

The Study on the Influential Factors of Chinese Workers' Rights Realization¹

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Keywords Workers' Rights, Realization of Workers' Rights, Influential Factors of Workers' Rights Realization, China

Abstract The aim of this paper is to investigate the degree of Realization of Workers' Rights and Influential Factors of Workers' Rights Realization in China. The survey shows: the overall degree of Chinese workers' rights realization is relatively low. Specifically, the lowest lies in the right of access to vocation and rest. The possibility of workers' being treated fairly when disputing with the employer is low and workers' overall level of payment is low. Vocational training is provided at a poor level and the proportion of the workers who join the housing fund and have maternity insurance is kept low; In all, among the 10 sub-factors that are considered to affect workers' right realization, individual related labor contract factors; employer related factors; government related factors are considered more important than worker related factors and union related factors. These results may be indicated that the way of development of labor relations in China may be different from that in Anglo-American countries. It is likely to reach a mutual cooperation and win-win relationship on the whole—via the ways of employers' self- control and the government's regulation under the concept of harmonious society and harmonious labor relations.

Introduction

In China, the "workers' rights" mainly refer to the rights laborers enjoy by Article III of China's "Labor Law", including the rights of: equal employment and the choice of occupation, payment for labor, rest and vacation, labor safety and health protection, receipt of occupation skill training, social insurance and welfare, filing a labor dispute application as well as other labor rights prescribed by law. But the legal right is not equal to the right realization in reality.

The degree of realization of workers' rights is affected by many factors. In this paper, we convert the concept of "workers' rights" in the legal sense into "workers' human capital property rights" based on the theory of property rights economics². After establishing a theoretical model for workers' rights realization, the study analyzes the current condition of Chinese workers' rights realization degree and to what degree it is being influenced by the various factors respectively according to the questionnaire data.

The survey shows that the overall degree of Chinese workers' rights realization is relatively low. In all, among the 10 sub-factors that are considered to affect workers' right realization, the ranking is tried as the follows according to their importance: (1) individual related labor contract factors; (2) employer related factors; (3) central government related factors; (4) local governments related factors; (5) worker related factors; (6) ACFTU related factors; (7) enterprise union related factors; (8) collective

² For the details please refer to Guilan Yu, Xiuzhi Zheng. *Economical Analysis on the Workers' Right Voilation in View of Property Right* [J]. *Institutional Economics*, 2010(3).

contract related factors; (9) trade union related factors; (10) local union related factors .

The establishment of the theoretical model of the influential factors of workers' rights realization

The employment contract is a transaction contract of human capital property between employers and workers; Since the employment contract is incomplete, the workers' rights is unable to be defined completely in the labor contract. Therefore some rights of workers are located in the “public domain” between the employer and the workers. Moreover, because in the property right transaction there exists the rule of “might makes right” (Umbeck, 1986) ,the employer who is on mighty status has the advantage to violate easily the workers' rights in the “public domain” (Guilan Yu, Xiuzhi Zhen, 2010) .

A number of scholars have studied the influential factors for general property right realization. Demsetz (1964) discussed the property rights of a given car. He said that the realization of the property right owned by the car's owner would be affected by the price protect mechanism, keeping the other people from plunder, self-protection and governmental protection. Barzel (1989) pointed out the rights to the property is the function of their efforts for self-protection, others' attempts to seize the property and the governmental protection. Alchian (1994) believed that the strength of the people's property rights depends on the government, non-formal social behaviors as well as ethical and moral standards. It's clear that the price mechanism, the predator's attempts, the restrictions on predators, self-protection of property owners, governmental protection, ethical standards and other factors are important factors influencing the general property realization.

In terms of the factors affecting the workers' rights realization, many scholars have given their views too. Freeman and the other scholars have shown that the significant effect of unions in protecting workers' rights (Freeman and Medoff,1984; Hyman,2001; Pencavel,2005). Xianguo Yao (2006) believed that it is the basic way of realize the workers' right protection to work out the institutional arrangements for the human capital property rights' definition, protection and implementation, to enhance the human capital of the workers, and to establish corporate property rights model and governance mechanisms for both the investors' capital and human capital. Hyman (2001), Chang Kai (2004), Pencavel (2005) and Tianyu Cao(2006) emphasized on the special significance of the government and political power in the protection of workers' rights.

It can be inferred from the above analysis that the key elements to improve workers' human capital property rights realization lie in the establishment of individual labor contract and collective labor contract, so as to narrow the scope of

"public domain" in the human capital property rights transaction contract and therefore to restrain employers' attempts and behaviors to violate human capital property rights by making use of their advantageous status.

But who are the actors to take the role of restricting the attempts and behaviors of the employers to violate human capital property rights? Workers themselves, trade unions, employers (and employer organizations) and the government will all their parts in it. Although the extent to which the different actor gives its strength is different due to the different national context, all the actors are indispensable in the realization of workers' rights.

Based on the above theoretical analysis, we established the theoretical model for the factors influencing the workers' rights realization as the follows:

workers' rights realization = f (the scope of public domain in the human capital property rights transaction contract between workers and employers, employer factors, worker factors, union factors and government factors).

In this study, we broke down workers' rights realization according to Labor Law in China, and matched them with the corresponding measurement items as shown in Table 1-1.

Table1-1 Composition of workers' rights realization and their measurement

workers' rights realization	measurement
equal employment and the choice of occupation	possibility of finding a new one when losing the present job
payment for labor	level of workers' labor remuneration
	possibility of workers' wages paid on time
	possibility of workers' wages paid in full
	possibility of obtaining the same payment when engaging the same job for workers of different identity
	possibility of obtaining the minimum wage protection
	possibility of gaining the overtime pay
rest and vacation	frequency of overtime work for the workers
	length of overtime work for the workers
	possibility of rest for at least one day each week for the workers
	possibility of vocation on holidays for the workers
social insurance and welfare	proportion of workers who have medical insurance among the workers in all
	proportion of workers who have pension insurance

	among the workers in all
	proportion of workers who have unemployment insurance among the workers in all
	proportion of workers who have injury insurance among the workers in all
	proportion of workers who have maternity insurance among the workers in all
	proportion of workers who join housing fund among the workers in all
labor safety and health protection	degree of workers' labor safety and health protection guarantee
	possibility of receiving the necessary labor safety and health protection appliances
access to occupational skill training	possibility of access to occupational training for the workers
filing a complaint	possibility of being treated fairly when disputing with the employer

Then as for the influential factors for the workers' right realization, this study summed up five factors, that is, "public domain", "employer", "worker", "trade union" and "government" and designed the dimensions and measurements for each of them as shown in table 1-2, according to Demsetz (1964), Barzel (1989), Alchian (1994) in the respect of property right protection in general and Freeman and Medoff (1984), Hyman(2001), Pencavel (2005), Xianguo Yao (2006), Chang Kai (2004) and Tianyu Cao(2006) in the respect of workers' property right protection in particular.

Table1-2 Dimensions and measurements of workers' rights realization

influential factors and their dimensions		measurement items
scope of public domain	individual labor contract	rate of labor contract establishment
		degree of specification of labor contract terms
		degree of enforcement of labor contracts
	collective labor contract	rate of collective contract establishment
		degree of specification of collective contract terms
		degree of enforcement of collective contract
employer factors	economic pressure	corporate profit margin is limited due to the contextual reasons such as tax change etc.
	awareness	employer's views towards labor

			(cost or asset)
		ability	economic, political, cultural and social resources that one employer possesses
			employer's management authority for workers
			employer's action capability for workers
worker factors		awareness	individual worker's awareness of protecting his own rights
		ability	individual worker's ability of protecting his own rights
		action	individual worker's action of protecting his own rights
Union factors	enterprise union	awareness	enterprise union's awareness of protecting workers' rights
		ability	enterprise union's ability of protecting workers' rights
		action	enterprise union's action of protecting workers' rights
	local union	awareness	local union's awareness of protecting workers' rights
		ability	local union's ability of protecting workers' rights
		action	local union's action of protecting workers' rights
	trade union	awareness	trade union's awareness of protecting workers' rights
		ability	trade union's ability of protecting workers' rights
		action	trade union's action of protecting workers' rights
	All-China Federation of Trade Unions(ACFTU)	awareness	ACFTU's awareness of protecting workers' rights
		ability	ACFTU's ability of protecting workers' rights
		action	ACFTU's action of protecting workers' rights
Government factors	local government	awareness	local government's awareness of protecting workers' rights
		ability	local government's ability of protecting workers' rights
		action	local government's action of protecting workers' rights

	central government	awareness	central government's awareness of protecting workers' rights
		ability	central government's ability of protecting workers' rights
		action	central government's action of protecting workers' rights

To further investigate which factors have the greater influence relatively to the others on the workers' right realization in general among the "public domain", "government factors", "union factors" and "worker factors" and "employer factors", this study decomposed the relevant factors into 10 sub-factors as showed in table 1-3.

Table 1-3 sub-factors influencing workers' right realization

Five factors	Sub-factors
public domain	individual labor contract factors
	collective labor contract factors
employer factors	employer factor
worker factors	worker factors
union factors	enterprise unions factors
	local unions factors
	trade unions factors
	ACFLU factors
government factors	local governments factors
	central governments factors

Questionnaire design, data acquisition and data processing

Questionnaire design

In the part of "workers' rights realization", there are 21 items in total. We used the Likert five scales for each item, ranging from "very low", "low", "average", "high" to "very high". We required the respondents to choose the appropriate level based on how they evaluate the degree of workers' rights realization subjectively.

In the part of "influential factors", there are 32 items in all. We also used the Likert five scales for each item, ranging from "strongly agree", "agree", "not clear" and "disagree" to "strongly disagree". We required the respondents to choose one of the five levels according to their subjective judgment.

In the part of "the overall influence of all the factors on workers' rights realization",

we especially designed a sorting question to ask respondents to select three of the most important factors among the 10 factors showed in table 1-3, and to sort the 3 factors as the first important, the second important and the third important according to the importance level they sensed.

Data collection

In this study, we distributed the questionnaires by three kinds of ways: the website of Questionnaire Star, the electronic version questionnaire and the paper version questionnaire. The sampling by convenience method was used in all the three ways.

By the Questionnaire Star we sent the linked address of the questionnaire on Questionnaire Star to the friends, colleagues, classmates and students via e-mail. We not only requested themselves to fill in the questionnaire, but also asked a favor for them to spread the questionnaire to their own friends and relatives to fill in;

In use of the electronic version questionnaire we sent the electronic version questionnaire to the friends, colleagues, classmates and students via e-mail. We requested themselves to fill in the questionnaire as well as spread to their own friends and relatives to assist in filling in the questionnaire. Afterwards people sent back the completed electronic version questionnaire directly to the authors' mailboxes or sent back to the authors' friends, colleague, classmates, and students who would transfer the questionnaires to the authors;

Two ways were applied to distribute and collect paper version questionnaire: one is that the authors and their colleagues distribute and collect the questionnaires directly with the MBA students and trainees when they have the opportunity of giving lectures to MBA class or the other training courses; the other is that the authors' friends, colleagues, classmates and students print out the questionnaires when receiving the electronic versions, then distribute the copies to the others they know, collect the completed ones and post them to the authors via EMS.

The number of questionnaires obtained by the above three ways respectively is as the follows: by Questionnaire Star 434 valid questionnaires are distributed and collected during the period from May 9, 2011 to June 23, 2011; with electronic version questionnaire 494 questionnaires are collected from May 20, 2011 to December 23, among which 438 are valid; with paper version questionnaires 184 are collected, among which 166 are valid. There are total of 1038 valid questionnaires, occupying 93.3% among all the collected questionnaires.

Methods of data processing

This study applied SPSS16.0 for data processing, and the main method used is descriptive statistical analysis.

Sample distribution

Age. The age of 20-29 years old accounts for 48.6% of the total samples; 30-39 years account for 30.1%; 40-49 years account for 15.4%; 50 years and older account for 3.4%; younger than 20 years account for 1.9%, the unfilled accounts for 0.7% .

Level of education. The number of undergraduate accounts for 50.1% of the total sample; postgraduate and above account for 21.2%; vocational/technical schools account for 20.5%; high school account for 6.0%; junior high school and below account for 1.5%, the unfilled accounts for 0.7% .

Type of workplace. People from enterprise units account for 69.7% of the total samples; people from all levels of unions account for 3.9%; government employees account for 2.7%; people from the other public institutions account for 22.1%; the unfilled accounts for 1.6% .

Occupation. The largest proportion is workers, accounting for 19.7% of the total samples; rank and file employees account for 12.7%; managers account for 8.9%; teachers account for 8.1%; students account for 9.5%; government staff account for 5.1%; engineers account for 5.0%; human resource workers account for 5.2%; the remaining occupations account for 23.8%; the unfilled accounts for 2.0% .

Position. Ordinary employees account for 21.8% of the total samples; supervisors account for 21.5%; engineers and professionals account for 11.7%; middle level managers account for 10.3%; Sales staff account for 7.4%; high-level managers account for 1.7% ; the unfilled accounts for 25.6% .

Enterprise type. State-owned holding enterprises account for 37.5% of the total samples; private enterprises account for 19.2%; European and American-invested enterprises account for 7.7%; Japanese, Korean and Singapore-invested enterprises account for 1.7%; Hong Kong, Macao and Taiwan-invested enterprises account for 1.1%; other enterprises account for 7.5%; the unfilled account for 25.3%.

Industry. Manufacturing industry accounts for 30.4% of the total samples; network communication industry accounts for 9.0%; transport sector accounts for 5.6%; finance and insurance industry accounts for 4.6%; education and medical industry accounts for 3.1%; catering and retail industry accounts for 2.0%; other industries account for 20.0%, the unfilled accounts for 25.3% .

Region. The survey samples are distributed in 28 provinces, autonomous regions or municipalities. Of which the samples of Jilin Province account for 35.6%; Heilongjiang accounts for 7.8%; Fujian accounts for 7.2%; Guangdong accounts for 7.4%; Beijing accounts for 9.4%; Shanghai accounts for 6.0%; Shandong accounts for

4.3%; Jiangsu accounts for 3.1%; other provinces account for 18.2%; the unfilled accounts for 1.0%.

Results

The results on workers' right realization

Right of equal employment and the choice of occupation

The survey results showed that: 7.4% of the respondents believed that the possibility of finding a new job once losing the present one is "very low" and 22.8% chose "relatively low", totaling 30.2%. 39.5% of the respondents circled "average"; 20.1% and 10.1% chose "high" and "very high" respectively, totaling up to 30.2%.

Right to workers' pay

Level of labor remuneration of workers. 58.9% of respondents recognized the overall level of labor remuneration as "very low" or "relatively low" in total; 18.4% believed "very low"; 40.5% evaluated as "relatively low"; 34.4% believed "average"; 5.1% and 1.6% gave their answers as "relatively high" and "very high" respectively, occupying only 6.7% in total.

The possibility of workers' wages paid on time. The Results are showed as follows: 5.8% judged that the "the possibility of workers' wages paid on time" was "very low" and 15.6% circled "relatively low", totaling up 21.4%. 42.3% chose "average"; 25.7% believed "relatively high" and 10.5% believed "high", the last two groups occupying 36.2% totally.

The possibility of workers' wages paid in full. 5.4% and 17.1% gave their answers as "very low" and "relatively low" respectively, totaling up to 22.4%. 43.3% of respondents considered "average"; 34.3% filled in "relatively high" or "high" in total, the former occupying 23.5% and the latter occupying 10.8% in particular.

The possibility of equal pay for workers of different identities engaging the same job. Up to 46.5% were calculated for "very low" or "relatively low", among which 18.2% for "very low" and 28.3% for "relatively low". Whereas 31.9% of the respondents showed "average", 16.6% chose "relatively high" and 5.0% "very high", occupying 21.6% in total.

The possibility of workers getting minimum wage protection. The survey results showed that 9.6% of the respondents considered "possibility of workers getting minimum wage protection" as "very low" and 18.3% rolled "low"; Both two totaled up to 27.9%; 31.4% of respondents chose "average"; 27.6% and 12.9% circled "high" and "very high" respectively, totaling up to 40.5%.

The possibility of workers gaining overtime pay. More than 39.5% of the respondents evaluated as “the possibility of workers gaining overtime pay” very low” or “low”, of which 16.7% as “very low” and 22.7% as “low”; 31.5% of respondents listed as “average”; 18.9% circled “high” and 10.0% “high”, occupying 29.0% in total.

Judged from the percentage of “very low” and “low” in total, the realization level for the worker’s rights in respect of payment for labor among the above six measurements is ranked as the follows in the order from the lowest to the highest: the level of labor payment”, “equal pay for equal work”, “overtime pay”, “minimum protection of wages”, “wage paid in full” and “wages paid on time” (see table 4-1).

Table 4-1 Sequence of the realization degree of the right to payment

Rank	Items of rights to payment	The percentage of both "very low" and "low" (%)
1	level of labor payment	58.9
2	The possibility of equal pay for equal work among workers of different identities	46.5
3	The possibility of workers gaining overtime pay	39.5
4	The possibility of workers getting minimum wage protection	28.0
5	The possibility of workers’ wages paid in full	22.4
6	The possibility of workers’ wages paid on time	21.4

Right of rest and vacation

The frequency of overtime work for the workers. Up to 70.5% of respondents evaluated “the frequency of overtime work for the workers” as “high” or “very high”, of which 36.3% circled “high” and 34.2% circled “very high”. While 22.0% evaluated “average”, 6.1% evaluated as “low” and 1.4% evaluated as “very low”, totaling 7.5% only.

The length of overtime work for the workers. Up to 57.6% of respondents evaluated “the length of time of overtime work for the workers” as “high” or “very high”, of which 34.9% circled “high” and 22.7% circled “very high”. While 32.8% of respondents evaluated as “average”, 6.7% evaluated as “low” and 2.9% evaluated as “low”, occupying only 9.6% in total.

The possibility of rest at least one day each week for the workers. 10.4% of the respondents evaluated as “very low” and 16.0% evaluated as “low”, totaling up to

26.5%. While 30.6% of the respondents evaluated as "average", 26.2% evaluated as "high" and 16.4% evaluated as "very high", occupying a total of 42.6%.

The possibility of vocation on holidays for the workers. 12.8% of the respondents evaluated as "very low" and 22.3% evaluated as "low", totaling up to 35.1%. While 35.1% of the respondents evaluated as "average", 19.6% evaluated as "high" and 10.3% evaluated as "high", occupying 29.9% totally.

The above findings showed that the realization degree of the right to rest and vacation for the workers varied as follows in the sequence of percentage evaluated as bad work conditions: the frequency of overtime work, the length of overtime work, the possibility of vocation on holidays, and the possibility of rest of at least one day each week.

Table 4-2 Sequence of the realization degree of the right to rest and vacation (from the worst)

Rank	Items of the right to rest and vacation	Total proportion (%)
1	frequency of overtime work	70.5 (high and very high)
2	length of overtime work	57.6 (high and very high)
3	possibility of vocation on holidays	35.1 (low and very low)
4	possibility of rest of at least one day each week	26.5 (low and very low)

Right of access to social securities and welfare

The proportion of workers who have health insurance among the total number of workers. 11.9% of the respondents evaluated as "very low" and 22.5% evaluated as "low", totaling up to 34.5%. While 33.8% evaluated as "average", 19.3% evaluated as "high" and 12.3% evaluated as "very high", occupying a total of 31.6%.

The proportion of workers who have pension insurance among the total number of workers. 13.3% of the respondents evaluated as "very low" and 24.1% evaluated as "low", totaling up to 37.5%. While 30.8% of the respondents evaluated as "average", 19.7% evaluated as "high" and 11.9% evaluated as "very high", occupying 31.6% totally.

The proportion of workers who have unemployment insurance among the total number of workers. 20.3% of the respondents evaluated as "very low" and 25.4% evaluated as "low", totaling up to 45.9%. While 28.2% of the respondents evaluated as "average", 15.1% evaluated as "high" and 10.5% evaluated as "very high", occupying 25.6% in total.

The proportion of workers who have injury insurance among the total number of

workers. 16.5% of the respondents evaluated as "very low" and 26.6% evaluated as "low", totaling up to 43.1%. While 28.1% of the respondents evaluated as "average", 17.1% evaluated as "high" and 11.7% evaluated as "very high", occupying a total of 28.8%.

The proportion of workers who have maternity insurance among the total number of workers. 26.2% of the respondents evaluated as "very low" and 25.6% evaluated as "low", totaling up to 51.9%. While 27.0% of the respondents evaluated as "average", 12.5% evaluated as "high" and 8.6% evaluated as "very high", occupying 21.1% in total.

The proportion of workers who join housing fund among the total number of workers. 36.3% of the respondents evaluated as "very low" and 23.2% evaluated as "low", totaling up to 59.7%. While 21.8% of the respondents evaluated as "average", 11.8% evaluated as "high" and 6.6% evaluated as "very high", occupying 18.4% totally.

The above findings showed that the realization degree of the right of access to labor safety and health protection ranged as follows in the sequence of percentage of "low" and "very low": Housing Fund, maternity insurance, unemployment insurance, injury insurance, pension insurance and medical insurance.

Table 4-3 Sequence of the realization degree of the right of access to labor safety and health protection

Rank	Items of the right of access to labor safety and health protection	The total percentage of "very low" and "low" (%)
1	proportion of workers who join housing fund among the total number of workers	59.7
2	proportion of workers who have maternity insurance among the total number of workers	51.9
3	proportion of workers who have unemployment insurance among the total number of workers	45.9
4	proportion of workers who have injury insurance among the total number of workers.	43.1
5	proportion of workers who have pension insurance among the total number of workers	37.5
6	proportion of workers who have health insurance among the total number of workers	34.5

Right of access to safety and health protection

The degree to which the workers have access to safety and health protection guarantee.

16.8% of the respondents evaluated as "very low" and 28.0% evaluated as "low", totaling up to 44.9%. While 35.7% evaluated as "average", 14.5% evaluated as "high" and 4.7% evaluated as "very high", occupying 19.2% in total.

The possibility of workers' being provided with the necessary labor safety and health protection appliances. 14.7% of the respondents evaluated as "very low" and 26.4% evaluated as "low", totaling up to 41.1%. While 34.7% evaluated as "average", 17.1% evaluated as "high" and 7.0% evaluated as "very high", occupying a total of 24.1%.

The above findings showed that the realization degree of the right of access to labor safety and health protection varied as follows from low level to high level: safety and health protection guarantee and provision of labor safety and health protection appliances.

Right of access to occupation skill training

On the item of "possibility of workers' access to job training, 20.3% of the respondents evaluated as "very low" and 31.1% evaluated as "low", totaling up to 51.5%. While 29.5% of the respondents evaluated as "average", 13.5% evaluated as "high" and 5.4% evaluated as "very high", occupying a total of 18.9%.

Workers' right to file a complaint

On the item of "possibility of workers' being treated fairly when disputing with the employer", 29.9% of the respondents evaluated as "very low" and 30.1% evaluated as "low", totaling up to 59.9%. While 28.6% of the respondents evaluated as "average", 8.2% evaluated as "high" and 3.3% evaluated as "very high", occupying 11.5% totally.

Table 4-5 Ranking of workers' rights realization degree (from low to high)

Rank	Items of worker's rights	Total proportion (%)
1	frequency of overtime work for workers	70.5
2	possibility of workers' being treated fairly when disputing with the employer	59.9
3	proportion of workers who join housing fund	59.7
4	level of workers' pay	58.9
5	length of overtime work for workers	57.6
6	possibility of workers getting minimum wage protection	51.9
7	Possibility of access to job training for workers	51.5
8	possibility of equal pay for equal work for workers of different identities	46.5
9	proportion of workers who have unemployment insurance among the total number of workers	45.9

10	degree of workers' access to labor safety and health protection guarantee	44.9
11	proportion of workers who have injury insurance among the total number of workers	43.1
12	possibility of workers' being provided with the necessary labor safety and health protection appliances	41.1
13	possibility of workers gaining overtime pay	39.5
14	proportion of workers who have pension insurance among the total number of workers	37.5
15	possibility of vocation on holidays for workers	35.1
16	proportion of workers who have health insurance among the total number of workers	34.5
17	possibility of finding a new job when losing the present job	30.3
18	possibility of workers getting minimum wage protection	28.0
19	possibility of rest of at least one day each week for workers	26.5
20	possibility of workers' wages paid in full	22.4
21	possibility of workers' wages paid on time	21.4

The above results showed that the overall realization degree of workers' rights is at a relatively low level. Among the total of 21 items, there are more than 50% of the respondents gave "very low" or "low" judgment on 7 items, more than 40% gave "very low" or "low" judgment on 6 items, more than 30% gave "very low" or "low" judgment on 4 items and more than 20% gave "very low" or "low" judgment on 4 items.

Moreover, 21.8% to 43.3% of the respondents selected "average" for all the items. Considering a moderate tendency existing in the mindset of Chinese people, the realization degree of the workers' rights can be evaluated as lower than showed by the survey data artificially.

China's current problem of overtime work is severe. The relatively low possibility of being treated fairly when disputing with the employer, the low pay level, lack of vocational skill training, the low proportion of workers who have maternity insurance and who join housing fund are all serious problems.

Respondents highly concerned about the justice issue as embodied in the responses to the item of "the right of filing a complaint", the workers' skills improvement issue as embodied in the responses to the item of "right of access to occupation skill training" and the health protection issue as embodied in the responses to the item of "right of access to rest and vacation" and "right of access to labor safety and health

protection”.

Results of the influential factors on workers' rights realization

The influences of the contract-related factors

The influence of rate of labor contract establishment. The survey results showed that 21.4% of the respondents "strongly agreed" the influence of this factor to the workers' right realization and 35.5% "agreed" on it, totaling up to 57.0%. There are 30.9% of respondents showing "not clear". 8.2% circled "relatively disagree" and 3.9% circled "strongly disagree", occupying 12.1% in total.

The influence of the degree of specification of labor contract terms. The survey results showed that 25.4% of the respondents "strongly agreed" the influence of this factor on workers' right realization and 36.9% circled "agree", totaling up to 62.4%. There are 23.9% expressing "not clear". 9.9% circled "relatively disagree" and 3.8% circled "strongly disagree", occupying 13.7% in total.

The influence of the enforcement of labor contracts. The survey results showed that 32.0% of the respondents "strongly agreed" and 35.5% "agreed" that "enforcement of labor contracts influences workers' rights realization", totaling up to 67.6%. There are 22.5% of the respondents exclaiming "not clear". 7.0% circled "relatively disagree" and 2.8% circled "strongly disagree", occupying 9.8% in total.

The influence of rate of collective contract's establishment. The survey results showed that 16.0% of the respondents "strongly agreed" and 35.5% "agreed" that "rate of collective contract's establishment influences workers' rights realization", totaling up to 51.6%. There are 36.8% of the respondents expressing "not clear". 8.4% circled "relatively disagree" and 3.2% circled "strongly disagree", occupying a total of 11.6%.

The influence of the degree of specification of collective contract terms. The survey results showed that 17.8% of the respondents "strongly agreed" and 35.5% "agreed" that "detailed description of collective contract terms influences workers' rights realization", totaling up to 53.3%. There are 33.5% of the respondents expressing "not clear". 10.0% circled "relatively disagree" and 3.1% circled "strongly disagree", occupying 13.1% totally.

The influence of the enforcement of collective contract. The survey results showed that 22.2% of the respondents "strongly agreed" and 35.3% "agreed" on the influence of the enforcement of collective contract on workers' rights realization", totaling up to 57.6%. There are 32.8% of the respondents expressing "not clear". 7.4% circled

"relatively disagree" and 2.1% circled "strongly disagree", occupying 9.6% only in total.

Ranking of contract-related factor to workers' rights realization. As showed in table 4-6, "the enforcement of individual labor contract" ranked first with a ratio of 67.6%. "The degree of specification of individual labor contract items" ranked second with a ratio of 62.4%. "The enforcement of collective contract" ranked third with a ratio of 57.6%. "The rate of individual labor contract establishment" ranked forth with a ratio of 57.0%. "The degree of specification of collective contract terms" ranked fifth with a ratio of 51.6%. These data suggest that the respondents believe the execution of the labor contract plays a relatively important role on workers' rights realization in both case of individual labor contract and collective contract.

We counted up the two sub-factors named "individual labor contract" and "collective labor contract" respectively, and then calculated the average percentage for both. As a result, 62.3% that the respondents on average "strongly agreed" and "agreed" the influence of "individual labor contract" on workers' right realization and the corresponding average percentage for the collective labor contract is 54.2%. These data suggest that the respondents hold a view that "individual labor contract" has a more significant impact on workers' rights realization than "collective contract".

Table 4-6 Ranking of contract-related factors' influence on workers' rights realization (from low to high)

Influential factors		items	rank	score (%)	
Contract factors	Individual Labor contract	Establishment rate's influence on workers' rights realization	1	67.6	
		degree of specification of contract terms' influence on workers' rights realization	2	62.4	
		degree of enforcement of labor contracts' influence on workers' rights realization	4	57.0	
	Average				62.3
	Collective contract	Establishment rate's influence on workers' rights realization	3	57.6	
		degree of specification of contract terms' influence on workers' rights realization	5	53.3	
		degree of enforcement's influence on workers' rights realization	6	51.6	
		Average			
	Average				58.3

The influence of employer factors on workers' rights realization

The influence of the economic reasons on workers' rights realization. The survey

results showed that 15.6% of the respondents "strongly agreed" and 29.0% "agreed" on the argument "decrease in the corporate profits margin due to contextual factors influences workers' rights realization", totaling up to 44.6%. There are 31.6% of the respondents exclaiming "not clear". 16.0% circled "relatively disagree" and 7.8% circled "strongly disagree", occupying 23.8% in total.

The influence of employers' views towards labor on workers' rights realization. The survey results showed that 23.3% of the respondents "strongly agreed" and 35.0% "agreed" on the argument "Employers' views towards labor (cost or asset) influence workers' rights realization", totaling up to 58.3%. There are 28.2% of the respondents declaring "not clear". 10.5% circled "relatively disagree" and 2.9% circled "strongly disagree", occupying a total of 13.4%.

The influence of economic, political, cultural and social resources that employers possess on workers' rights realization. The survey results showed that 22.5% of the respondents "strongly agreed" and 34.1% "agreed" on the argument "The economic, political, cultural and social resources that employers possess influence workers' rights realization", totaling up to 56.9%. There are 28.0% of the respondents declaring "not clear". 11.7% circled "relatively disagree" and 3.3% circled "strongly disagree", occupying 15.0% totally.

The influence of the employers' management authority for workers on workers' rights realization. The survey results showed that 17.0% of the respondents "strongly agreed" and 34.6% "agreed" on the argument "the employers' management authority for workers influences workers' rights realization", totaling up to 51.6%. There are 32.4% of the respondents expressing "not clear". 12.6% circled "relatively disagree" and 3.4% circled "strongly disagree", occupying 16.0% in total.

The influence of the employers' action capability for workers on workers' rights realization. The survey results showed that 17.1% of the respondents "strongly agreed" and 37.5% "agreed" on the argument "the employers' action capability for workers influences workers' rights realization", totaling up to 54.7%. There are 31.7% of the respondents expressing "not clear". 11.6% circled "relatively disagree" and 2.0% circled "strongly disagree", occupying 13.6% in total.

We ranked the five items of employer-related factor according to the ratio of "strongly agree" and "agree" circled by the respondents. Then we got the results in table 4-7: "Employers' views towards labor" ranked first with a ratio of 58.3%. "The economic, political, cultural and social resources that employers possess" ranked second with a ratio of 56.9%. "The employers' action capability for workers" ranked third with a ratio of 54.7%. "The employers' management authority for workers" ranked fourth with a ratio of 51.6%. "Corporate profits margin is limited due to the economic reasons such as tax change" ranked fifth with a ratio of 44.6%.

These data implied that employers' power advantage and their intention to violate workers' rights have a more significant impact on workers' rights realization than some economic reasons such as a tax change.

Table 4-7 Ranking of the employer-related factors

Influential factors		items	rank	score (%)
Employer factor	Awareness	Influence of employers' views towards labor on workers' rights realization	1	58.3
	Ability	Influence of the economic, political, cultural and social resources that employers possess on workers' rights realization degree	2	56.9
		Influence of the employers' management authority for workers on workers' rights realization	3	54.7
		Influence of the employers' action capability for workers on workers' rights realization	4	51.6
	Economic Pressure	Influence of the economic pressure such as a tax change squeezes corporate profit margin on workers' rights realization	5	44.6
Average				53.2

The influence of the worker-related factors on workers' rights realization

The influence of the awareness of individual workers to protect their own rights on workers' rights realization. The survey results showed that 27.1% of the respondents "strongly agreed" and 39.4% "agreed" on the influence of "the awareness of individual workers to protect their own rights on workers' rights realization", totaling up to 66.5%. There are 19.8% of the respondents claiming "not clear". 10.9% circled "relatively disagree" and 2.7% circled "strongly disagree", occupying 13.6% in total.

The influence of the ability of individual workers to protect their own rights on workers' rights realization. The survey results showed that 27.6% of the respondents "strongly agreed" and 39.9% "agreed" on the influence of "The ability of individual workers to protect their own rights on workers' rights realization", totaling up to 67.7%. There are 19.1% respondents claiming "not clear". 11.0% circled "relatively disagree" and 2.2% circled "strongly disagree", occupying 13.6%.

The influence of the action of individual workers to protect their own rights on workers' rights realization. The survey results showed that 26.8% of the respondents "strongly agreed" and 36.8% "agreed" on the influence of "the action of individual workers to protect their own rights on workers' rights realization", totaling up to

63.6%. There are 23.4% of the respondents claiming "not clear". 10.3% circled "relatively disagree" and 2.6% circled "strongly disagree", occupying 12.9% in total.

We ranked the three items of worker-related factors, according to the ratio of “strongly agree” and “agree” claimed by the respondents. Then we got the results in table 4-8: “The ability of individual workers to protect their rights” ranked first with a ratio of 67.7%. “The awareness of individual workers to protect their rights” ranked second with a ratio of 66.5%. “The action of individual workers to protect their rights” ranked third with a ratio of 63.6%.

These data implied that the respondents have the notion of the importance for the workers to protect their own rights. On an average of 65.9% respondents believe that the workers’ awareness, ability and action all have significant impact on workers’ rights realization while there is no obvious difference on the degree of variation

Table 4-8 Ranking of impact of worker-related factors on workers’ right realization

Influential factors	Items		Rank	Score (%)
Worker-related factors	Awareness	Influence of the awareness of individual workers to protect their rights on workers' rights realization	1	67.7
	Ability	Influence of the ability of individual workers to protect their own rights on workers' rights realization	2	66.5
	Action	Influence of the action of individual workers to protect their rights on workers' rights realization	3	63.6
	Average			65.9

Union factors’ influence on workers' rights realization

Influence of the awareness of enterprise unions to protect workers’ rights on workers’ rights realization. The result showed 24.3% of respondents "strongly agreed" and 33.5% "agreed” on the influence of the awareness of enterprise union to protect workers` rights on workers` rights realization, totaling up to 57.9%. 23.9% of respondents claiming "not clear." 13.7% circled "relatively disagree" and 4.5% circled “strongly disagree”, occupying 18.2% totally.

Influence of the ability of enterprise unions to protect workers’ rights on workers’ rights realization. The result showed 25.4% of respondents "strongly agreed" and 31.3% "agreed” on the influence of the ability of enterprise unions to protect workers’ rights on workers' rights realization, totaling up to 56.8%. 25.7% of respondents claimed "not clear". 12.6% circled "relatively disagree" and 4.8% circled "strongly disagree”, occupying 17.5% in total.

Influence of the action of enterprise unions to protect workers' rights on workers' right realization. The result showed 25.1% of respondents "strongly agreed" and 31.6% "agreed" on the influence of enterprise unions' action to protect workers' right on workers' rights realization, totaling up to 56.8%. 26.1% of respondents claimed "not clear". 12.6% circled "relatively disagree" and 11.8% circled "strongly disagree", occupying 17.1% in total.

Influence of the awareness of local unions to protect workers' rights on workers' rights realization. The result showed 19.4% of respondents "strongly agree" and 32.4% "agreed" on the influence of the awareness of local unions to protect workers' rights on workers' rights realization, totaling up to 51.8%. 29.2 % of respondents claimed "not clear". 13.4% circled "relatively disagree" and 5.6% circled "strongly disagree", occupying 19.0% in total.

Influence of the ability of local unions to protect workers' rights on workers' rights realization. The result showed that 22.3% of respondents "strongly agreed" 29.8% "agreed" on the influence of the ability of local unions to protect workers' rights on workers' rights realization, totaling up to 52.2%. 29.5 % of the respondents claimed "not clear". 12.4% circled "relatively disagree" and 5.8% circled "strongly disagree", occupying 18.3% in total.

Influence of the action of local unions to protect workers' rights on workers' rights realization. The result showed that 21.9% of respondents "strongly agreed" and 32.9% "agreed" on the influence of the action of local unions to protect workers' rights on workers' rights realization, totaling up to 54.9%. 26.5 % of the respondents claimed "not clear". 13.1% circled "relatively disagree" and 5.5% circled "strongly disagree", occupying 18.6% totally.

Influence of the awareness of trade unions to protect workers' rights on workers' rights realization. The result showed that 18.7% of respondents "strongly agreed" and 29.8% "agreed" on the influence of the awareness of trade unions to protect workers' rights on workers' rights realization, totaling up to 48.5%. 31.6% of respondents claimed "not clear". 15.1% circled "relatively disagree" and 4.7% circled "strongly disagree", occupying 19.8% in total.

Influence of the ability of trade unions to protect workers' rights on workers' rights realization. The result showed that 19.1% of respondents "strongly agreed" and 28.2% "agreed" on the influence of the ability of trade unions to protect workers' rights on workers' rights realization, totaling up to 47.3%. 33.3% of respondents claimed "not clear". 15.0% circled "relatively disagree" and 4.2% circled "strongly disagree", occupying 19.3% among the total.

Influence of the action of trade unions to protect workers' rights on workers' rights

realization. The result showed that 19.9% of respondents "strongly agreed" and 29.1% "agreed" on the influence of the action of trade unions to protect workers' rights on workers' rights realization, totaling up to 49.1%. 30.9% of respondents claimed "not clear". 15.7% circled "relatively disagree" and 4.2% claimed "strongly disagree", occupying 20.0% in total.

The influence of awareness of ACFTU to protect workers' rights on workers' rights realization. The result showed that 19.5% of respondents "strongly agreed" and 26.5% "agreed" on the influence of the awareness of ACFTU to protect workers' rights on workers' rights realization, totaling up to 46.0%. 36.0% of respondents claimed "not clear". 11.9% circled "relatively disagree" and 5.9% circled "strongly disagree", occupying 17.8% among the total.

The influence of the ability of ACFTU to protect workers' rights on workers' rights realization. The result showed that 20.6% of respondents "strongly agreed" and 26.6% "agreed" on the influence of the ability of ACFTU to protect workers' rights on workers' rights realization, totaling up to 47.3%. 36.9% of respondents claimed "not clear". 10.5% circled "relatively disagree" and 5.3% circled "strongly disagree", occupying 15.8% among the total.

The influence of the action of ACFTU to protect workers' rights on workers' rights realization. The result showed that 22.6% of respondents "strongly agreed" and 25.2% "agreed" on the influence of the action of ACFTU to protect workers' rights on workers' rights realization, totaling up to 48.0%. 33.6% of respondents claimed "not clear". 12.2% circled "relatively disagree" and 6.1% circled "strongly disagree", occupying 18.3% among the total.

Ranking of union-related factors. According to the above results, we ranked the importance of each of the factors influencing workers' rights realization by adding up the percentage of "strongly agree" and "agree" answered as showed in table 4-9. The top three factors are "the awareness of enterprise unions to protect workers' rights", "the ability of enterprise unions to protect workers' rights" and "the action of enterprise unions to protect workers' rights". And the following fourth to the sixth are "the action of local unions to protect workers' rights", "the ability of local unions to protect workers' rights" and "the awareness of local unions to protect workers' rights".

The survey also found that the respondents ranked the degree of importance as for the impact on workers' right realization for each level of union as the following by calculating the average of the percentage: enterprise unions, local unions, trade unions and ACFTU. This suggests that the respondents recognize the enterprise unions as the most influential, followed by the local union, the trade union and ACFTU.

Table 4-9 Ranking of union-related factors

Factors		Items	rank	score (%)
Union-related factor	Enterprise unions	Influence of the awareness of enterprise unions to protect workers' rights on workers' rights realization	1	57.9
		Influence of the ability of enterprise unions to protect workers' rights on workers' rights realization	2	56.8
		Influence of the action of enterprise unions to protect workers' rights on workers' rights realization	2	56.8
		average		57.2
	Local union	Influence of the awareness of local unions to protect workers' rights on workers' rights realization degree	5	51.8
		Influence of the ability of local unions to protect workers' rights on workers' rights realization	4	52.2
		Influence of the action of local unions to protect workers' rights on workers' rights realization	3	54.9
		average		53.0
	Trade union	Influence of the awareness of trade unions to protect workers' rights on workers' rights realization	7	48.5
		Influence of the ability of trade unions to protect workers' rights on workers' rights realization	9	47.3
		Influence of the action of trade unions to protect workers' rights on workers' rights realization	6	49.1
		average		48.3
	ACFTU	Influence of the awareness of ACFTU to protect workers' rights on workers' rights realization	10	46.0
		Influence of the ability of trade unions to protect workers' rights on workers' rights realization	9	47.3
		Influence of the action of trade unions to protect workers' rights on workers' rights realization	8	48.0
		average		47.1
Overall average				49.5

Influence of government-related factors on workers' rights realization

Local government

The awareness of local government to protect workers' rights. The result showed that 25.6% of respondents "strongly agreed" and 31.7% "agreed" on the influence of the awareness of local government to protect workers' rights on workers' rights realization, totaling up to 57.4%. 29.1% of respondents claimed "not clear". 9.1% circled "relatively disagree" and 4.4% circled "strongly disagree", occupying 13.5% among the total.

The ability of local government to protect workers' rights. The result showed that 26.3% of respondents "strongly agreed" and 31.8% "agreed" on the influence of the ability of local government to protect workers' rights on workers' rights realization, totaling up to 58.1%. 28.8% of respondents claimed "not clear." 8.7% circled "relatively disagree" and 4.3% circled "strongly disagree", occupying 13.0% among the total.

The action of local government to protect workers' rights. The result showed that 29.5% of respondents "strongly agreed" and 30.6% "agreed" on the influence of the action of local government to protect workers' rights on workers' rights realization, totaling up to 60.3%. 27.7% of respondents claimed "not clear". 7.5% circled "relatively disagree" and 4.3% circled "strongly disagree", occupying 11.8% among the total.

Central Government

The awareness of central government to protect workers' rights. The result showed that 27.3% of respondents "strongly agreed" and 28.9% "agreed" on the influence of the awareness of central government to protect workers' rights on workers' rights realization, totaling up to 56.2%. 29.8% of respondents claimed "not clear". 9.8% circled "relatively disagree" and 4.1% circled "strongly disagree", occupying 13.9% among the total.

The ability of central government to protect workers' rights. The result showed that 26.2% of respondents "strongly agreed" and 30.9% "agreed" on the influence of the ability of central government to protect workers' rights on workers' rights realization, totaling up to 57.2%. 29.0% of respondents claimed "not clear". 9.1% circled "relatively disagree" and 4.7% circled "strongly disagree", occupying 13.5% among the total.

The action of central government to protect workers' rights. The result showed that 29.7% of respondents "strongly agreed" and 29.7% "agreed" on the influence of the action of central government to protect workers' rights on workers' rights realization, totaling up to 59.4%. 26.9% of respondents claimed "not clear". 9.6% circled "relatively disagree" and 4.0% circled "strongly disagree", totaling 13.6%.

The ranking of government-related factors. According to the above findings of the survey, we ranked the factors as the follows by summing up the percentage of "strongly agree" and "agree" answered together. The top three are "the action of local government to protect workers' rights", "the action of central government to protect workers' rights" and "the ability of local government to protect workers' rights". The

following fourth to the sixth factors are “the awareness of local government to protect workers’ rights”, “the ability of central government to protect workers’ rights” and “the awareness of central government to protect workers’ rights”.

And the survey found that on average percentage the local government ranked higher than central government in the respect of workers’ right protection. This suggests that in the view of respondents the local governments are more influential and powerful than central government to protect workers.

Table 4-10 Ranking of government-related factors

factors		items	rank	score (%)	
Government factors	Local government	Influence of the awareness of local government to protect workers’ rights on workers' rights realization	4	57.4	
		Influence of the ability of local government to protect workers’ rights on workers' rights realization	3	58.1	
		Influence of the action of local government to protect workers’ rights on workers' rights realization	1	60.7	
		average		58.7	
	Central government	Influence of the awareness of local government to protect workers’ rights on workers' rights realization	6	56.2	
		Influence of the ability of local government to protect workers’ rights on workers' rights realization	5	57.2	
		Influence of the action of local government to protect workers’ rights on workers' rights realization	2	59.4	
		average		57.6	
	Overall average				58.2

The findings of the most important influential factors on workers’ right realization

Individual labor contract related factors. The data showed that 38.4% of the respondents ranked it as the most influential and 23.5% ranked it as the second. With 15.3% ranking it as the third, the above three totaling 78.6%.

Collective contract related factors. Results showed that 13.7% of the respondents ranked it as the first, 26.8% as the second and 13.2% as the third, with a total of 78.6%.

Employer related factors. Results showed that 37.1% of the respondents ranked it as the first, 22.1% as the second and 16.2% as the third, with a total of 76.6%.

Workers related factors. The findings showed that 24.1% of the respondents ranked it as the first, 23.5% as the second and 18.0% as the third, with a total of 66.8%.

Enterprise union related factors. The findings showed that 15.0% of the respondents ranked it as the first, 19.9% as the second and 16.4% as the third, with a total of 52.4%.

Local union related factors. The findings showed that 11.6% of the respondents ranked it as the first, 17.1% as the second and 14.7% as the third, resulting in a total of 44.1%.

Trade union related factors. The findings showed that 12.1% of the respondents ranked it as the first, 15.9% as the second and 15.0% as the third, resulting a total of 43.9%.

ACFTU related factors. The findings showed that 15.3% of the respondents ranked it as the first, 15.7% as the second and 13.8% the third, with a total of 45.6%.

Local government related factors. The findings showed that 23.7% of the respondents ranked it as the first, 23.6% as the second and 13.3% as the third, resulting a total of 61.6%.

Central government related factors. The findings showed that 32.9% of the respondents ranked it as the first, 16.0% as the second and 14.0% the third, resulting in a total of 64.0%.

In summary, “individual labor contract related factors” has the greatest impact on workers’ right realization in both the percentage by which respondents ranked it as the first and the summed percentage calculated as above. Next to this factor, “employers related factors” ranked the second in both the respect of the single percentage and the collective one.

The impact of “central government related factors” can be also regarded as important as it ranked the third in the respect of the percentage by which respondents listed it as the most influential factor and it ranked the fourth in the collective percentage as showed above.

The impact of “local government related factors” can be interpreted as relatively important since it ranked the fourth with the corresponding single percentage and the fifth with the collective one. The impact of “workers related factor” is similar. It

ranked the fifth with the single percentage and the third with the collective one.

Comparatively the impact of “ACFTU related factor” is very moderate. It ranked the sixth and eighth respectively. The similar situation can be found for “enterprise union related factors” and “collective contract related factors”. The former ranked the seventh and ninth respectively, and the latter ranked eighth and fifth respectively.

The impact of “trade unions related factors” can be regarded as low as it ranked ninth and tenth respectively. Lastly “local union related factors” ranked the lowest, with the lowest percentage for the number of the respondents ranking it as the most influential and the ninth ranking when seen by the collective percentage.

The above data suggests that the respondents evaluate “the individual labor contract related factors” as the most influential one on workers’ right realization; And “Employer related factors” is evaluated as the second and “central government related factors” is evaluated as the third.

These data indicate that in order to improve the workers' rights realization, the most effective ways may be to improve the enforcement of labor contract law, to strengthen the supervision of individual labor contracts, to encourage the employers to develop the progressive attitudes and behaviors towards labor, and to promote the central government to introduce positive labor relations policies.

Table 4-11 Summary of the ranking of each factor

Influential factors	the proportion of ranking the first	rank	the collective proportion of ranking the top three	rank
Individual Labor contract factors	38.4	1	78.6	1
Employer factors	37.1	2	76.6	2
central government factors	32.9	3	64.0	4
Local government factors	23.7	4	61.6	5
worker factors	24.1	5	66.8	3
ACFTU factors	15.3	6	45.6	8
enterprise union factors	15.0	7	52.4	7
collective contract factors	13.7	8	54.7	6
trade union factors	12.1	9	43.9	10

local union factors	11.6	10	44.1	9
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Discussions and Conclusions

The survey shows that the overall degree of Chinese workers' rights realization is relatively low. Specifically, the lowest lies in the right of access to vocation and rest. the possibility of workers' being treated fairly when disputing with the employer is low and workers' overall level of payment is low. Vocational training is provided at a poor level and the proportion of the workers who join the housing fund and have maternity insurance is kept low.

As for the contract related factors' impact on Chinese workers' right realization, it seems that the influence of "individual labor contract" is greater than that of "collective labor contract"; And for both types of labor contracts, the execution of the contract seems more important than the rate of contract establishment and the degree of specification of contract terms to affect workers' right realization. In the respect of employer related factors, the employer's attitude towards labor and his negotiation advantage over the worker are regarded as far more influential in the decision of work conditions than the economic pressures such as in a context of tax system change the profit margin is squeezed and the labor payment is pressed down; As for the worker related factors, all of the awareness, ability and action of the workers to protect themselves are evaluated as significant, and little difference of significance exists among the factors. Among the union related factors, enterprise union is regarded as the most influential, followed by local union, trade union and ACFTU; Among the government related factors, the action of local and central government to protect workers' rights is evaluated as more important than their awareness and ability.

In all, among the 10 sub-factors that are considered to affect workers' right realization, the ranking is tried as the follows according to their importance: (1) individual related labor contract factors; (2) employer related factors; (3) central government related factors; (4) local governments related factors; (5) worker related factors; (6) ACFTU related factors; (7) enterprise union related factors; (8) collective contract related factors ; (9) trade union related factors; (10) local union related factors .

The above studies have shown that the degree of realization of the Chinese workers' rights is relatively low on the whole; On the ways of improving the worker protection, the Chinese people seem to believe in the strength of individual labor contract, to expect the employers to establish a more progressive attitude towards labor and the employer's advantage over labor to be self-controlled and under external constraints effectively, and to expect the government to play a more active role in labor relations. Moreover they seem not optimistic about the use of collective tools such as collective contracts and trade unions.

Firstly the above can be seen as a reflection of China's market economy transition process, in which people have significantly enhanced their awareness of role of labor contracts in the labor market. People recognize a specified establishment of a labor contract as the most primary weapon for them to protect themselves from being violated due to the unclear boundary of property right domain. Simultaneously, it also reflects the effectiveness of the Chinese labor contract legal system; Secondly, it also suggests that in the transitional process of market economy, the employers as the actors with more strength and the government as the regulator are expected to bear a greater responsibility and assume a more formidable obligation for the future of Chinese labor relations by self-control on the side of the employers and by playing a more active role in regulating the employers away from violating the rights of workers on the side of government; Finally, in the transition process of Chinese market economy, people seem to prefer the other ways for labor protection rather than a collective tool which therefore lacks the cultural and social support. In addition, the existing trade unionism is not capable of providing a reasonable organization framework for workers protection through collective action.

It is indicated that the way of development of labor relations in China may be different from that in Anglo-American countries. It is likely to reach a mutual cooperation and win-win relationship on the whole—via the ways of employers' self-control and the government's regulation under the concept of harmonious society and harmonious labor relations.

Limitations

Firstly this study is a quite comprehensive one which contains 5 main factors and 10 sub-factors that are supposed to impact workers' right realization, without each influential factor and the relationship among them discussed in depth.

Secondly the survey was developed with the subjective judgment of the public including the workers themselves. However, differences may exist between the realization degree of workers' right in reality and how people perceive them; between workers' own perception and non-workers' perception in the corresponding evaluation; between how the factors influence workers' rights realization in reality and how people perceive them.

Thirdly only descriptive statistical analysis is done in data processing, which can only be used to depict the relatively simple picture. Much more work needs to be carried out to explore the relationship between workers' right realization and each influential factor so as to achieve a clearer picture for the better evaluation of the presence and future of Chinese industrial relations.

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