and future of Chinese management The first part of the work examines the history of management practices in the Middle Kingdom outlining the influence of traditional Chinese values especially the Confucian inheritance and the legacy of the imperial bureaucracy with its meritocratic examination system as well as the role of industrialization and the influx of foreign owned businesses in the late nineteenth century and the twentieth century It next goes on to consider the current state of China s management showing how a new breed of manager has evolved since the beginning of Deng Xiaoping s reforms in the late 1970s and 1980s The resulting impact of this strategy which has continued into the 1990s and the 2000s up to the present day is then examined The final part of the book concludes with reflections on how management in China is likely to develop in the near future especially on how far it will converge with global practices or to what degree an indigenous form of management with Chinese characteristics will prevail **Law and**

**Fair Work in China** Sean Cooney, Sarah Biddulph, Ying Zhu, 2013-03-05 China s economic reforms have brought the country both major international clout and widespread domestic prosperity At the same time the reforms have led to significant social upheaval particularly manifest in labour relations Each year several thousand disputes break out over working conditions many of them violent and the Chinese state has responded with both legal and political strategies This book investigates how Chinese governments have used law and other forms of regulation to govern working conditions and combat labour disputes Starting from the early years of the Republican period the book traces the evolution of the law of work in modern China right up to the reforms of the present day It considers the structure of Chinese work law drawing on both Chinese and Western scholarship to provide new insights into its unique features and assess where the law is innovative and where it is stagnant and unresponsive The authors explore the various legal and extra legal techniques successive Chinese governments have adopted to enforce work law and the responses of firms workers and organizations to these practices Looking for Work in

Post-Socialist China Feng Xu, 2012-03-15 Unemployment is one of the most politically explosive issues in China and has gained further prominence as a result of the present global financial crisis The novelty urgency and complexity of Chinese unemployment have compelled the government to experiment with policy initiatives that originate in the West This book argues that although China is not a liberal democracy it has turned to neo liberal forms of governance to deal with unemployment which now function alongside pre existing Chinese modes of governance This book examines the initiatives which represent China s attempt to institutionalize and humanize its approach to governance these initiatives include training programmes counselling a web based national labour market information network insurance and using community shequ organizations as the base for new mechanisms of governance and informal job generation Based on extensive original research including semi structured interviews the book discusses the ways in which the government combines the new techniques with old campaign style policy techniques The author argues that these multiple modes of governance make the

state's power visible in the new Chinese labour market and at the same time run the risk of policy incoherence or even failure

**The Collective Dimensions of Employment Relations** Tindara Addabbo, Edoardo Ales, Ylenia Curzi, Tommaso Fabbri, Olga Rymkevich, Iacopo Senatori, 2021-08-09 This edited volume explores the old and new collective dimensions of employment relations. It examines specific challenges stemming from new forms of work of the digital and sharing economy such as measurement, monitoring, assessment and remuneration of work, the protection of work-life balance, the impact of new technologies on health and safety, the adaptation of occupational skills to new work processes and the responses to the digital restructuring of undertakings. It addresses a series of questions such as how the representational action of unions and works councils can adapt to the challenges posed by new production systems and whether the legislative framework needs to be reformed to ensure that digital workers enjoy the right to collective representation. This important collection offers readers a renewed theoretical perspective and justification of the role that the dialogue between workers' representatives and companies could play in an increasingly complex world of work.

**The China Employment Law Guide** Grace Yang, 2017-08-15 The China Employment Law Guide addresses various key China labor and employment issues all employers especially foreign companies doing business in China and employees especially expats seeking a job or working in China need to address or understand. It provides practical and easy to understand answers to China labor and employment questions from hiring through firing and nearly all things in between. For example, it addresses the issues China employers constantly confront on matters ranging from what they need to consider in drafting their employment contracts, what should go into a China-centric employer set of rules and regulations and why such a document is essential at all, how to hire, how to fire, overtime, vacation time, pregnancy leave, probation terms, employee benefits and even lifetime employment. Perhaps most importantly, it confronts head-on the many myths Western companies have about China employment laws and discusses how those myths can cause so many problems. This book consists mostly of blog posts and articles my colleagues and I have authored over the years on our award-winning China Law Blog. We do our best to make these articles and this book as concise and readable as possible because to provide our readers with accessible legal and practical answers that work in the real world. Unless absolutely necessary, this means we do not go into the weeds in citing and explaining China's employment rules and regulations but we instead lay out clear paths forward for dealing with real-life employment law issues and problems. China's labor and employment laws are complex and local and constantly evolving and so in many cases we write not so much to provide the right answers for your specific situation but to arm you with the right questions you must ask to get the right answers.

*Law and Policy for China's Market Socialism* John Garrick, 2012-05-04 This edited volume presents fresh empirical research on the emerging outcomes of China's law reforms. The chapters examine China's going-out policy by addressing the ways in which the underpinning legal reforms enable China to pursue its core interests and broad international responsibilities as a rising power. The contributors consider China's civil and commercial law reforms against

the economic backdrop of an outflow of Chinese capital into strategic assets outside her own borders This movement of capital has become an intriguing phenomenon for both ongoing economic reform and its largely unheralded underpinning law reforms The contributors ask probing questions about doing business with China and highlight the astonishing escalation of China's outbound foreign direct investment OFDI Law and Policy for China's Market Socialism includes contributions from leading China law scholars and specialist practitioners from the People's Republic of China Hong Kong the United States the United Kingdom and other countries who all extend the examination of powerful influences on China's law reforms into new areas Given the forecast for the growth of China's domestic market those wishing to gain a better understanding and seeking success in the world's most dynamic marketplace will benefit greatly from reading this book This book is essential reading for anyone interested in Chinese economics and business Chinese Law Chinese politics and commercial law

*Minimum Wages, Collective Bargaining and Economic Development in Asia and Europe* Maarten van Klaveren, Denis Gregory, Thorsten Schulten, 2015-06-09 This book offers a labour perspective on wage setting institutions collective bargaining and economic development Sixteen country chapters eight on Asia and eight on Europe focus in particular on the role and effectiveness of minimum wages in the context of national trends in income inequality economic development and social security

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