

# **Immigrant Worker Organizations and Transnational Labor**

## **Solidarity Network**

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**Abstract :** The development of globalization not only changes the traditional production system in China, but also creates a new production body---the immigrant workers. Based on researches in South China, this paper analyzes the background and current status of the immigrant worker organizations in China. The article concludes that the mushrooming immigrant worker organizations are well in line with the globalization process. The transnational labor solidarity network provides the Chinese immigrant worker organizations with the necessary financial aid, group management experience and labor service ideas, which is conducive to a healthy and harmonious development of the immigrant worker organizations in particular and the Chinese society at large.

Since China's reform and opening up policy, "the evacuation of the national power" in the labor protection area advocated by the new liberalism has been in progress openly. In the reform during the iron bowl breaking and the auction and the transformation of enterprise, every step indicates the evacuation of the national power and the diffusion of the labor power. In the authority regime, the traditional labor union, business chambers, grassroots party association, the workers' conference and other organizations attached to the combinationism fails to protect their rights as they functioned before. A remaining sense of ownership among the workers vanished as the laying off and the reposition of redundant personnel in the 1990s. However, in the immigrant worker area, this marginal group has never existed independently under the

regime protected by the nation, so the “evacuation of the national power” lose its ground , and even the labor unions in the combinationism refused the immigrant workers for the workers failed to have the resident permit in the urban areas. Additionally, the authoritarianism regime itself rejected the labor ally, and they attached more importance to the ideological propaganda, so they firmly oppose the legal resistance among the workers. The massive field research for this paper shows that a labor ally has rapidly rose in the Southern part of China by organizing the disperse immigrant workers who lack rational education. Instead of being fragmenting and unsystematic, their move has gradually altered their way of resistance, and they received the support from another stream---the transnational network, which shows the difference between the resistance of the Chinese immigrant workers and the previous worker move.

Coming from the other place of the country, pursuing the non-agricultural work and without any security at work are the general characteristics of the immigrant workers. They are generally without local resident permit, the majority of who are from the rural areas, and some are the laid-off workers from the towns or some companies with inferior market performance, or, they have the urban resident permit, mainly work in the coastal areas, but their rights as workers are frequently infringed or unsecured.

The immigrant worker organizations in this paper refer to these non-government organizations independent from the government departments including the organization of the workers, youth and women, with an aim to protect the rights of the immigrant workers, and specialize in promoting the labor rights and participating the actions.

The transnational labor solidarity network includes the transnational companies, international labor organizations, international human rights organizations, foreign

governments, universities or institutes, consumer organizations, social responsibility authentication network, charity institution, various funds, religious organizations and the college student movement organizations, and etc. In the labor protection area, the transnational network regards the international labor standard enacted by the international labor organizations and the United Nations' human right convention. Most of their movements are in the manner of cooperation. These transnational networks influence and guide the behavior of the immigrant worker organization with its particular ideas and ways of actions; meanwhile, they bring the movement of immigrant worker organization in China into the international labor movements.

#### 1. Immigrant worker organization in the Southern China---the beginning of the “self-help” movement

A movement called “self-help among the labor” in China has initiated in the Southern areas since the paper work service department founded by the workers in Panyu, Guangzhou in 1998, and it is the immigrant workers that take the mission of this movement. In the Southern part of China where most of the immigrant workers stay, the rights of the immigrant workers are treated extremely badly for a long time, and some extreme accidents emerged without an end, such as strike, taking revenge of the boss, committed to suicide and other extreme behaviors, which arouse the social instability. Immigrant worker network provides the general immigrant workers with services such as legal consultation, legal promotion, occupational health promotion, and cultural education and training, etc. These activities have effectively shown the hostility between capital and labor, promoted the justice and helped maintain the social stability (please refer to Table 1).

Table1 Organizations of immigrant workers in southern China

Name of the organizations Of immigrant workers	place	Ways of Register	Activity content & ways	Sources of fund	Found ation time	Career of the initiator
Shenzhen immigrant worker association	Shenzhen		Law consultation , education and training, cultural activity	Membership, collect by their own	2004	Worker
Worker Paperwork Service Department	Guangzhou	individually-owned business	Visiting the industrial injury, law consultation , literature group	over sea	1998	lawyer
Shenzhen present society observation and research institute (ICO)	Shenzhen	company	Research on immigrant workers, education on workers, reviewing the social responsibility and law consultation	diversified	2001	reporter
Shenzhen immigrant workers self-help party	Shenzhen	No	Law consultation , cultural activity	Membership, collect by their	2005	worker

				own		
Ankang Career safety service	Guangzhou	individually- owned business	Promotion of career health and learning rooms	over sea	2004	Worker and industrial injury
Guangzhou worker service center	Guangzhou	individually- owned business	Law consultation , cultural activity and training	over sea	2005	businssm an
Shenzhen little bird worker self- help hotline	Shenzhen	N/A	cultural activity, district education and promotion of law	over sea	2006	worker
Love career safety information consultant limited company	Shenzhen	company	Career safety promotion, law consultation	over sea	2005	Industria l injury
Workers- career safety and health center	Shenzhen	individually- owned business	Career safety promotion, law consultation	over sea	2003	Industria l injury
Little grass information consultant center (Worker's culture	Shenzhen	individually- owned business	Career safety promotion, law consultation , cultural	over sea	2003	Industria l injury

home)			activity			
Worker sodality service center	Guangzhou, Dongguan, Shenzhen	No	Culture education, law consultation	over sea	2004	Worker
Worker help center	Shenzhen	No	Cultural activity, district education, law promotion and female worker protection	over sea	2006	worker
Love's home	Shenzhen	No	Keeping the immigrant workers who are without home	over sea	2004	worker
Female united/female care	Shenzhen	Oversea registration	Law consultation	over sea	1996/2004	Oversea organization and domestic worker's union
Shenzhen working out of home town service	Shenzhen	individually-owned business	Cultural activity, district education, law promotion and female worker	Collect by their own	2006	worker

			protection			
Da county people's labor rights service	Dongguan	No	Law consultation	over sea	2002	lawyer

From the point of view of the initiators of those organizations, most of them are labor from the frontiers. Among their groups, these immigrant workers generally are more literate, with stronger learning capability and have been out for work for many years, so they have their own distinctive opinion about their circle, moreover, a considerable section of the initiators or staff suffered from the industrial injury themselves, and their interaction with the capital side and the government has enhanced their ideas toward the labor protection undertaking. In the current legal proceedings in China, a case on labor litigation can hardly be addressed within a year, which may turn a worker suffering from industrial injury to a law specialist on labor law during the hardship. The litigation of a worker with the surname “Huang” from Shenzhen Workers Centre has been involved in this litigation for 5 years, yet it hasn't been solved. And another worker with the surname “Fei” from the Career Safety Information Consultant limited Company won the litigation, but it failed to be executed. Another example is that the initiator himself of the Worker Paperwork Service is a lawyer who deputizes labor litigation.

From the point of view of time, except for the Worker Paperwork Service was founded in 1998, most of the organizations were established after 2000; however, it doesn't mean that the condition of labor deteriorates. Since the end of 1980s when the farmers' frenzied job hunting in cities emerged, the growth in strength of the group of immigrant worker is synchronous with China's economic development. In the end of the 1990s, the price of farming product decreased, which together with the heavier taxation on the farmers and the decline of the economic condition in rural areas.

Under this background, farmers had no choice but to hunt jobs away from home. However, it is difficult for the coastal area to offer sufficient working opportunity for the farmers in such a large amount, and the cut-throat competition on arranging the workers raced to the bottom. Under this background, the litigation of Zhou Litai, the lawyer representing the workers has aroused immigrant workers' consciousness of protecting their own rights. Most of litigation cases amounted to 4000 deputized by lawyer Zhou Litai in the Pearl River Delta were ended with the labor side's victory, which had greatly encouraged workers' confidence and improved their consciousness of fighting and solidarity. I have visited at least three initiators of the labor organization whose litigations of industrial injury are deputized by lawyer Zhou Litai and they have learned a lot of knowledge of law and got in touch with some outer organization who support the labor when communicate with Zhou Litai.

From the point of view of the activity areas, these organizations mainly scatter in Shenzhen (outside the special economic zone), Guangzhou and Dongguan, because of the numerous factories concentrated in these areas, and the number of immigrant workers by far exceeding the number of local people. Of course, the development of labor organization has something to do with the openness of the local government toward such organizations, and the two can live in harmoniously even though some of the organizations haven't registered and might be clamped down by the governmental departments anytime. The labor organizations seldom worked together with the government and neither side consider it difficult to cooperate with each other though some observers hope that. Labor organizations' lawless identity makes the government unwilling to cooperate or scruple and the labor organizations realize that the government own plenty of information that can be shared, however, they both consider that their working ideas conflict with each other. During our research, we got in touch with many people in the governmental departments who showed sympathy on immigrant worker's tragic situation. They understand that the managerial system is quite unfair to the immigrant workers, but few are willing to break it. Most of the



labor organizations are rational on their expenditure, and they keep a low profile.

From Table 1 we can find that most of the labor organizations are registered as the private or individually-owned business, and some of them have never registered while the governmental departments know well of the nature of what they are undertaking; the taxation office commonly don't tax on them for they fundamentally haven't any income. Labor organizations often get in touch with the governmental sectors when trying to protect worker's rights, and basically they both function in harmony. A few labor organizations register as a company which demands large amount of capital for registration, but many such organization can not afford it. Additionally, registering as a company itself goes against the goal of the activity in the labor organizations. The later are the nonprofit organization, so registering as a company may bring in negative impact and it is unfavorable for them to promote their image.

From the point of view of ways and scope of activity, the main jobs of the labor organizations are law consultation, litigation deputation (citizen agent), career safety education and promotion, cultural activity and book services, etc. The activities of the labor organizations are highly homogeneous. Some labor organizations work on some specialized service projects, for example, the Ankang Career Safety Service specialized in offering career safety education and promotion to the immigrant workers; some of the organizations cater their services to the specific groups, for example, the Shenzhen Female Worker Care mainly serves for the female workers.; some of the organizations attach great importance to the construction of worker's right in the long run, instead of directly face the protection of worker's rights, for example, the "Present Shenzhen" focused on district education to help the immigrant workers to adapt to the city live by improving their literacy and technical capability and to promote the worker's safety career by publishing their research fruit on workers. They voiced their opinion domestically and internationally, worked as the

spokesman of the workers and published many monograph and reports.

From the point of view of funds, most of the labor organizations got the financial support from the transnational network, including Zhou Litai's litigation. Compared with domestic NGO in other nature, labor organizations are more difficult to get the outer support. Only a few of them adopt the membership and survive by relying on the membership fee. However, according to our observation, it is rough for those organizations that are without outer support to launch their activities, and their anti-risk capability is quite weak. Due to financial problem, one initiator of a labor organization has to change from working full-time in it to part-time for making some money and then back to it from the factory to take part in the promotion concerning workers. The problem of relying on membership fee lies in the low fee and the high turnover of the members.

## 2. Discussion

By looking at the phenomena of the initiation and development of the immigrant worker organizations in the southern part of China, we find that the labor protection movement start to develop in a systematic and organic manner and it is inseparable with the transnational network during this process. One thing to be noted is the two key factors have to be stressed on this phenomenon. One is that the immigrant workers in southern China has never had one institutionalized organization to represent it since its initiation, for the immigrant workers is the new group since the opening up policy in 1978; the other is that though China has made remarkable achievement in the economic development, its political system reform lags behind, and the so-called "global association" is highly controlled with the national political administration which is still following the integrationism way. In the labor rights protection area, the nation still hopes to continually play as a father, meanwhile, the nation's integrationism also hopes to keep on strengthening the roles of workers'

union, chambers, party committee, youth league where workers' labor rights can be guaranteed within the regime. And the standby nation machine can rapidly work if there is any conflict between the capital and the labor.

Immigrant workers in southern part play an important role in terms of nurturing the sense of labor rights, lifting their mobilization capability and the adaptability into the city life. These labor organizations are enlarging in such a rapid manner as Sets the prairie afire, with its own strengthening power, enlarging activity scope, enriching activities, and increasing funds and projects. Many people in charge of the labor organization told me, "Before I didn't know how to apply the project, and what worried me most was that we lack funds of the project and money for worker's salary; now it is easier to apply, but how to launch new project gives me pressure."

Labor organization's involvement into the labor rights protection area goes deeper and deeper. In the recent several strikes happened recently, labor organizations began to present at the spot, to help the workers protect their own rights rationally, whose actions have been gradually defaulted or granted by the government. During the people's congress session in a city, several labors united and asked the congress department to revise some laws and regulations on the fees of labor litigation. They firstly collected signatures from tens of thousands of immigrant workers on the street, and then they actively got in touch with the congress deputies, which showed that labor organizations began to voice themselves within the system.

The significance of the government's generosity toward the labor organizations and the more living space given to them lies in that it can help the labor organization enhance its independence so as to avoid pushing it to the "politicalization" side. If the politicalized labor movements come into being, it will be a vital blow to the existing labor organizations. However, if the organizational resources, activity content and

funds of labor NGO were disturbed, it will provide chances for the politicalized labor movement organizations to enter, which is what the government watch out for. Therefore, institutionalization and independence of the labor organization can prevent itself from being a political accessory or tool of the political fights or ideology.

Now goes to the function of the transnational network. The sources of the scores of labor organization in southern China clearly shows that it is difficult for the domestic labor organization to maintain survival at least at present stage without the financial support from the transnational network or the working idea enlightening from the network, and nearly every labor organization operates its project by striving for oversea funds.

However, the activity of the transnational network can be oppugned. Labor organizations in southern China generally comment that their fund application is relatively difficult with limited channels compared with NGO in other types such as environmental protection or AIDS. Some transnational network even explicitly state that they don't support the so called sensitive agenda such as human rights or labor rights, which seems to be discrepant with transnational network's ethical value. Of course, different transnational network has their own mission or idea, but it is a bit too rational for the network to refuse to help it, if they regard the labor protection issue as the pure ideology or political problem.

Some financially aided projects by some foreign network come with obvious political purpose, and it is never too rational for the Chinese labor organizations to involve into it. One labor organization in Guangzhou has ever complained to me "If they (oversea funds) require me to launch the project according to their ideas, I really can't help but follow. I have my own idea, but they didn't support mine. For the survival of my organization, I have to act like that." Some of the transnational network even didn't

ask for financial auditing, which has aroused the vigilance among the labor organizations: “they didn’t come to audit the finance, which is even harder for us to understand this. Actually we hope that they will come, for we are formal organization, what’s more, we are expecting to maintain solid finance, so we can be more experienced in competing for other projects.”

Influenced by transnational network, labor organization in southern China has showed highly homogeneity in terms of activity content, project arrangement and other fields. The labor organizations share lots of similarity in the service project, operational pattern and capital sources, which impact the development of domestic labor movements. Some organizations began to explore how to realize localizations in a real sense, which is delectable.

Developed as the self-organized entity from the voluntary and passive resistance, with the support of the transnational network, labor organization in southern China has become a “resources starter”, which has attracted the forces from scholars, lawyers, media, volunteers and various funds, etc. We believe, this strengthening of this power is of great significance for developing the Chinese labor undertaking, the Chinese society and the construction of a harmonious society.

外来工组织与跨国劳工团结网络

---以华南为例

Huang Yan, Open Times, 2006



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