

CHINA

English translations of labor laws in NATLEX -- ILO Database of National Legislation:
natlex.ilo.org

1. In left frame, select "Advanced search".
2. Select country from "Country" pull-down menu.
3. Click box for "Records with full text only" (near bottom of screen).
4. Click "Search".

International Encyclopaedia for Labour Law and Industrial Relations -- China:
<http://tinyurl.com/2r8ctg> (may require login with Notre Dame ID and password)

U.S. Department of Labor Bureau of International Labor Affairs -- Child Labor Report
<http://www.dol.gov/ilab/media/reports/iclp/sweat/china.htm>

ILO, Profile of China legislation on termination of employment:
http://www.ilo.org/public/english/employment/gems/eo/law/china/i_lad.htm

Trade Union Law of the People's Republic of China:
http://english.gov.cn/laws/2005-10/11/content_75948.htm

China Employment Contract Law (effective Jan 1, 2008)
<http://tinyurl.com/6gysal>

China Passes a Sweeping Labor Law (New York Times June 30, 2007)
<http://tinyurl.com/5c4m34>

Is China's Labor Law Working? (Newsweek Feb 14, 2008)
<http://www.newsweek.com/id/111027>

Labour Standards in China: <http://tinyurl.com/5k67qz>

China Labor Watch: www.chinalaborwatch.org

China Adopts Landmark Labour Contract Law (2007): <http://tinyurl.com/5da6d3>

Labor Rights in China: <http://www.fpif.org/fpiftxt/3824>

Reflections on Labor Law in China: <http://tinyurl.com/5byexj>

U.S. Department of State, Country Report on Human Rights Practices:
<http://www.state.gov/g/drl/rls/hrrpt/2007/> (find specific report and do CTRL-F for "labor")

ICFTU Annual Survey of Violations of Trade Union Rights
<http://www.icftu.org/survey2006.asp?language=EN>
(Select your region of the world and country.)

ITUC Annual Survey of Violations of Trade Unions Rights -- China
<http://survey07.ituc-csi.org/getcountry.php?IDCountry=CHN&IDLang=EN>

Title: [China's New Labour Contract Law](#) : [Responding](#) to the [Growing Complexity](#) of [Labour Relations](#) in the [PRC](#)]

Author: [Sean Cooney](#)

Year: 2007

In: University of New South Wales law journal, ISSN 0313-0096
vol. 30, issue 3, page 786-801

Title: Individual Rights and Collective Rights: Labor's Predicament in China

Author: Chen, Feng

Source: Communist and Post-Communist Studies, vol. 40, no. 1, pp. 59-79, Mar 2007

Abstract: Despite the government's active legislation to protect workers, labor rights still remain widely ignored and poorly enforced in China. Structural constraints, such as the state's development strategy biased on efficiency over equity, tight labor markets, and the lack of an effective safety net, cannot fully explain why Chinese workers have had so little impact on the environment in which they work and the violations of their rights often occur. Using Marshall's theory of citizenship rights, this article explores the structure of China's labor rights for an explanation. It argues that while Chinese labor legislation stipulates workers' individual rights regarding contracts, wages, working conditions, pensions, and so on, it fails to provide them with collective rights, namely the

rights to organize, to strike, and to bargain collectively in a meaningful sense. The lack of collective rights is one of the major factors that render workers' individual rights vulnerable, hollow, unenforceable, or often disregarded. Labor legislation that enables workers to act collectively is crucial for safeguarding their individual rights.

BOOKS IN NOTRE DAME LAW LIBRARY:

AUTHOR Lee, Ching Kwan.
TITLE Against the law : labor protests in China's rustbelt and sunbelt / Ching Kwan Lee.
IMPRINT Berkeley : University of California Press, c2007.
DESCRIPT xiv, 325 p. : ill. ; 23 cm.
NOTE Includes bibliographical references (p. 297-314) and index.
NOTE Chinese workers' contentious transition from state socialism -- Stalled reform: social contract and legal contract -- The unmaking of Mao's working class in the rustbelt -- Life after danwei: surviving enterprise collapse -- The making of new labor in the sunbelt -- Dagong as a way of life -- Chinese labor politics in comparative perspective.
1 > Stack 3 HD8739.G828 L44 2007 CHECK SHELVES

TITLE International labor and employment law / [edited] by Philip M. Berkowitz, Thomas Müller-Bonanni.
IMPRINT Chicago, Ill. : Section of International Law, American Bar Association, c2006.
DESCRIPT xiv, 238 p. ; 26 cm.
SERIES International practitioner's deskbook series.
NOTE Includes bibliographical references and index.
NOTE ch. 1. Labor and employment law in Belgium / Carl Bevernage and Henry-David Hachez -- ch. 2. Labor and employment law in Brazil / Isabel C. Franco -- ch. 3. Labor and employment law in Canada / Stuart S. Aronovitch and Jonathan L. Dye -- **ch. 4. Labor and employment law in China / Qi (Adam) Li and Hong Zhang** -- ch. 5. Labor and employment law in France / Salli A. Swartz -- ch. 6. Labor and employment law in Germany / Thomas Mueller-Bonanni -- ch. 7. Labor and employment law in Italy / Alberto Maggi and Silvia Tozzoli -- ch. 8. Labor and employment law in Japan / Hideki Thurgood Kano and James M. Minamoto -- ch. 9. Labor and employment law in Mexico / Jorge G. de Presno -- ch. 10. Labor and employment law in the Netherlands / Maartje M. Govaert and Liesbeth Sneek -- ch. 11.

Labor and employment law in Spain / Vicente Calle Martinez and Alfredo Aspra Rodriguez -- ch. 12. Labor and employment law in the United Kingdom / Nicholas Dent -- ch. 13. Labor and employment law in the United States / Philip M. Berkowitz and Anders Etgen Reitz.

1 > Stack 3 K1705 .I53 2006 DUE 07-02-08

AUTHOR Geffken, Rolf.

TITLE Labour and trade unions in China / [by] Rolf Geffken in cooperation with Kei-lin Ting and Cam-linh Ngo ; translated by Ian Bild.

IMPRINT Brussels : European Trade Union Institute for Research, Education and Health and Safety (ETUI-REHS), 2006.

DESCRIPT xiii, 172 p. : ill. ; 24 cm.

NOTE "The original German text, of which this book is a modified and expanded version, was published in 2005 by VSA-Verlag under the title Der Preis des Wachstums. Arbeitsbeziehungen und Arbeitsrecht in der Volksrepublik China".

1 > Stack 3 KNQ1270 .G44 2006 CHECK SHELVES

TITLE Globalization and employment relations in the auto assembly industry: a study of seven countries / editor, Roger Blanpain ; guest editors, Russell D. Lansbury ... [et al.] ; contributors, Göran Brulin ... [et al.].

IMPRINT Austin [TX] : Wolters Kluwer Law & Business ; Alphen aan den Rijn : Kluwer Law International ; Frederick, MD : Sold and distributed in North, Central and South America by Aspen Publishers, c2008.

DESCRIPT xii, 152 p. : ill. ; 24 cm.

SERIES Bulletin of comparative labour relations ; 64.

SUMMARY Describes work organization, skill formation, remuneration systems, staffing arrangements and employment security, and enterprise governance and employee-management relations in seven countries: the United States, Australia, Germany, Sweden, Japan, South Korea, and **China**.

1 > Stack 3 HD9710.A2 G65 2008 CHECK SHELVES

AUTHOR Lauffs, Andreas, 1958-

TITLE **Employment law & practice in China** / Andreas Lauffs.

IMPRINT Hong Kong : Sweet & Maxwell Asia ; St Paul, Minn. : West Group, c2008.

DESCRIPT lxxii, 427 p. : ill. ; 25 cm.

NOTE Includes index.

CONTENTS Introduction to employment law in the People's Republic of China -- Representative offices -- Recruitment -- The employment relationship and employment contracts -- Mergers and acquisitions -- Working hours, overtime, leave and holidays -- Remuneration, benefits, stock options and social insurance -- Occupational health and safety -- Termination of employment -- Employer and employee interests : trade secrets, confidentiality, restrictive covenants, inventions and copyright -- Employee rights and privacy issues -- Individual income tax -- Labor unions and collective bargaining in China -- Employment disputes in China -- Appendices.

1 > Stack 3 KNQ1270 .L284 2008 CHECK SHELVES

TITLE The global workplace : international and comparative employment law : cases and materials / Roger Blanpain ... [et al.].

IMPRINT Cambridge ; New York : Cambridge University Press, 2007.

DESCRIPT lii, 647 p. ; 26 cm.

BIBLIOGRAPHY Includes bibliographical references and index.

CONTENTS The study of international and comparative employment law -- The International Labor Organization and international labor standards -- The United States -- Canadian labor and employment law -- Mexican employment law -- The regulatory approach of the North American Free Trade Agreement -- The European Union -- The United Kingdom -- German labor and employment law -- France -- **China** -- Japan -- India -- Pursuing international labor standards in US courts and through global codes of conduct.

1 > Stack 3 K1705 .G583 2007 DUE 07-02-08

TITLE International economic law and China in its economic transition / edited by Huiping Chen with contributions from Eric E. Bergsten ... [et al.].

IMPRINT Buffalo, N.Y. : Hein & Co., 2007.

DESCRIPT xvi, 380 p. : ill. ; 23 cm.

SERIES Chinese law series ; v. 12.

NOTE Includes bibliographical references and index.

CONTENTS The three big rounds of U.S. unilateralism versus WTO multilateralism during the last decade / An Chen -- The impact of the failures of the Doha Round on trade regimes in Asia / Philip M. Nichols -- China's compliance with its WTO commitments : an analysis by compliance theory / Yu Min-You --

One China four seats in the WTO : a proposed integrated economic zone in southern China / Kuen-Chen Fu -- MIGA and China / Lorin Weisenfeld -- China-ASEAN investment agreement negotiations : problems and prospects / Huiping Chen -- Sustainability, sustainable development, and the international community / Marcel Brus -- Nexus of the sources of international economic law and the transitional economic law of the PRC / Chia-Jui Cheng -- Towards a balanced interaction between competition policies and intellectual property rights in the Chinese context / Kong Qingjiang -- **Harmonizing domestic labor law reforms with global labor law standards / Ronald C. Brown -- Statistical analysis of the WTO dispute settlement system / Nohyoung Park -- The first ten years of the WTO dispute settlement mechanism / Zhu Lanye -- China and WTO dispute settlement : a short history / Yang Guohua -- Chinese arbitration law and rules compared with current trends in international commercial arbitration / Eric E. Bergsten -- International commercial arbitration in China : some thoughts from experience / Jerome A. Cohen.**

1 > Stack 3 KNQ3405 .I58 2007 CHECK SHELVES

AUTHOR Lee, Ching Kwan.

TITLE **Against the law : labor protests in China's rustbelt and sunbelt / Ching Kwan Lee.**

IMPRINT Berkeley : University of California Press, c2007.

DESCRIPT xiv, 325 p. : ill. ; 23 cm.

BIBLIOGRAPHY Includes bibliographical references (p. 297-314) and index.

BIBLIOGRAPHY Chinese workers' contentious transition from state socialism -- Stalled reform: social contract and legal contract -- The unmaking of Mao's working class in the rustbelt -- Life after danwei: surviving enterprise collapse -- The making of new labor in the sunbelt -- Dagong as a way of life -- Chinese labor politics in comparative perspective.

1 > Stack 3 HD8739.G828 L44 2007 CHECK SHELVES

TITLE Employment law Asia.

EDITION 1st ed.

IMPRINT The Hague, The Netherlands : Kluwer Law International ; Frederick, MD : Sold and distributed in North, Central, and South America by Aspen Publishers, c2005.

DESCRIPT 5 v. : ill., maps, forms ; 25 cm.

SERIES Asia business law series ; 9.

NOTE Originally published as a loose-leaf: Singapore : CCH Asia Pte Ltd., 2002-2004.

NOTE Includes indexes.

NOTE **v. 1. China**, Hong Kong -- v. 2. India, Indonesia, Japan -- v. 3. Korea, Malaysia, Philippines -- v. 4. Singapore, Taiwan -- v. 5. Thailand, Vietnam.

1 > Stack 3 KM403 .E4452 2005 v. 1 CHECK SHELVES
2 > Stack 3 KM403 .E4452 2005 v. 2 CHECK SHELVES
3 > Stack 3 KM403 .E4452 2005 v. 3 CHECK SHELVES
4 > Stack 3 KM403 .E4452 2005 v. 4 CHECK SHELVES
5 > Stack 3 KM403 .E4452 2005 v. 5 CHECK SHELVES

AUTHOR Josephs, Hilary K.

TITLE Labor law in China / Hilary K. Josephs.

EDITION 2nd ed.

IMPRINT Huntington, N.Y. : Juris Pub., c2003.

DESCRIPT xiv, 216 p. ; 24 cm.

NOTE Includes bibliographical references (p. 187-200) and index.

SUBJECT Labor laws and legislation -- China.

ISBN/ISSN 1578231337.

1 > Stack 3 KNQ1270 .J67 2003 CHECK SHELVES

TITLE China : paying the price : worker unrest in northeast China .

IMPRINT New York : Human Rights Watch, [2002]

DESCRIPT 50 p. : ill. ; 28 cm.

1 > Stack 3 JC599.A78 A84 v. 14 no. 6 CHECK SHELVES

AUTHOR Keith, Ronald C.

TITLE Law and justice in China's new marketplace / Ronald C. Keith and Zhiqiu Lin.

IMPRINT New York, N.Y. : Palgrave, 2001.

DESCRIPT xi, 315 p. ; 23 cm.

NOTE Includes bibliographical references (p. 299-307) and index.

NOTE 1. Pluralized Jurisprudence in the Socialist Market -- 2. The 'Special Grouping' of the Human Rights of Women, Children, Handicapped and Elderly -- 3. Justice and Efficiency in Contractual Labour Relations -- 4. Sorting Out Property and Ownership Rights in Law -- 5. Balancing Society and the Individual in Judicial Justice -- 6. The Law and the Market at the Crossroads of Justice and Efficiency.

SUBJECT Law reform -- China.
1 > Stack 3 KNQ470 .K45 2001 CHECK SHELVES

AUTHOR Chan, Anita.

TITLE China's workers under assault : the exploitation of labor in a
globalizing economy / Anita Chan.

IMPRINT Armonk, N.Y. : M.E. Sharpe, c2001.

DESCRIPT xv, 249 p. : ill., maps ; 24 cm.

SERIES Asia and the Pacific.

SERIES Asia and the Pacific (Armonk, N.Y.)

NOTE "An East gate book."

NOTE Includes bibliographical references (p. 241-244) and index.

NOTE Map 1. Location of Cases in China -- Map 2. Location of Cases in
Guangdong Province -- 1. Introduction -- 2. Forced Labor and
Violations of Shop-Floor Labor Standards. Case 1. Zhaojie
Footwear Company: Mistreatment of Workers Under Investigation -
Overtime, Extra Shifts, and Arbitrary Physical Punishment - We
Can't Take It Anymore. Case 2. Working Undercover in a Factory.
Case 3. Blood and Tears of the Soul - The Story of a Group of
Workers Going on Strike. Case 4. The Two Were Chased and Beaten
to Death in the River. Case 5. Give Me Back My Eight-Hour
Workday System, Cried Employees from "Three Capital"
Enterprises -- 3. Corporal Punishment and Physical Assaults.
Case 6a. Wails from Behind a High Wall. Case 6b. What Is the
Most Appropriate Way to Manage Mainland-Chinese Workers? - A
Headache Facing Taiwanese Investors That Needs to Be Discussed.
Case 7. Korean Women Boss Forces 120 Workers to Kneel Down.
Case 8. Why Do Female Migrant Workers Go on Strike? Case 9.
Enterprise "Internal Security Department" Sets Up a Kangaroo
Court: Worker Beaten Until Crippled for Breaking Rules. Case
10. Motorcyclist Crashed into a Fence and Refused to Apologize;
Village "Big Shot" Gathered the Troops to Battle Migrant
Workers -- 4. Violations of Occupational Safety and Health.
Case 11. Report on Foreign Shoe Factories That Endanger Women
Workers with Hydrocarbon Poisons in Putian, Fujian. Case 12. A
Price That Should Not Be Paid. Case 13a. Toyland Inferno: A
Journey Through the Ruins. Case 13b. Four Years Later - A
Letter from One of the Survivors -- 5. Violations of the Right
to Work. Case 14. How Should We Evaluate This Kind of
"Investment Capital" Through the Recruitment of Workers? A
Report on How Yanzhou Department Store Hires Employees. Case
15. Not a Single One of the 1,100 Employees of Shenyang City's
Harmony Company Escaped the Misfortune of a Mass Layoff -

Without Discussions with the Board of Directors and Staff and Workers Representative Committee -- 6. Violations of the Right to Organize and of Collective Action. Case 16. Power and the Law: Who Mistreats Whom? Case 17a. Standing Up for Workers' Rights - An Act of Subversion? The Trial of Two Shenzhen Laborers. Case 17b. "Let History Be the Judge" - Li Wenming's Statement to the Court. Ch. 17c. Li Dongming's Statement in Court in Defense of His Brother, Li Wenming. Case 17d. "It All Depends on Us" -- 7. Indentured Labor Abroad. Case 18. Give Back My Dignity: An Investigative Report on the Case of M/V Arcadia - Chinese Seafarers "Leaking State Secrets" Case 19a. Should We Pay the Administration Fee? Investigation in the Labor Administration Fee Lawsuit Against Fu Sumei in Sanming Sanyuan District Court. Case 19b. Statement of Sui Jianwei. Case 20. Women Workers Shed Tears on the Pacific Islands -- 8. Workers' Resistance. Case 21. Several Dozen Workers Besieged and Taiwanese Businessmen Injured; The Victims' Painful Account. Case 22a. Open Letter to All the Staff and Workers at Factory 3501. Case 22b. Second Letter to the Staff and Workers at Factory 3501. Case 22c. News from Beijing Factory 3501. Case 23. The Migrant "Lawyer" Who Specializes in "Speaking Out" for Other Migrants -- 9. In Pursuit of Labor Rights.

SUBJECT Labor -- China.

1 > Stack 3

HD8736.5 .C35 2001

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