Proposal for

Employee Representation in the New World of Work: The Dynamics of Rights, Voice, Performance and Power

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“Employee representation in China: Does ownership structure make a difference?”

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China’s new Labour Contract Act, which has been in force since January 2008, engage employers to consult employee representatives or, if there is no formal system of representation, all employees on any proposed changes to work rules that may affect them. This provision has provoked much debate. A number of scholars are convinced that this legal provision cannot bring voice to Chinese workers. Several scholars have highlighted the weakness of the legal institutions that are supposed to protect workers’ rights, the complex bureaucratic command and control system and the inadequacy of the compliance system (Cooney 2007, Gallagher 2005). Others have insisted on the localized and fragmented nature of labour mobilization and the inability of trade unions to build effective collective representation (Lee 2007, Taylor and Li 2007). Taylor and Li (2007) argue that the ACFTU (All-China Federation of Trade Unions) is not a union but a state organ and as such it cannot build effective collective interest representation.

Our paper examines patterns of employee representation in state owned, Chinese private owned and foreign owned enterprise. Drawing on multiple cases studies, we argued that there is much experimentation going on in many workplaces. However, labour institutions in China, that is formal and informal rules, monitoring and enforcement mechanisms, and systems of meaning that define the context within which actors operate and interact limits the prospect for change and engage them in path dependence, a process that constrain the range of future options and lock them into particular actions. In our conclusion we highlight the prospects and limits of employee representation in China.