

Women workers in China during the Covid-19 Pandemic

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This report offers an overview of the current social problems facing women workers in China in their work and life, with a key focus on the intersection of gender inequality and class inequality for women migrant workers.

The literal meaning of the Chinese word “女工” is “woman worker”, but the term connotes a social class, that of a manual labor, as well as a sense of mobility between rural villages and cities for the women workers bouncing from one job to the next. Being a 女工 is both liberating and limiting. Opportunities to work in a city promise an escape, albeit a temporary one for many, from the rural social order and moral values that center the continuation of families, or more precisely, the prosperity of *male* family members. A journey into the city can be a transgression from this set path, a journey toward more opportunities for self-fulfillment. But at the same time, 女工 is a subject that bears what Pun Ngai described as the triple violence from the state, capital, and patriarchal relations¹. Such relations can manifest, respectively, as the rural household registration category that restricts the social resources available for female migrant workers; as manufacturing work requires that she sacrifices entire days and nights as well as the opportunity for personal growth; and as the social expectation to send her wages back to the village for her brother’s prosperity and the expectation to perform housework alongside wage work. Such unequal and restrictive relations have enormous power over women’s lives, but as shown in the narratives and actions of these female workers, it is not a process without questioning, negotiating and reshaping.

In recent years, the growing, digital platform-based new economy has absorbed a large proportion of the labor force from manufacturing and other service industries, embedding many women workers in spaces with new forms of discipline as well as new conditions of autonomy. At the same time, the impacts of the ongoing Covid-19 pandemic have been hitting women workers, throwing many out of traditional jobs and

¹ Ngai, P. (2005). *Made in China: Women Factory Workers in a Global Workplace*, Duke University Press.

into the gig economy where women can perform care and domestic labor alongside their gig work.

While specifically focusing on rural women migrant workers, the contents of this text are not limited only to this specific population group, as the systemic problems examined here are similarly facing women of different class backgrounds, rural migrant workers, and gig workers in China and elsewhere, and their effects are not limited solely to rural female migrant workers. The report will also explore the resources and mechanisms available inside and beyond China that protect the human and labor rights of women workers in the era of a global pandemic. For readers who are interested in advocating for women workers' rights in China, this report suggests fields for future actions and engagement.

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Education Disparity

For a rural woman, whether or not to travel to the city for work is often not an individual choice, but a decision made with consideration by the entire family. While a man's self development is aligned with the goal of the family, given his role in traditional family values as the blood inheritor of the family's tradition and wealth, this is not the case for women. For a married woman, personal goals of self development may be in conflict with her expected role in the marriage. However, for a single woman, her role within her own family is in transition, so her duties may differ depending on the family conditions². A rural woman's movement and mobility can be shaped by a multitude of factors, including the number of siblings, the household's need for income, the need for housework, her duty to be married, her parents' concern about the influence of urban life on women, and her will to escape all these expectations, among other factors. For some women who lack the family support to continue their education, going to the city is the only way to pursue opportunities for personal growth.

And yet, the level and quality of one's education is a major determining factor for employment options. Rural women who work in cities are often limited to jobs which are low-skill, low pay, and have long work hours. Compared to those of their urban counterparts, both their income and job positions are lower. These differences are partially explained by the overall income gap between rural and urban households, which then leads to the disparities in investments in childhood education. However, this uneven distribution of education resources between city and rural populations is further reinforced by policy. As a matter of quota restriction, more than fifty percent of junior high school graduates are by design not able to receive regular senior high school education; they either drop out or go to vocational schools. Research shows that vocational schools, which have an overall negative impression to the public as being filled with "leftover" students who idle their time away, consist mainly of children from

² Shen, T. A. N. 2004, Leaving home and coming back: Experiences of rural migrant women. Holding up half the sky: Chinese women past, present, and future, 248-258.

low-income rural households and children of rural migrant workers who are excluded from the urban education system³. Vocational schools in China are often problematic and primarily serve as a pipeline to factory work. Rather than receiving training on solid professional skills to increase their competence in the job market, students become cheap labor for factories and businesses before and after graduation. These systemic problems not only further entrench the current class arrangement, but also contribute to the alarming yet prevalent issue where vocational school students are compelled to work as “interns” in factories, often in unethical and illegal conditions, in order to graduate⁴. Clearly, these vocational schools, attended by mainly low-income rural children, do not increase skill-levels and employment opportunities for underserved students, but rather they prioritize the needs of capital at the expense of rural students’ education and wellbeing.

With limited educational resources for rural households, the opportunities further vary for boys and girls; more girls than boys drop out from school and fail to complete the nine-year mandatory education⁵. When investment for education is restricted, rural parents tend to prioritize their sons and let their daughters drop out⁶. A 2016 report published by China Social Welfare Foundation shows that although 96.1% of rural female schoolchildren have received elementary school education, only 79.3% were able to go on to study in secondary schools. Such a reality binds some girls to their village and limits every girls’ future employment options , especially those who go to work in urban areas.

The global pandemic further impacted the education of schoolchildren, with female children having a higher dropout rate due to the closure of schools. Staying at home

³ 子津, 2021, 职业学校的困境: 从不被看见的职校生, 到欠缺保障的劳动力
https://www.thepaper.cn/newsDetail_forward_13821999

⁴ 财经十一人, 2022, 姚洋: “五五分流”不合理, 职业教育亟需转变方向
<https://mp.weixin.qq.com/s/XEPmbcobV1OvywbowScJ6w>

⁵ 中国儿童少年基金会, 2015, 中国女童教育与发展需求研究报告. Available at
<https://www.cctf.org.cn/d/file/report/study/2018-12-03/4bb384c7fe51b157225c929eac6df7d4.pdf>

⁶ 财新, 2015, 近四成失学女童因家贫退学: 受教意愿比男童高 失学却更早
<https://mp.weixin.qq.com/s/QoAaWTXHoePZM-OCXh7HNA>

increases the time for female children and women to take on care work, and subjects girls to higher rate of child marriage, teenage pregnancies, and gender-based violence⁷.

In these ways, through the lack of educational resources, rural girls in China are primed to simply become the cheap labor that the country needs in order to build its economic miracle.

Gender discrimination and gender segregation

Another systemic issue which further restricts female life and employment opportunities is gender discrimination. According to the Labor Law of China, women shall enjoy equal rights as men in employment, and sex shall not be used as a pretext for excluding women from employment during recruitment of workers. However, discrimination at the point of recruitment, which ranges from implicit to blatant, is still prevalent today.

In 2012, Cao Ju, a new graduate in Beijing, sued a private tutoring firm for hiring a “man only” for the position of executive assistant. This is believed to be China's first gender discrimination lawsuit⁸. The case settled with the tutoring company compensating Cao with 30,000 RMB, for violating the law that protects women’s equal rights to obtain jobs. But overall, things have not progressed since Cao’s victory. Gender-based recruitment discrimination exists in not only in private sectors but also for governmental jobs. According to the Human Rights Watch 2018 report, almost one in five job ads hiring civil servants called for “male only” or “male preferred.” For

⁷ NDTV, 2021, "Child Marriages, Teenage Pregnancies, School Dropouts - Pandemic Affected Girls Most": UN Envoy
<https://www.ndtv.com/india-news/child-marriages-teenage-pregnancies-school-dropouts-covid-affected-girls-the-most-un-envoy-2548901>

⁸ 中国妇女报, 2013, “就业性别歧视第一案和解结案”
http://www.women.org.cn/art/2013/12/23/art_9_135113.html

women, many job ads specify requirements for physical attributes irrelevant to job responsibilities⁹.

It's also common that women are asked about their marriage status in job interviews. By law, female employees are entitled for 98 days of basic maternity leave, while male employees may enjoy paternity leave ranging from seven days to one month. For companies, hiring an unmarried woman means that they will potentially face her absence from work for more than 3 months and will invest more for her maternity leave pay. This makes some employers reluctant to hire women. Since the three child policy was passed in May 2021, many local governments created policies to extend parental leave for women, encouraging them to give birth. But as it increases the cost for private companies, it also increases women's concerns regarding potential employment discrimination¹⁰.

However, for many female rural migrant workers whose jobs are temporary and precarious, maternity leave is a benefit that few of them have ever enjoyed. And furthermore, the primary barrier for female rural migrant workers is not recruitment discrimination, as it is for female workers in the city, but rather it is the systemic issue of gender segregation that has formed a lower wage standard for these women. They primarily work in labor intensive industries, manufacturing garment, toys, electronic parts, and toys, or work in service industries such as home attendance, baby sitting, restaurants, sanitation, and retail. Most of these occupations, while being labor-intensive and time-consuming, do not provide workers with much space for career development expectations¹¹. But the hourly wage of female rural migrant workers is only 73.36% of that of male rural migrant workers on average¹².

⁹ Human Rights Watch, 2018, China: Job Ads Discriminate Against Women
<https://www.hrw.org/news/2018/04/23/china-job-ads-discriminate-against-women#>

¹⁰ 中国新闻周刊, 2022 延长生育假加剧女性就业歧视?
<https://mp.weixin.qq.com/s/l7NtOIey-pijIKwKICEBvw>

¹¹ 国晓丽, 2010, 《现代经济探讨》2010年第3期, 我国女性农民工就业特点与对策

¹² 张琼, 2013, 农民工工资性别差异的实证研究——基于珠江三角洲和长江三角洲的问卷调查

Women are favored in some jobs as they accept lower wages that male workers would not accept¹³. As shown by CLW's toy factory investigations, higher management positions are dominated by male workers; female workers usually make up a large portion of regular workers, line leaders and group leaders¹⁴. The toy industry is less physically demanding than the construction industry. Workers who stay in toy factories for a long time, despite the low wages, are mostly female workers with low educational level and of older age. These workers prioritize stability and long term employment and therefore remain in the factories despite low wages. While some may explain this phenomenon with the gender stereotype that women are more docile and obedient to the employers, it is ultimately the expectation for women to take other duties that makes them take a different approach to wage work than men and to settle on underpaid work. Often female workers' labor and wages are considered to be supplementing the household income (“补贴家用”) earned by male family members. As such, women who go to the cities are not freed from patriarchy at home; rather, the market economy relies on the patriarchal relationship to recruit women to fill in the low-wage jobs¹⁵.

Gender Blindness and Gig Economy

Covid-19 pandemic has demonstrated how a crisis hits the hardest people who are economically disadvantaged and most vulnerable without the support of the social safety net. With the closures of many factories and restaurants, receiving the shock on the forefront were the informal, temporary, and casual laborers without contracts who lost their jobs. But without jobless insurance, they struggle with survival.

¹³ 尖椒部落, 2021, 为什么女性在零工市场里更受“青睐”? <https://jiliuwang.net/archives/95760>

¹⁴ China Labor Watch, 2019, The Dark Side of the Glittering World: A Report on Exploitation in Toy Factories in China, available at <https://chinalaborwatch.org/the-dark-side-of-the-glittering-world-a-report-on-exploitation-in-toy-factories-in-china/>

¹⁵ 战洋, 2020, 澎湃思想市场, 疫情冲击下的零工女性, 与她们破碎的流动性 https://www.thepaper.cn/newsDetail_forward_6878267_1

Meanwhile, despite the gig economy being notorious for its flexible employment system, it is also offering a new variety of job opportunities, absorbing a huge labor force from manufacturing and other service industries. Food delivery is one of the most visible and popular manual labor jobs created by the platform economy. Delivery workers speeding their e-bike in the traffic and running to get the food delivered as soon as possible have become an everyday scene in many big cities. The food delivery industry is visibly male-dominated, but still, about 7.4% of delivery workers, according to Meituan's statistics, are women. But despite the gendered employment of the industry, the platforms themselves do not set barriers that exclude women. Platforms replaced human managers on labor recruitment and management, absorbing workers regardless of gender¹⁶. This contrasts with gender discrimination in recruitment in many job ads and gender segregation in many industries, gaining the platform a character of gender blindness. In fact, taking all sorts of gig economy into account, women account for 52.22% of the gig workers in a 2019 study of gig work in the county-level economy¹⁷.

But what does such gender neutrality mean for women? As algorithm optimizes its management of labor, delivery time, and routes based on the data acquired from all the delivery workers, dominantly male, it rules the women to work the same way as men do, ignoring any physiological difference. Some women delivery workers expressed that to achieve the tasks assigned by the platform, they chose not to rest or to only take a brief break even during the menstruation period¹⁸. Instead of sexualizing women's bodies, such type of work asexualizes them, making them freer labor on the market.

China is adjusting its industry structure to shift from taking cheap labor as its vantage point to accumulating the value added by the use of technology. It is expected that more and more rural migrant workers will join the new economy. At the same time, the country finds new points of economic growth on the Belt and Road Initiative, bringing

¹⁶ 孙萍 赵宇超 张仟煜, 2021, 妇女研究论丛, 平台、性别与劳动:“女骑手”的性别展演, available at: <https://mp.weixin.qq.com/s/hgn-rTdoTTcDsQ-FgjbN-w>

¹⁷ 58同镇, 2019, 2019中国县域零工经济调查报告

¹⁸ 孙萍 赵宇超 张仟煜, 2021, 妇女研究论丛, 平台、性别与劳动:“女骑手”的性别展演

abroad hundreds and thousands of workers to work on the construction sites, mines, and metal processing factories, the majority of whom are male. For women workers who remain in the country, more and more of them will be exploring gigs that arrange their everyday movements in different ways, and, when possible, forging shared identity with their fellow women workers.

Wage gap, Glass Ceiling, and Missing Social Benefits

A 2020 study conducted by a recruitment website among urban white collar workers shows that women's monthly salary is only 75.9% of that of men in 2020.¹⁹ Although women constitute the majority in industries including administration, medical health, and education, because the majority of management positions are taken by men, the income gap exists, with men enjoying a salary above the average income of these industries.

Such a gender wage gap similarly exists within the group of rural migrant workers. The hourly wage of female rural migrant workers is only 73.36% of that of male rural migrant workers on average. Due to their need to balance housework and wage work, or in many cases the expectation for them to do so, they often fill in a labor market of informal and flexible jobs. As female migrant workers have limited education and social capital, they find themselves at the bottom of the employment and face more serious gender discrimination manifested in the wage gap.

Parental leave, a right protected by the laws, also contributes to the wage gap and glass ceiling. To reduce the cost, some companies lower the salary for women workers during their maternity leave, in some cases even forcing them to resign once they are pregnant. A 2021 study shows that 7.8% of women have experienced a job shift and income reduction during their pregnancy²⁰. In Guangdong, for example, a woman worker at an

¹⁹ BOSS直聘研究院, 2021,《2021中国职场性别薪酬差异报告》 available at <https://zhuanlan.zhihu.com/p/376554048>

²⁰ 智联招聘, 2021,《2021中国女性职场现状调查报告》

electrical appliance company was illegally fired in 2019 during the time she was on her parental leave.

If we consider social benefits as what a worker deserves instead of something extra to the wage, it's safe to conclude that the economic miracle has so far been built upon exploiting the rural migrant workers and profiting from what they deserve. According to China labor law and social insurance law, there are five types of mandatory social insurance that employers should cover or contribute for all employees. This includes maternity, endowment, unemployment, employment injury and medical insurance. The 2010 new social security law enacted authorizes rural migrant workers working in urban areas to be registered by their employers under social insurance for urban workers. But research shows that less than 22% of rural migrant workers are covered by the endowment insurance for urban workers. The Employers attempt to minimize the cost by avoiding paying the insurance for the migrant workers, and some local governments, to attract capital, also turn a blind eye to this problem. At places where the labor laws are enforced with more rigor, many companies use labor dispatch to recruit migrant workers as temporary workers²¹.

Most rural migrant workers, as temporary visitors of urban areas, do not have sufficient knowledge of their rights to insurance working in the city; nor do many consider it problematic not enjoying insurances; not paying the insurance saves their own wage and their major concerns lie at whether they can get the money that they have worked for. Problems emerge, however, when the worker finds themselves struggling without the safety net.

Sexual Assault and Harrassment at Work

²¹ 王向阳, 2019, 如何解决我国农民工参保率低的问题,
https://www.thepaper.cn/newsDetail_forward_3660690

We are here to work, not to be exploited, nor to be harassed.

– “I am a woman worker at Foxconn, and I demand a system that opposes sexual harassment”²²

In 2021, the judges at the Haidian District court in Beijing ruled against Zhou Xiaoxuan’s accusation of sexual assault by Zhu Jun, a famous presenter at CCTV, due to lack of sufficient evidence. Zhou Xiaoxuan, known more popularly as Xuan Zi, decided to continue to appeal her case. The fight started in 2018, a year that witnessed more than thirty #MeToo cases surface in China²³. Over the years, the movement has encouraged more Chinese women who have experienced sexual assaults to speak out. Although the internet remains heavily censored in China regarding feminism and women’s rights, victims of sexual harassment made national headlines as they came forward with stories of their own.

While the Internet-based #Metoo inspired many middle-class, well educated women to speak out on sexual abuses happening in academia, journalist circles, NGOs, Internet companies, and entertainment industry, female workers in services have rarely made their voices heard publicly regarding their experiences of sexual harassment. But a 2013 study revealed that an alarming 70% of female factory workers have experienced sexual harassment, including annoying whistling, shouts and lewd jokes, annoying touching, and being asked for sex.²⁴

Although issues of sexual harassment are generally very difficult for victims to speak about, in China Labor Watch’s past investigations of several toy factories in Guangdong, cases of sexual harassment were discovered. At Foshan Mattel in 2019, for example, three of the workers that CLW interviewed claimed they had been harassed by male regular workers. One stated she was asked out for dinner repeatedly by a male worker

²²“I am a woman worker at Foxconn, and I demand a system that opposes sexual harassment”: A translated essay, available at <https://supchina.com/2018/01/26/i-am-a-woman-worker-at-foxconn-demand-system-opposes-sexual-harassment/>

²³ 端媒体, 2018, 中国#MeToo调查全纪录 <https://theinitium.com/project/20181021-metoo-in-china/>

²⁴ 手牵手工友活动室, 2013, 看见性骚扰——工厂女工被性骚扰公益调研报告(一)

even though she firmly rejected him. A summer temporary worker said there was an older male worker constantly coming to talk to her during break times unsolicitedly. Another female worker mentioned that she was followed by two male workers on the same assembly line who used their cell phones to take photos of her. These are all cases in which women workers felt unsafe at the workplace.

Despite discomfort, many factory women workers do not have a clear understanding of the term “sexual harassment”. For example, in a 2019 study, almost half of the female workers consider being shared lewd jokes, being stared at sexually, or being showned sexual images at the workplace not as sexual harassment²⁵. What’s more, as there are no independent labor unions or worker representatives present in the factories, workers can only go talk to workshop line leaders or administrative departments if they have problems. Knowing how difficult it is to come forward with a claim of sexual harassment, this is even more problematic. In the 2020 toy factories investigation, for example, CLW learned that a male worker would touch a female worker’s hands and hair unsolicitedly. The assistant team leader saw his behavior, but instead of stopping it, he even joined with sexual comments, such as asking the male worker, in front of the female worker, if he masturbated the night before.

Although many women workers express that some behaviors of harassment are too common to become an issue, there are still workers who refuse to be accustomed to the culture. In January 2018, a woman worker at Foxconn published a letter on Jianjiao Buluo, a NGO for women workers, demanding the factory to establish systems to combat sexual harassment and address issues of gender inequality.

In June 2020, a woman sanitation worker in Guangzhou filed a legal case against sexual harassment of her leader at the sanitation station she worked at, marking the first case of its kind in Guangdong Province. The leader at the station not only harassed women

²⁵ Globalization Monitor, 2019, 2019 年中國工廠女工性騷擾狀況. Available at <https://www.globalmon.org.hk/zh-hant/node/1704>

workers with lewd messages but used his position to coerce woman workers to have sex with him in exchange for economic and career benefits. Having tolerated such behaviors since 2016, she finally decided to seek legal justice, starting to collect evidence in 2018 and eventually going to the Yuexiu District court in 2020. In fact, "sexual harassment liability dispute" has become a separate cause of action for the first time only since January 1st, 2019. The woman worker made three clear demands: first, the perpetrator of sex harassment apologize to her; second, the sanitation station fires the perpetrator and prohibits him from assuming any position in the sanitation department in Yuexiu District, Guangzhou; and third, the station promises that she and her family will not be retaliated against²⁶.

The worker also sued the sanitation station, following her lawyer's advice, because as a workplace it failed to fulfill the responsibility to protect women's safety. At the end of the day, the goal of #MeToo is not to see victims showing up one after another, but to urge policies and mechanisms of addressing gender-based violence and harassment to be established at every workplace. As Foxconn woman worker wrote in her letter:

Some are ashamed, some are afraid of being reproached, and some think nothing will change even if they speak out, so in the end they opt to silently endure. Have they done something wrong? Who can accuse them of being so weak as to "deserve" being harassed? What we need isn't the expectation that everyone should be thick-skinned against sexual harassment, but the appropriate mechanisms to support us.²⁷

²⁶ 全现在, August 7, 2020, 首例环卫女工性骚扰案背后: 一个环卫站的权力江湖

²⁷ 'I am a woman worker at Foxconn, and I demand a system that opposes sexual harassment': A translated essay, available at <https://supchina.com/2018/01/26/i-am-a-woman-worker-at-foxconn-demand-system-opposes-sexual-harassment/>

Epilogue

In December 2021, a revised version of the Women's Rights and Interests Protection Law was published, soliciting advice from the public in China. This law, enacted in 1992, was the first law in China to comprehensively protect women's rights and interests. It responds to the UN's campaign to eliminate discriminatory legislation in the 1980s, and is China action to fulfill the Convention on the Elimination of All Forms of Discrimination Against Women.

It is not so common for the law revision to become the focus of public discussion in China. By the end of the comment period, however, more than 85,000 people had participated in the call for comments, and more than 420,000 suggestions had been collected, far exceeding the feedback received on all other law revisions open for comment during the same period. This reflects the groundswell of public opinion on gender issues brought about by the feminist movement in China in recent years. Despite the setbacks on law enforcement and the government's lack of tolerance for grassroots movements, feminists see this top-down call for input as an opportunity for public education on gender equality.

It doesn't mean, however, that the gender-based violence and other dilemmas facing women workers can be automatically solved. For women workers, lack of rights awareness, lack of channels for grievances, as well as the high cost for lawsuits can all be barriers for them to protect themselves from violence and labor rights violations. While rights education, advocacy for establishing mechanisms to address gender-based violence in the workplace, and voluntary legal services can all be points to start with for civil society organizations and individuals, it also take the work of making education resources available for school girls, socializing care and rewarding domestic labor, and putting in place legal protections and the security net for gig workers. Changes on this scale will demand the civil society actors to strategically engage the political authorities, carefully but firmly urging for changes.