

Student Worker Survey Report

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1. Introduction

An increasing number of student workers and juvenile workers are being employed in Chinese factories to satisfy labor needs. Unlike the older generation, young workers perceive factory life differently and thus have different needs and perspectives. However, little is known about how they feel about their jobs and whether this is a helpful first experience in their professional life.

In this context, commissioned by the Center for Child Rights and Corporate Social Responsibility (CCR CSR), ELEVATE conducted a student and young worker survey in June 2013, in a toy factory in Guangdong, China. The objective of this survey project is to gain insights into student workers' and juvenile workers' life in the factory and to better understand their feelings, concerns and the potential risks they are facing.

2. The Survey and Factory Background

CCR CSR and ELEVATE developed a survey that looks at the full spectrum of the a student's job in a production factory, including school program, recruitment process, work relationship, support from school and family, and working conditions. The survey also focuses on the experiences and feelings from young workers' perspective.

In this report, we define juvenile and student workers as:

Student workers or interns are students who take an internship during periods where they are not taking classes and their internship is part of the school program. Its completion is required in order to graduate.

Juvenile workers refer to workers that are under 18 years, but above the legal minimum wage for employment, in the case of China, it is 16 years old.

While a student worker, who is younger than 18, can also be considered as a juvenile worker, in this report we refer to juvenile workers exclusively for those who are not in school any more but full-time employees in the factory.

The survey was administered in a plastic and electronics factory in Guangdong, China on 4 June, 2013 . The survey coincides with the peak seasons of the toy industry, during which there is a high demand for extra labor to meet the production bump. At the time of survey, there were more than 2000 front line workers, among which 300 were juvenile and student workers, accounting for 14% of the total workforce. Its peak seasons are normally May through November. The factory location is quite remote, not an ideal destination for migrant workers. As such the factory faces significant recruitment challenges during peaks seasons, and hiring student workers is considered as one of the solutions to relieve the hiring pressure.

3. Survey Sample

TABLE 1 CHARACTERISTICS OF SURVEYED WORKERS			
Gender	%	Average age (years)	17
Male	50	Average length of service (months)	3
Female	50	Place of Origin	%
Interns	29%	Guangxi	38
Juvenile Workers (not in an internship)	72%	Guangdong	27.2
Highest Education	%	Guizhou	9.8
Middle school	48.3	Henan	7.6
High school	8	Hunan	6.5
Vocational School	24.1	Sichuan	4.3
Technical School	19.5	Yunnan	2.2

A total of 92 student and juvenile workers were randomly selected¹ to participate in the survey. Half of them are female (50%) and the average age is 17 years. The majority of them (65%) come from the same province –Guangdong, where the factory is located, or from neighboring - Guangxi. A small group is from far-off provinces (14%), such as Sichuan, Yunnan and Henan.

29% of the surveyed workers were doing an internship program in the factory, the other 72% were juvenile workers.

4. Know the Law – What Does Chinese Law Say about Student and Young Workers?

Before we dig into the survey results, let’s first take a look at what Chinese law says about student and juvenile workers, and under what conditions they can be hired. The law requires that:

- **Internship Qualification:**
 - Since the internship is part of the school program, the job itself should be relevant to students’ major of study, to further strengthen their professional knowledge and skills.
 - Students cannot work on the first year of their school program.
- **Hiring and Recruitment:**
 - A tri-party agreement needs to be signed among the employer, the school and the student/parent.
 - Students shall be trained in terms of health and safety issues before they start working.
 - The employer shall not use a labor broker or agent to recruit, arrange and manage student workers.

¹ The sample was calculated with a Confident level at 95% and a Margin of Error at 8.5%.

- **Health and Safety**
 - Cannot perform any work that can potentially jeopardize students' health and safety.
 - The employer shall provide students with accident insurance to ensure they are covered against occupational diseases and accidents.
 - Students shall not work more than 8 hours per day. Guangdong provincial regulation limits the total weekly hours to 40, with other words overtime work on the weekends is not allowed.
- **Compensation:**
 - Remuneration shall be paid directly to workers without delay or deduction for management fee.
 - The school cannot charge students any forms of management fee for the internship.

On top of these, student workers that are below 18 years old are also subject to the legal protection for juvenile workers, which include no overtime work, orientation training and regular health check-ups.

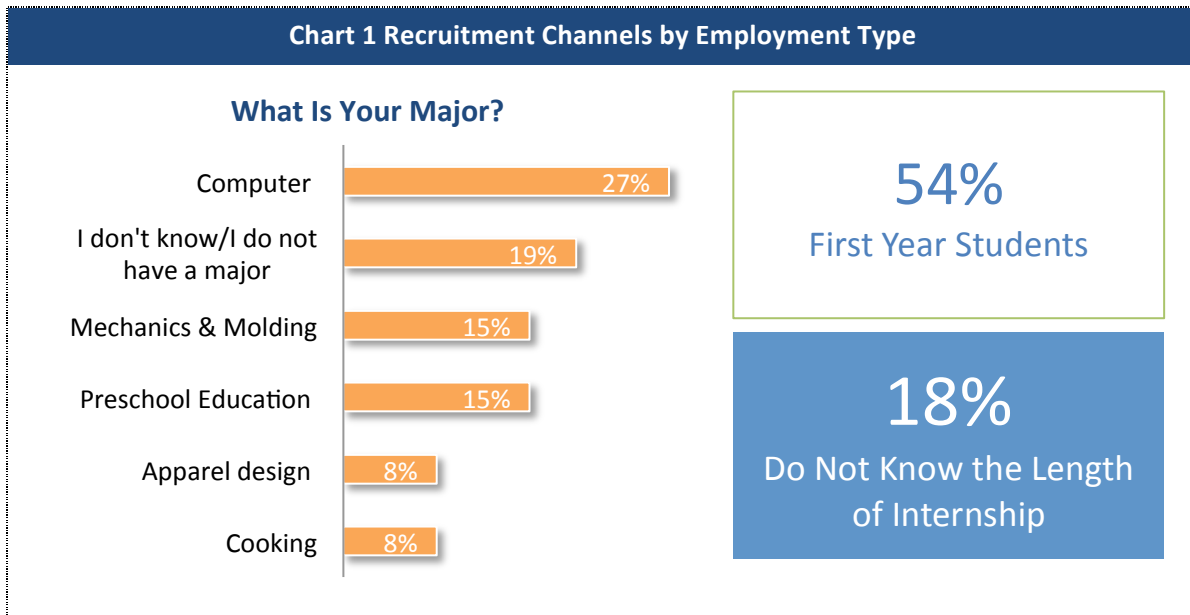
We will examine the survey results against the above requirement one by one and see to what extent these regulations are properly implemented.

5. Who Are The Interns?

Based on workers' response, some of them major in computer (26%) and preschool education (15%), while others in mechanics & molding (15%) and cooking (7%). Another 22% of surveyed interns indicated that they are unaware of their majors. We can see, that except for mechanics and molding students, the internship is not directly relevant to the students' studies.

In addition, as the purpose of an internship is to complement school education by providing students with hands-on experience and to further strengthen their skills through on-site practice, the law requests that internships are done more towards the end of the a school program and not during the first year. However, the survey results show that over half (54%) of student workers were in the first year of their program at the time of survey, 21% were in summer vacation between the first year and the second year, while a mere 21% were in the second year or above. When asked about the length of their internship, the vast majority (78%) says 3 months or less, while (18%) does not know how long their internship is.

Finding 1: The Chinese regulations regarding student workers are not implemented as interns' majors are not related to the work and most of them take the internship in the first year of their program in spite the legal requirements to place interns at the end of a study program.

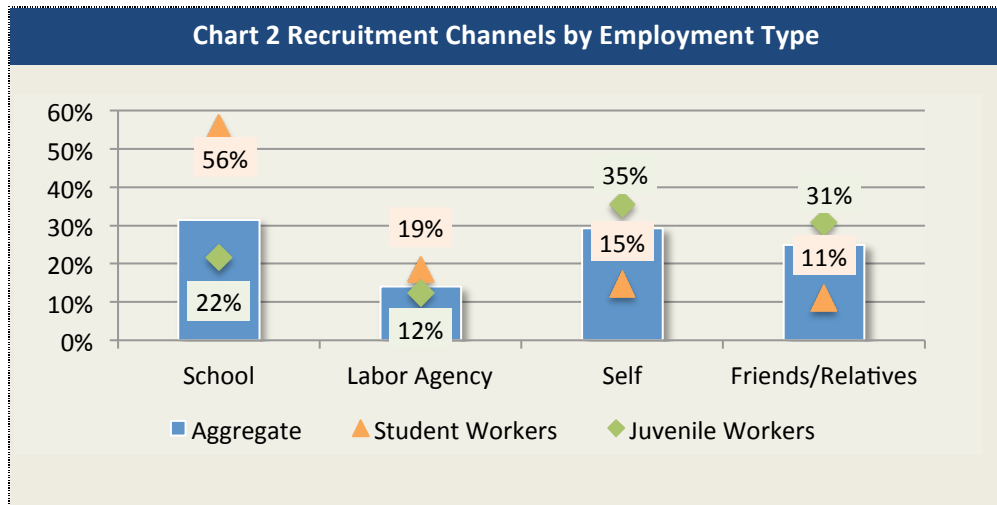


6. How Are Student Workers and Juvenile Workers Recruited?

Not surprisingly the majority (56%) of student workers got their internship through their schools. Still 26% say they organized it by themselves (15%) or were introduced by friends or relatives (11%).

5 student workers indicated that they were hired through labor agencies, a practice which violates the laws requirement that interns cannot be hired through labor brokers. The involvement of labor brokers in the recruitment process significantly increases the risk of malpractices. Digging deeper we could observe that two of the five interns were not informed at all by their agents about the internship and arrived in the factory without any idea about the nature and condition of the job.

Juvenile workers on the other hand rely less heavily on institutional channels. About one third had their jobs facilitated through schools (22%) or labor agents (12%). The majority has either found the job themselves (35%) or was introduced by friends or relatives who already work in the factory (31%).



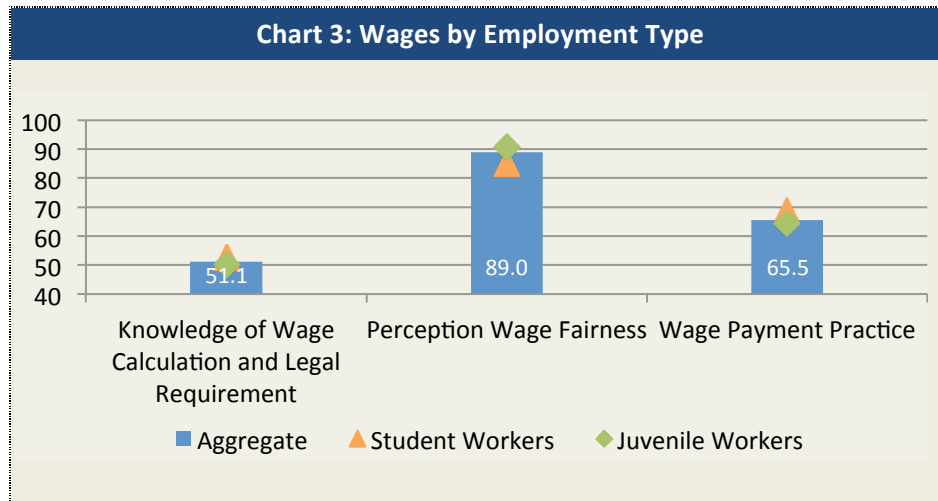
Among those who were hired through schools and labor brokers (46%), 62% have been given an introduction on what the internship/job is about before they start, 31% say they did not receive a formal introduction, but were provided with some informal information. Around 7% of interns and juvenile workers started their job without any prior information.

The survey results show that interns, juveniles go through more or less the same orientation process. 86% of interns and juvenile workers have received orientation training, and 69% of them find the training helpful. No significant discrepancy is observed between interns and juvenile workers, or among workers recruited through different channels.

In addition, Chinese law requires student workers to sign a tri-party contract with both the school and the employer. However the survey results show that it is not effectively implemented. Only two students (7%) have signed a three-way labor contract, while most (74%) just sign a contract directly with the factory. Another two interns (7%) do not know whether a contract has been signed or not.

Finding 2: The legal protection for student and juvenile workers regarding recruitment process is not effectively enforced. Students are hired through schools as well as labor brokers. Only few students have signed a tri-party contract as required by law.

7. How Are Juvenile/Student Workers Paid?

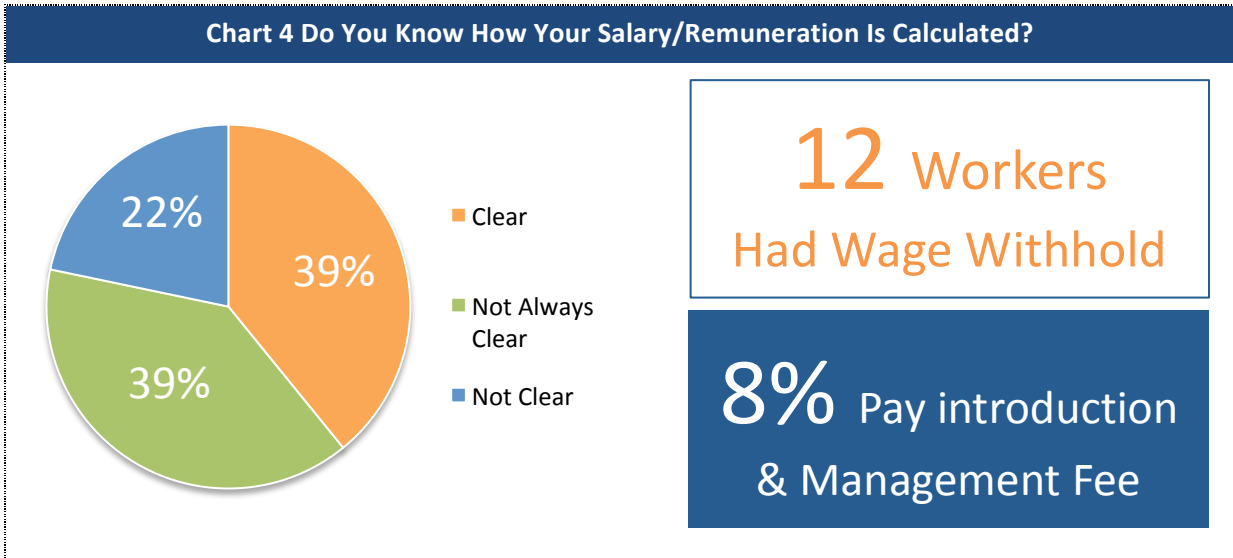


We examined student/juvenile workers’ remuneration from below three aspects:

- **Knowledge:** The extent to which workers are informed on local minimum wage and how their remuneration is calculated;
- **Perception:** The extent to which workers feel they are fairly compensated;
- **Practice:** How workers are paid, whether there is any delay or wage withholding and coverage of accident insurance.

As we can see from chart 3, the above three aspects are assessed on a scale of 0 to 100, a score that is higher than 80 suggests positive evaluation, while a score below 60 suggests room for improvement. Knowledge scores the lowest at 51, indicating workers’ lack of knowledge about how their salary is structured and calculated. Although the national law has not specified the required remuneration level for student worker and leaves it to local authorities to define², many brands require all workers regardless their type of employment in the facility to be paid legally, with other words compliant with minimum wage and overtime premium requirement. The survey data shows that over half (57%) of students and juvenile workers are unaware of the local minimum wage. 39% claim that they are clear on how their salaries are calculated, while the rest are not always clear (39%) or do not know (22%).

² Suzhou (Jiangsu Province) requires student workers to be paid no less than the local minimum wage, while Jiangmen City (Guangdong Province) requires student workers to be paid no less than the 80% of the local minimum wage.



Practice scores a bit higher with 65.5 out of 100. When looking at the number in more detail we can see that 10% report missing or unaware of accident insurance.

12 workers report that their wages are partly or completely withhold, 6 of them say the withhold part goes to the school and 2 of them say it goes to the labor broker.

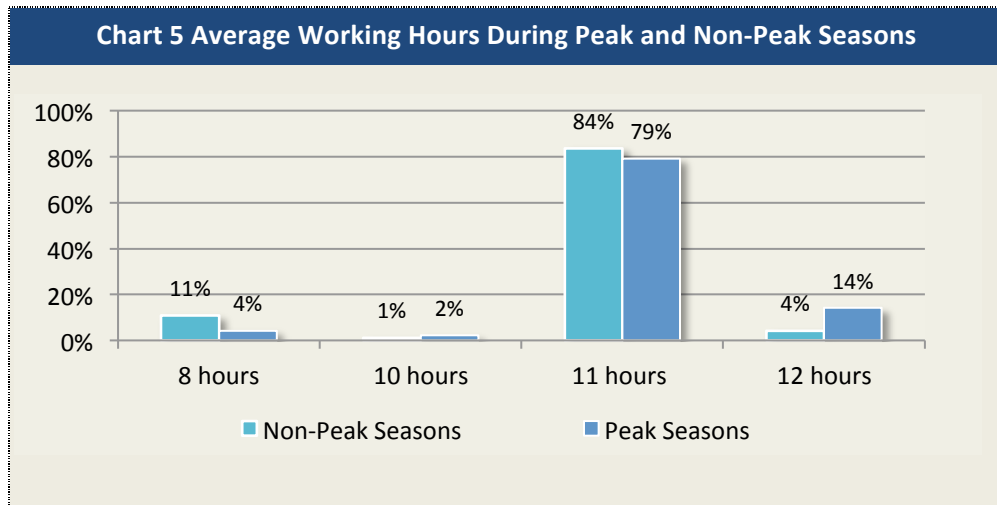
48 surveyed workers (52%) mention that they have not yet received their first payment. However, when we compare this data with their length of service, 7 of them have been with the factory for more than 2 months. This signifies possible delay of wage payment.

On top of the delay and payment withhold, there are cases of illegal fees. 8% of surveyed workers report that the school or labor agent charges fee for introduction and management.

In terms of wage perception, workers are in general quite positive. 61% think they are fairly compensated. However, a significant group (34%) is not sure. This uncertainty partly is related to their lack of knowledge of wage calculation, but on the other hand is related to the fact that remuneration is not always paid directly to workers or in full.

8. How Many Hours Do Juvenile/Students Work?

Despite clear legal requirement of no overtime work during night shifts or on weekends, in the surveyed toy factory, we notice that both interns and juvenile workers work on an average of nearly 11 hours per day and six days a week. As we can see from chart 5, even during non-peak seasons, only a small number of workers (11%) work 8 hours a day, whereas the vast majority works 11 hours or more. During peak seasons, only 4 workers indicate no overtime.



Finding 3: Student and juvenile workers have limited knowledge of their remuneration/wages, and they do not always receive their compensation directly or in full. Prohibition of overtime work is basically being ignored as overtime work on weekends and in weekday evening is common practice.

9. Do Juvenile/Student Workers Receive Sufficient Support?

Surveyed workers, both student and juvenile workers are 17 years old on average. An age at which they are still mentally and physically maturing. Therefore additional support and guidance is needed to ensure their health and safety. For this exact reason, the Chinese regulations require schools to set up a proper internship management system including assigning responsible tutors, creating internship files and regularly checking on the internship situation. This requirement is also related to the fact that most of interns and juvenile workers leave their hometowns and live independently in a different city for the first time in their life. In this survey we dug a little deeper to see to what extent the interns and juvenile workers are supported?

Support From Family

We asked students to what extent their parents/family is supportive of their job/internship selection. While the majority (61%) of interns and juvenile workers feel that their families support their decision to work in a factory, this does not necessarily mean that they receive active support from their parents. About half (48%) of surveyed student and juvenile workers indicate that their parents were not involved at all when they were looking for this job opportunity. Few (14%) mention that their parents were strongly involved and some (25%) point out that parents took part when discussing compensation terms and signing contract (25%) or selecting jobs (13%).

Support From School

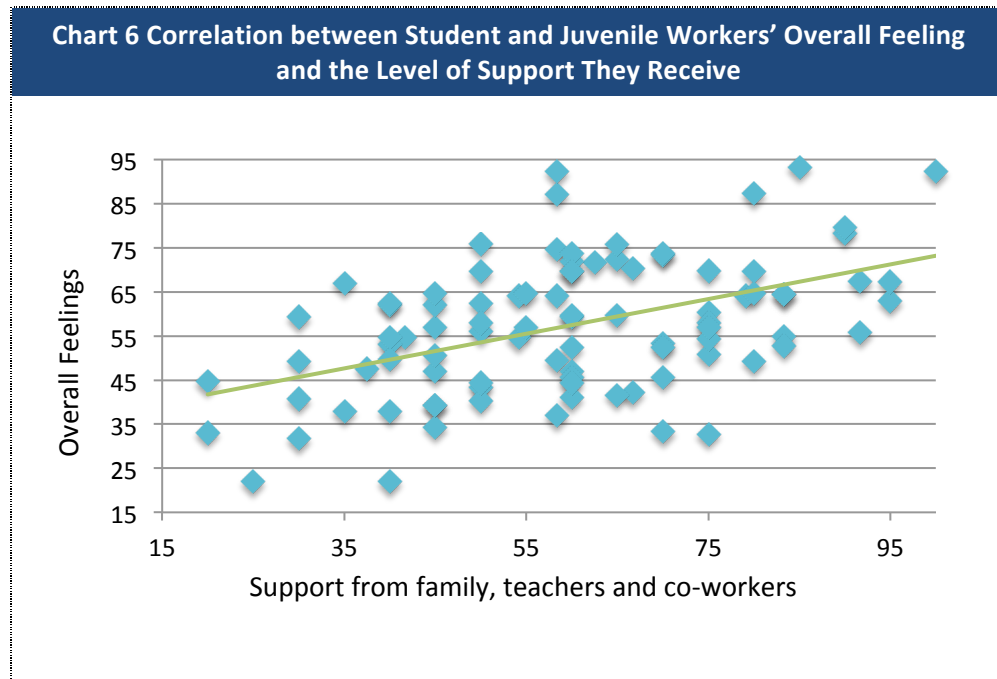
We also assessed the extent to which workers feel supported by their school teachers. Less than half (48%) of interns say their teachers will “absolutely”, listen to their problems, while 37% say “partly or not really”. Another 15% indicate they have never really talked to teachers.

Support Form Supervisors And Co-Workers

When it comes to supervisors at work, 28% indicate that they have not really communicated with them. Around one third (34%) of surveyed workers feel their supervisors pay attention and offer an ear to their problems, while the rest (38%) feel they only partly or not at all listen to them when they had problems. Co-workers are providing support for some of the surveyed workers (46%) to a full extent, but still about 1/5 (19%) say they have never really talked to their co-workers.

When we correlated the extent of support workers receive with their overall wellbeing, we observed a significant positive correlation (Chart 6)³. When saying overall wellbeing we refer to a range of factors, including satisfaction level, how they feel about their jobs/internships and the potential impact of work on their future career development and whether they look forward to go to work in the morning. The result shows that workers, who are better supported by their family, schools and colleagues, are more positive about their internship/jobs.

When we compiled the data of school, workplace and family, we notice there are 12 workers who do not feel being supported not being supported by anybody. This group of workers is at particular risk, as they are more critical about their job, more negative about future career development and less satisfied⁴. The data demonstrates the importance of schools, families and the workplace to provide support for young workers.

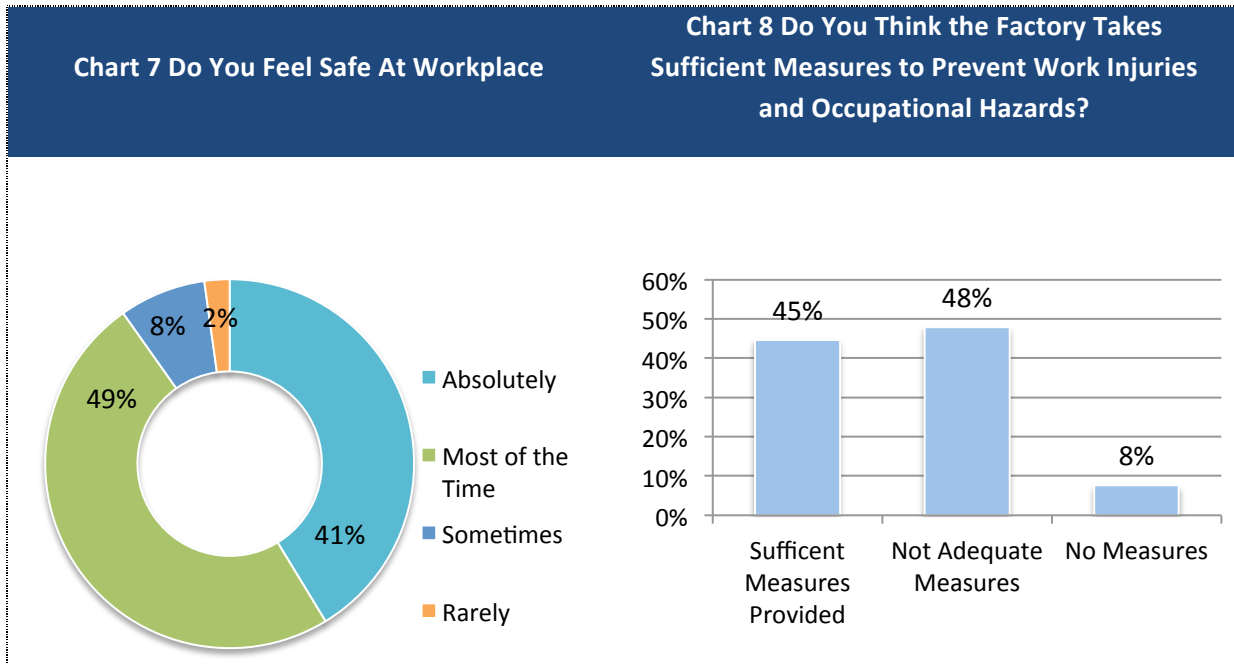


³ The correlation between the extent to which workers are supported and their overall feelings are significant at $r=0.475$, $sig=0.01$.

⁴ The ANOVA results show that workers who feel not being supported differ significantly from the rest, and the significance level is 0.039.

Finding 4: Parents’ involvement in the internship/job selection phrase is limited, and so is the support from school-teachers and supervisors. Correlation results show that the level of support workers receive positively correlate with their overall wellbeing.

10. Do Juvenile/Student Workers feel Safe Working In the Factory?



Both Chinese law and ILO conventions have specific clauses that prohibit any forms of work that will endanger juvenile workers’ health, safety and development. Hazardous work that is off limits for student and juvenile workers include work underground, under water, at dangerous heights or in confined spaces, work with dangerous equipment, and work in an unhealthy environment that may expose young workers to hazardous substances. In this survey, we assessed the extent to which 1) workers feel safe working in the factory and 2) workers feel sufficiently protected against safety hazards.

Based on workers’ responses, almost all (90%) feel safe most of the time, whereas the rest 10% holds the opposite opinion. Nevertheless, a big group of respondents (48%) think current health and safety measures are not sufficient and 8% report that there is no such measure.

Finding 5: While most student and juvenile workers feel safe working in the factory, a large number of workers think there is room for improvement regarding health and safety measures against work injuries and occupational diseases.

11. How Do Juvenile/Student Workers Feel In General?

Despite all the issues regarding recruitment, wage payment and working hours we discussed above, surveyed juvenile and student workers are in general positive about their work:

- Over half (58%) are “satisfied” (41%) or “very satisfied” (16%) with their job/internship.
- When asked about their overall feelings, the top three workers chosen are positive, i.e. happy (37%), integrated (37%) and relaxed (29%), while at the same time they also feel bored (26%), lonely (19%) and homesick (24%).
- This is consistent with their responses to the question whether they look forward to work in the morning, 48% answers “absolutely” and “to a large extent”, whereas 22% hold the opposite opinion. Another 30% indicate not thinking about it.
- Juvenile workers that are currently not doing any internship have divided opinions regarding the career development opportunities offered in the factory, around one third (33%) thinks there are good chances, another 36% feels that the factory provides them with careers opportunities to some extent, and the rest (32%) feels the chances are quite limited.
- For those who are currently interns, the majority (54%) thinks the internship is to some extent helpful in improving their skills, around one third (32%) feels it is quite helpful. We can thus observe that while for most of them the internship will not directly contribute to their studies many feel that they internships enables them to achieve a set of life skills that will be of value in their careers.

Finding 6: In spite of a range of violations of legal requirements, juvenile and student workers are in general positive about their internship/job. Interns in particular are positive about the internship and consider the experience of value to their careers.

12. Conclusion

There are a number of regulations and laws in China that intend to regulate the use of student and juvenile workers, however this survey results have shown that these legal requirements are not effectively and sufficiently implemented. Internships are not related to their field of study, and are placed early on in their program, tri-party labor contracts are often missing and the employers hire interns through labor brokers which is illegal and increases the risk of malpractices. We also have observed cases of delay and withhold of wage payment. Overtime work during weekdays and weekends is common practice.

The study shows that a majority of workers faces the tough factory life with a great amount of resilience and optimism. Despite far from ideal working conditions they consider the experience as positive and are convinced that the skills acquired as factory workers will help them in their future. However the survey also suggests that interns and juvenile workers are not getting all the support they should get from their families, school or the workplace. We can observe a small group of students who is at particular risk as they feel not supported and have a largely negative perception of their work and

future. These workers are particularly vulnerable and illustrate how important it is for factories, schools, parents and 3rd party support organizations to provide support to young factory workers.