



Annex

Submission to United Nations Universal Periodical Review of China

---- On Migrant Workers

March 2018

1. All-China Federation of Trade Unions (ACFTU) will follow with great interest the third-round Universal Periodic Review to be conducted in 2018 by the UN Human Rights Council of China's human rights situation. We hold the view that over the past few years, the Chinese government has paid special attention to the working and living conditions of migrant workers. The government has resorted to various measures to promote employment of migrant workers and to encourage them to start their own businesses, thus effectively guaranteeing the legal rights and interests of migrant workers. Accordingly, we hereby offer our views and opinions on the situation of migrant workers in China.

2. Since 2013, the number of migrant workers has been on the rise, with organized migrant labour showing an upward trend. In 2017, migrant workers totaled 287 million in China. By the end of September 2017, 140 million migrant workers had joined trade unions, with the number of women members going as high



as 51.269 million.

3. We are pleased to see that migrant workers have enjoyed effective protection of economic and social rights in recent years. By the end of September 2017, 63.865 million migrant workers had signed contracts with their employers. A special inspection of wage arrears for migrant workers carried out by the ACFTU in collaboration with government authorities concerned, shows that between 2013 and 2017, 5.084 million migrant workers around China got back 30.13 billion yuan in overdue salaries.

4. We have gone all out to find jobs for migrant workers and to bring them back into the labour force. In 2017, employment agencies run by trade unions at the county level and above found jobs for 395,000 person times, job training centers run by trade unions at the country level and above offered training programs for 451,000 person times and startup training courses for 181,000 person times.

5. The Chinese government and trade unions have rolled out a series of initiatives to boost education for migrant workers and enhance their job skills and potential. In March 2016, China's Ministry of Education and the ACFTU jointly released the Action Program for Improving Migrant Workers' Academic Education and Vocational Capacity. So far, 17 provincial trade union federations across the country have worked out working plans in line with industrial development in their provinces and



allocated special funds to purchase hardware and software facilities and provide education subsidies for migrant workers. As of September 2017, trade union organizations at the grassroots level and above have organized skill contests for 5,707 million person times, among which the competitions have enabled skill upgrading for 312,000 person times.

6. We put great premium on the protection of migrant workers' rights. Since 2013, the ACFTU has released the Opinions on the Implementation of the Opinions of the State Council on Providing Better Services for Migrant Workers and the Working Plan for Migrant Worker (2016-2020). From 2013 to 2017, the ACFTU raised 20.21 billion yuan, visited frontline workers, impoverished workers and migrant workers for 42.82 million person times, and subsidized the education of 908,000 children from struggling migrant worker families under the tuition waiver program (launched and administered by ACFTU Rights Protection Department).

7. We have noted that hamstrung by the system of urban-rural dual structure, migrant workers engaged in “dangerous, stressful, low-paid and low-skilled” work are paid less than their urban counterparts; some migrant workers are not guaranteed the right to rest and holidays, some are not paid overtime as required by the law; a fraction of employers do not pay migrant workers on time or even go so much as to maliciously delay paying them.



8. We call on the government to give full consideration to migrant workers' interests when it sets out labour laws and policies so that they can enjoy basic public services, basic necessities and social security on an equal and fair footing; we call for greater efforts to tighten supervision over unfair labour practices by employers, crack down on employers who infringe on migrant workers' rights and interests, step up legal aid services for migrant workers, and enhance their legal and rights protection awareness. We encourage migrant workers to sign contracts with employers, support workers to protect their rights through legal means, heed their demands and protect migrant workers' legal rights and interests in real earnest.

9. We suggest that trade unions assume a bigger role in supervising the implementation of labour laws and regulations, intensify guidance for and supervision over such issues as wage arrears for migrant workers, social insurance, labour protection, and occupational health and safety; that trade unions orient their work to the needs of migrant workers, tap into social resources to strengthen quality and skills training for migrant workers, offer quality services for employment and business start-ups; set up responsive complaint and assistance channels for migrant workers, and provide psychological counseling and guidance so as to help them better integrate into urban life.

10. We advocate that the Chinese government should uphold



the philosophy that hardworking is a virtue, guarantee the rights of migrant workers, improve law and policy making, eradicate at source institutional flaws that spawn vulnerable groups so that more migrant workers can enjoy a fair share of the benefits brought by reform and development.