

Plan to ease life for flexible workers

Guideline looks to strengthen the protection of the rights of couriers, ride-hailing drivers

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The 200 million flexible workers nationwide who have long struggled for equal working rights can breathe a sigh of relief as the central government is stepping up efforts to improve how they're treated.

The State Council, China's Cabinet, released a plan late last month to promote employment during the 14th Five-Year Plan period (2021-25), stressing the need to regulate the development of flexible employment by getting rid of impediments and protecting the rights of workers, which include couriers, food deliverymen and ride-hailing drivers.

Supporting campaigns for the flexibly employed is included in the plan. For example, authorities are required to create new training courses and establish online training platforms. The flexibly employed can also be secured at their work places, regardless of the administrative constraints imposed by their *hukou*, or household registrations.

The central government has also introduced other strong measures aimed specifically at protecting flexible workers' rights recently.

Early last month, the Ministry of Human Resources and Social Security together with seven other central departments jointly released a guideline aimed at improving the quality and fairness of the flexible employment sector by securing more rights for workers.

The guideline has specified responsibilities that companies and platforms are required to shoulder once they hire flexible workers, including ensuring they earn at least the minimum wage and that salaries match workloads, as well as clarifying when and how they are paid.

Reasonable break schedules are also required.

Some administrative requirements, such as improving payment mechanisms, work security, social benefits, supervision and mediation efforts to address disputes are clarified in the guideline.

Moreover, authorities should improve the processing of insurance applications, better organize skill training and enhance oversight of the flexible employment sector to create a better working environment.

Nie Shengkui, director of the Ministry of Human Resources and Social Security's labor relations department, said at a news conference on Aug 18 in Beijing that companies are required to protect their employees' rights once a relationship has been established under the labor law. As for those who do not have a formal labor relationship, their rights and obligations are generally covered by the civil law.

However, some workers, especially part-timers or freelancers who make their living through online platforms, have greater flexibility and can choose whether to accept work. Thus, neither the labor law nor the civil law offer full protection for the special labor relationship between platforms and the flexibly employed.



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In addition, platforms have taken advantage of both legal and administrative loopholes to force employees to work harder, often denying them even the power to fight back.

Take food deliverymen as an example. The number engaged in flexible work now stands at 7.7 million, but many struggle with the platforms' pursuit of higher profit and a bigger share of the delivery market.

Last September, Renwu magazine published a story about the tough working conditions of deliverymen. Platforms make full use of workers by urging them to finish orders within shorter time periods — even in less than half an hour — through the use of continuously updated algorithms.

As a result, deliverymen have had more trouble with obeying traffic

rules. Figures from Shandong's Jinan Public Security Bureau traffic police division show that in the first six months of this year, the 11,515 registered food deliverymen in the city committed 4,304 violations.

Driving against traffic, running red lights and riding on sidewalks were the three main infractions, the police said.

Pang Shi, a researcher and deputy director of the employment and entrepreneurship department at the Chinese Academy of Personnel Science, said that strife between flexible workers and their employers has been intensified by factors including ambiguous labor relationships, a shortage of social security benefits and insufficient working rights that mandate rest periods, healthcare and compensation for work-related injuries.

She said that the newly released

guideline will greatly benefit the sustainable development of flexible employment and the shared economy by clarifying what obligations companies have to the flexibly employed.

The central government has spent the past few years striving to better protect the rights of the flexibly employed, as the sector has grown in size, reaching about 200 million so far.

In 2016, the All-China Federation of Trade Unions released a notice urging local trade unions to set up services stations for outdoor flexible workers to provide access to drinking water, toilets and places to rest.

“So far, we have built 78,217 stations with an investment of about 938 million yuan (\$145 million). About 59 million outdoor workers are benefiting,” Huang Long, deputy

director of the federation's legal work department, said at the news conference on Aug 18.

The federation set a new target recently to recruit over 8 million flexible workers to trade unions nationwide by the end of December next year to help protect their rights.

In July, Premier Li Keqiang said at the State Council's executive meeting that protecting the rights of such workers is beneficial to promoting flexible employment, expanding job opportunities to the public and increasing incomes.

Li said at the meeting that the job market still faces great pressure this year. Enhancing the protection of the rights of the flexibly employed will boost job opportunities for migrant workers and help the government achieve this year's employment target of 11 million new urban jobs, he said.

Policy Digest

China to spend big to promote education

The central government plans to spend 29.8 billion yuan (\$4.6 billion) to promote compulsory education during the 14th Five-Year Plan period (2021-25), especially in areas with unbalanced development, according to a notice published on Aug 24.

In rural areas, the money will be used to build classrooms, student dormitories and dining halls; to install facilities such as showers and drinking fountains; and to renovate heating systems and toilets, according to the notice jointly issued by the Ministry of Finance and the Ministry of Education.

It will also be used to support the necessary construction or renovation of schools that provide compulsory education and the development of networking facilities, and to purchase equipment related to physical and art education.

The notice added that the fund cannot be used for routine maintenance or renovations of school buildings, the purchase of equipment used by nonteaching institutions and school administration agencies and other items unrelated to the operation of schools.

Pedestrian streets urged to innovate

Pedestrian street business owners are encouraged to use new technologies such as big data to build smart shops and develop new types of businesses including unmanned supermarkets and restaurants to provide more convenient shopping experiences for consumers, the Ministry of Commerce has said.

In a draft guideline on the high-quality development of pedestrian streets, which was issued on Aug 24 to solicit public opinions, the ministry said that in order to boost consumption, pedestrian streets are encouraged to develop new businesses that provide recreation and entertainment services, family happiness and cultural performances to consumers.

The ministry also encourages pedestrian streets to offer an array of unique activities in which shoppers can participate, so as to attract more young consumers.

According to the guideline, to abide by laws and regulations, pedestrian streets should cooperate with major business owners to collect data on customer flow and consumption and use artificial intelligence algorithms to analyze the data to predict future consumption and customer flow trends.

Boost for rural area delivery services

Authorities will work to improve the postal system and the final leg of delivery services in rural areas as the country focuses on facilitating both the transportation of agricultural products to cities and the delivery of consumer goods to residents of the countryside, according to a guideline issued by the State Council on Aug 20.

Sun Wenjian, a spokesman for the Ministry of Transport, said it will beef up efforts to diversify delivery methods in rural areas by developing postal logistics, improving express delivery of small parcels shipped by passenger buses to the countryside and establishing shuttles for freight transport.

As an important channel for agricultural products headed for cities and consumer goods bound for villages, rural delivery logistics are vital for efforts to meet rural residents' production and living needs, unleashing the potential of rural consumption and promoting rural vitalization.

Statistics from the ministry show that in the first half of this year, 20 billion parcels were delivered to rural areas, a year-on-year increase of 30 percent.

Cost-effective employees changing China's traditional job market

By CHENG SI

The emergence and growth of flexible employment is an inevitable result of economic development and technological revolution, and it is changing the traditional job market, experts said.

According to the Ministry of Human Resources and Social Security, there are about 200 million people working flexible jobs, with food deliverymen accounting for about 7.7 million of the total.

Hiring flexible employees has also become a cost-effective option for companies. The China Development Report on Flexible Employment by the Renmin University of China and

the Renrui Talent Group in December shows that last year, 55.6 percent of employees hired by China's companies were flexible workers, up 11 percent year-on-year.

Pang Shi, a researcher and deputy director of the employment and entrepreneurship department at the Chinese Academy of Personnel Science, said that though flexible employment has some elements in common with traditional jobs, it does have distinctive traits.

“People get orders from different platforms and offer labor, skills or products to customers. They get jobs, or orders actually, but not from employers,” she said. “Workers enjoy higher flexibility in working

time and places.”

“Also, payment is calculated in various ways. For example, livestream hosts get salaries based on audience ratings, while food deliverymen earn wages from commissions they get from each order,” she said. “A flexible worker's labor relationship with an employer is different from a traditional working relationship, as few of them sign contracts.”

Chen Lixiang, vice-dean of Peking University's China Institute for Occupation Research, said people have emphasized greater work flexibility in recent years, altering the concept of what it means to have a happy life.

“They wish to arrange work and time more freely, especially the

younger generation who appreciate the quality of life and value of labor,” he said.

Pang said that flexible employment has benefited society by meeting the work demands of some disadvantaged groups, such as the disabled. Companies can also lower human resources costs by hiring flexible workers.

However, ambiguous labor relationships, lack of social security and inadequate supervision have hindered the realization of flexible workers' rights.

“The problem cannot be fixed overnight. It takes time, and the government needs to explore a mechanism to solve it,” Chen said, adding

that a guideline jointly released earlier last month by eight central government departments is a step in the right direction.

He said that neither the new guideline nor any of the previous measures carried out to help flexible workers win more working rights were meant to hamper the development of the shared economy and flexible employment, but rather to underscore their advantages and attract laborers by resolving issues hindering these rights.

“The newly released guideline aims to promote better and higher-quality employment, also better development of the nation's economy,” he added.