

Speech at the ILO/ACFTU Workshop on Strengthening Workers' Education, Promoting Gender Equality and Achieving Decent Work

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In China, women workers are an important part of the working class and the backbone of the Chinese women. With the growth and expansion of the working class in China, women workers have already become a major force in the economic development of the country.

Before the new China was founded, few women worked and were mainly distributed in light industry and textile sector. After the new China was founded, the number of women workers was only around 610,000 at the beginning, accounting 7.5% of the total workforce. With the continuous economic development, the number of women workers has been increasing all these years and reached 86,526,000 in 2009, 141.8 times of the number of women workers in the early period of P.R.C, accounting 35.3% of the total workforce. The number of female trade union members is 82,484,000, which is 36.4% of the total union membership.

The Chinese trade unions actively promote gender mainstreaming, raise awareness on gender equality through various means and measures, and effectively protect the legitimate rights and special interests of women workers. In this regard, we have been promoting the following two areas of activities:

First, improve the education level and the overall quality of women workers.

The women workers organizations in the trade unions at various levels have established weekend/evening schools and mobile classrooms to encourage women workers to read more books and participate in the training programmes organized for them. We hope to improve the overall quality of women workers through these platforms and build a knowledge-based, skilled and innovative contingent of women workers. To encourage women workers to contribute their wisdom to technological innovations and inventions and upgrade their skill levels, trade unions have organized skill contest and skill-sharing activities in the industries and professions that women are largely concentrated. According to a survey in 30 provinces (regions and cities), in the last year women workers' organizations in the trade unions at various levels have organized 5,119,000 skill contests. In these contests, 12,343,000 women have participated and put forward 1,356,000 reform proposals, 170,200 technological innovations and 48,600 inventions, among which 4293 patents have been awarded.

To fully implement the *Opinion on Improving the Overall Quality of Workers* released by the ACFTU, the Women Workers Committee of the ACFTU issued the *Opinion on Elevating the Quality of Women Workers and Their Contribution to the National Development* on May 11, 2010. The *Opinion* has defined the following specific targets: mobilize 85% of the women workers to participate in the ACFTU Campaign of Contributing to National Development and help 7 million women workers upgrade their skill grades; provide various forms of education and training to 80% of women workers and help 3.5 million improve the levels of their educational attainment; establish 200 demonstration schools as the pilot bases for the training of women workers and develop a multi-tier, multi-type and open training structure to effectively improve the overall quality of women workers.

Second, strengthen the mechanism of protecting women workers, promote harmonious labor relations.

In recent years, the women workers' organizations have mainly focused on promoting collective bargaining and signing special collective contracts for women

workers in their exploration for a more effective mechanism of protecting women workers' legitimate rights and interests.

Signing special collective contract for women workers is an important part of the collective bargaining activities. It means that trade unions represent women workers to negotiate with employer and sign a special contract that covers the protection of women during the "Four Periods" (menstruation, pregnancy, birth and breastfeeding), the rights of women to maternity protection, equal remuneration, development and education, and the scope of work that is regarded as dangerous for women. This special contract is legally binding to the employer and all the female employees.

In 2006, the ACFTU set the target "using 3 years to sign the special collective contracts for women workers in 80% of the enterprises where collective bargaining already takes place. To promote the special contracts, the ACFTU has required in its *Provisions on Enterprise Level Trade Union Activities* that enterprise trade unions must represent female employees to negotiate with the enterprise and sign a special collective contract. Later this has been proposed by the ACFTU to the national legislative body and written into the *Labour Contract Law*. The *Opinion of the Promotion of the Special Collective Contract for Women Workers* released by the ACFTU has set up targets for the special contract. Following the requirement of the ACFTU, all the trade unions at various levels have been actively promoting the special contract through the following activities:

1. Participate in the legislation process to ensure the legitimate rights and interests of women workers from the legislative source. Taking the opportunity of drafting local laws, trade unions at various levels insisted that the special collective contract for women workers should be brought into in the relevant local laws and regulations. At present, 13 provinces and municipalities, including Guizhou, Anhui and Shanghai, have mentioned special collective contract for women workers in the locally adopted *Methods for the Implementation of the Law of Protection of the Rights and Interests of Women*.

2. Form a synergy to jointly push forward the contracts. The local trade unions have made full use of the tripartite mechanism to build up alliance with the local government and employers' organizations to promote the special contracts. Now 20 provinces (regions and municipalities), including Hebei, Shanxi and Inner-Mongolia, have released a joint tripartite document "*Guidelines on the Promotion of the Special Collective Contracts for Women Workers*" to give suggestions and make requirements for the promotion of the special contract.

3. Signing special collective contracts for women workers have been prioritized in the overall trade union activities. The promotion of special contract has been put at a prominent place in the overall agenda of trade unions at various levels, with the Chairman or a Vice-Chairman designated to oversee the work, the Women Workers' Department responsible for the implementation, and the other relevant departments giving support. The special collective contract for women workers is planned, promoted and supervised together with the progress of the overall collective bargaining activities and assessed as one of the major criteria to evaluate the performance of local trade unions.

4. Give targeted guidance and focus on the real effects. The trade unions at various levels gave full consideration to the reality of different enterprises and provided different enterprises with different guidelines based on the features of the region and industry. The requirements for SOEs, collectively-owned enterprises and large foreign-invested enterprises could be very different from those for small private enterprises at the township, community and village level and the textile, garment and catering industries where women are densely concentrated.

In the last several years, the trade unions at various levels and women workers' organizations have made great efforts to promote the special contract and made obvious progress. By the end of 2009, a total of 605,100 special contracts have been signed in the whole country, covering 1,006,900 enterprises and 46,218,300 female employees. In 30 provinces (regions and municipalities), more than 80% of

workplaces have signed the special contract.

The effects of promoting the special contracts have been reflected in the following five aspects:

First, it has pushed forward the enforcement of relevant national laws and regulations on the protection of the rights and interests of women workers. After signing the special contracts, employers are obliged to implement relevant laws and regulations on the protection of women and fulfill their social responsibilities. It has also helped to improve and standardize the labour protection mechanism for female employees, raised their legal awareness and ability of self-protection, and effectively curbed the incidents of infringement on women's rights. 21 companies in the food industry in Hubei Province nullified all the previous company rules that contradict state laws and regulations when they sign the special collective contracts. For example, articles like "New employees cannot get married in the first 5 years of employment" have been deleted from the company regulation. The special contract signed in the Shan'xi Provincial Bureau of Enginery Industry has specified the following situations: "Pregnant women whose job requires standing of more than 4 hours should be transferred to other positions; women should be paid the whole salary during the maternity leave and breast-feeding period; the system of competing for a position among employees can be waived for women who are in more than 7 months of pregnancy or on maternity leave. They can keep their previous positions".

2. It has promoted the implementation of maternity insurance. The special contract has forced employers to pay more attention to maternity insurance and expanded the coverage of maternity insurance in enterprises. Since maternity right is guaranteed by the special contract, women no longer have to delay their marriage, avoid having a child or give up their maternity leave as they did for many years. The special contract signed in the cardigan sector in Kuntong town, Anji County, Zhejiang Province covers 77 enterprises and 1600 female employees and expanded the coverage of pension, medical care and maternity insurance to 85% of female

employees. The special contract of the Liuzhou Steel stipulates that women who work in 3 shifts / day are entitled to two years of maternity leave and 80% of salary during the maternity leave. At the same time, these two years will be considered as normal working years when calculating the total years of service. This regulation has taken away the risk of “losing the job after having a baby” and thus been hailed by female employees.

3. It has helped to raise labour protection standards for women. The special contract has made many enterprises raise labour protection standards and pay more attention to improving the working conditions and environment for female employees. Most of the enterprises have increased the hygiene and health allowances for female employees and provided them with regular health checks and special diseases insurance. Many enterprises have supplied radiation-proof clothes and monitor screen protection devices for women who are in frequent contacts with computers and other equipments with radiation. Since the Henan Research Institute for Oil Exploration signed the special contract, it has provided special labour protection equipments and health and hygiene products to the 225 female employees who work on dangerous positions and may be exposed to toxic chemicals, established files of these female employees and the file of special protection for the “Four Periods”, and arranged annual health check for female employees.

4. It has facilitated the settlement of the most frequently-encountered difficult problems for women workers. The special contract also protects the economic interests of women. The special contracts signed in the textile industry in Hanzhong, Shan’xi Province have made clear requirements on the overtime payment based on piece rate and thus solved the long-standing problem of poor overtime payment. This kind of special contract has been hailed by the women workers. The existence of gender discrimination in workplaces is still common and reflected in the early retirement of women and workplace sex harassment. Some enterprises have used the special contract to respond to this reality and address the problems. The Shanghai

Qiaosheng Commerce and Trade Investment Corporation is a company where female employees are the majority. The company union found that most of the female employees at 50 are very energetic and experienced and they prefer to postpone retirement. After several rounds of negotiation, the company and the union signed a special contract to relax the regulation on retirement age. The contract stipulates that the female employees who are in sound health may postpone retirement to the age of 55 if they wish so. This new arrangement on retirement age has been strongly supported by women in the company because it solved the problem facing them for years. The Nanjing Catering Industry Union signed special contracts with the companies in the sector and clearly prohibited restaurants from asking female employees to drink with the customers for the purpose of attracting more businesses. This regulation has been in practice for several years and effectively protected the rights of women in the catering service in Nanjing.

5. It has ensured that women would be able to participate in the management of enterprises and enjoy the right to education. The special contract requests enterprises to guarantee certain percentage of women in the Workers' Congress and among the employees who receive company awards. The Jiayin Ranch in Heilongjiang Province signed a special contract with the union and increased the percentage of female delegates in the Workers Congress from the original 26% to the present 41%, which will greatly empower women in the decision-making process of the company. The special contract of Shanghai Diesel Engine has articles of "recommending female employees to managerial positions, organize skill contest and various training for female employees, and guarantee the right of female employees to further education and career advancement". The special contract of Nanjing Xuanwu Hospital stipulates the following: female employees are entitled to the same political rights of male employees; women must be no less than 50% of the future managers selected and mentored by the hospital; women must be more than 45% of the employees whom the hospital is training and preparing for the leading positions in each department".

The trade unions at various levels in China has made tremendous efforts and achieved major progress in promoting gender equality and protecting the legitimate rights and interests of women workers. In the future we shall further integrate the strength of trade unions, mobilize social resources, provide more in-depth and solid protection for women workers, and play a more important role in promoting gender equality and building a harmonious society.