2003-2008年
中国工会维护职工合法权益
蓝皮书

BLUE PAPER
ON THE ROLE OF CHINESE TRADE UNIONS
IN SAFEGUARDING THE LEGITIMATE
RIGHTS AND INTERESTS OF WORKERS
(2003-2008)

中华全国总工会

中国工人出版社

需要全本请访问 www.ertongbook.com

2003—2008年
中国工会维护职工合法权益
蓝皮书

中华全国总工会

中国工人出版社

图书在版编目（CIP）数据

2003—2008年中国工会维护职工合法权益蓝皮书/中华全国总工会编. —北京：中国工人出版社，2009.5

ISBN 978-7-5008-4393-1

Ⅰ.2... Ⅱ.中... Ⅲ.工会工作—白皮书—中国—2003—2008 Ⅳ.D412.6

责任编辑：吕静　　**装帧设计：**方旭

中国版本图书馆CIP数据核字（2009）第045611号

出版发行：中国工人出版社

地　　址：北京鼓楼外大街45号

邮　　编：100011

电　　话：(010)62350006(总编室)　(010)82075935(编辑室)

发行热线：(010) 62045450　62005042（传真）

网　　址：http://www.wp-china.com

经　　销：新华书店

印　　刷：北京市密东印刷有限公司

版　　次：2009年6月第1版　2009年6月第1次印刷

开　　本：850毫米×1168毫米　1/32

印　　张：5

定　　价：15.00元

版权所有　侵权必究

印装错误可随时退换

目　　录

一、坚持走中国特色社会主义工会发展道路，
不断探索工会维权工作的新路子……（2）
二、维护职工参加和组织工会的权利……（6）
三、维护职工的劳动经济权益 ……（11）
四、保障职工的民主政治权利 ……（20）
五、满足职工的精神文化需求 ……（25）
六、维护职工的社会权利 ……（30）
七、维护农民工合法权益 ……（35）
八、参与协调劳动关系和调处劳动争议 ……（37）
九、团结动员广大职工为促进国民经济又好
又快发展作贡献 ……（42）
十、加强对外交往和港澳台工作，为工会维权
创造良好的外部环境 ……（47）

Contents

Ⅰ. Sticking to the Road for the Development of Socialist Trade Unions with Chinese Characteristics and Exploring New Ways for the Protection of Workers' Rights and Interests by Trade Unions / 54

Ⅱ. Safeguarding the Right of Workers to Join and Organize Trade Unions / 64

Ⅲ. Safeguarding the Employment and Economic Rights and Interests of Workers / 73

Ⅳ. Safeguarding the Democratic and Political Rights of Workers / 90

Ⅴ. Satisfying the Spiritual and Cultural Needs of Workers / 102

Ⅵ. Safeguarding the Social Rights of Workers / 112

Ⅶ. Safeguarding the Legitimate Rights and Interests of Rural Migrant Workers / 122

Ⅷ. Participating in Coordinating Labor Relations Arbitrating Labor Disputes / 127

需要全本请访问 www.ertongbook.com

Ⅸ. Rallying and Mobilizing the Broad Masses of Workers to Make Contributions Towards the Promotion of the Sound and Rapid Development of the National Economy / 138

Ⅹ. Strengthening International Exchanges and Contacts with Trade Unions in Hong Kong, Macao and Taiwan and Creating a Favorable External Environment for Trade Unions to Protect Workers' Rights and Interests / 148

2003—2008 年
中国工会维护职工合法权益
蓝 皮 书

中国工会是中国共产党领导的职工自愿结合的工人阶级群众组织，是党联系职工群众的桥梁和纽带，是国家政权的重要社会支柱，是会员和职工利益的代表者和维护者。中国工会以宪法为根本活动准则，按照《中华人民共和国工会法》和《中国工会章程》独立自主地开展工作，依法履行维护职工合法权益的基本职责。2003 年中国工会十四大以来，各级工会在党的领导下，坚持以邓小平理论和“三个代表”重要思想为指导，深入贯彻落实科学发展观，坚定不移地走中国特色社会主义工会发展道路，努力建设中国特色社会主义工会，认真贯彻“组织起来、切实维权”的工作方针，坚持以职工为本、主动依法科学维权，落实“促进企业发展、维

护职工权益”的企业工会工作原则，在维护职工的经济、政治、文化和社会权利，促进职工实现体面劳动，推动构建和谐劳动关系、和谐企业、和谐社会，全面建设小康社会中发挥了积极的作用，取得了显著成绩。

一、坚持走中国特色社会主义工会发展道路，不断探索工会维权工作的新路子

在改革开放和发展社会主义市场经济的过程中，中国的经济社会深刻改变，经济关系、劳动关系深刻变化，对工会切实履行维护职工合法权益的基本职责、促进劳动关系和谐稳定提出了迫切的要求。党的十六大以来，推动科学发展、促进社会和谐、切实改善民生成为时代最强音，为工会工作特别是维权工作提供了更好的社会政策环境。中国工会牢牢把握全面建设小康社会这个当代中国工人运动的主题，从中国国情和劳动关系的特点出发，全面履行各项社会职能，突出维护职能，努力探索创新工会维权工作的思路、途径和手段，逐步形成了中国特色社会主义工会维权观。

2003 年 9 月召开的中国工会十四大明确提出，要把维护职工合法权益贯穿于推动改革、促进发展、积极参与、大力帮扶的全过程。2004 年 12 月召开的全国总工会十四届二次执委会议确定了“组织起来、切实维权”的工会工作方针。2005 年 12 月召开的全国总工会十四

届三次执委会议作出了《关于加强协调劳动关系、切实维护职工合法权益、推动构建社会主义和谐社会的决定》。全国总工会根据当前我国劳动关系的性质和特点，确立了建立规范有序、公正合理、互利共赢、和谐稳定的社会主义新型劳动关系的发展方向，并针对新形势下企业工会工作面临的新情况，明确了“促进企业发展、维护职工权益”的企业工会工作原则。在此基础上，2006年12月召开的全国总工会十四届十一次主席团（扩大）会议，明确提出了要树立和落实中国特色社会主义工会维权观，强调要立足中国国情，适应时代发展，坚持以职工为本，主动、依法、科学维权，加大协调劳动关系力度，为构建社会主义和谐社会作贡献。指出工会维权观，是对中国工会维权理论与实践的深刻总结，体现了中国工会维权工作的本质特征，鲜明地回答了社会主义市场经济条件下中国工会“维护什么、怎样维护”的问题，对于把握工会维权工作的方向，切实维护职工权益，发展和谐劳动关系，构建社会主义和谐社会，具有重要的指导意义。

2008年10月召开的中国工会十五大，强调要始终高举中国特色社会主义伟大旗帜，坚持走中国特色社会主义工会发展道路，努力建设中国特色社会主义工会。工会十五大报告把“坚持以职工为本，主动依法科学维权”作为中国特色社会主义工会的基本内涵之一进行了

深刻阐述。强调中国工会是职工权益的代表者和维护者，其性质和地位决定了既要全面履行各项社会职能，又要突出维护职能；要着眼于保持党同职工群众的血肉联系，把维护广大职工群众的利益作为工会一切工作的出发点和落脚点，依法维护职工群众的劳动经济权益、民主政治权利、精神文化权益和社会权利；要健全党和政府主导的维护职工群众权益机制，努力实现维护全国人民总体利益与维护职工群众具体利益的统一，促进企业发展与维护职工权益的统一，维护职工群众权益与教育引导职工提高自身素质的统一。提出要以劳动就业、收入分配、社会保障、劳动安全卫生为重点，健全完善维权机制，不断增强维权实效，推动职工共享经济社会发展成果。

坚持中国工会维权观，是党对工会维权工作的根本要求。胡锦涛总书记2008年10月21日在同全国总工会新一届领导班子成员和中国工会十五大部分代表座谈时首次明确指出，中国特色社会主义工会发展道路是中国特色社会主义道路的重要组成部分。强调要把坚决按照工会章程和有关法律法规独立自主开展工作同自觉接受党的领导紧密结合起来，把维护职工群众具体利益同维护全国人民根本利益紧密结合起来，把服务职工、维护职工合法权益同组织职工、教育引导职工紧密结合起来，不断提高为职工群众服务的能力和水平。工会的基

本职责是维护广大职工群众合法权益，表达和维护广大职工群众利益是工会一切工作的出发点和落脚点。要始终坚持以人为本，全心全意为广大职工群众服务，切实履行神圣职责，维护好广大职工群众特别是农民工合法权益。要认真倾听职工群众呼声，及时反映职工群众愿望，扎扎实实为职工群众做好事、办实事、解难事，特别是要为困难职工排忧解难。要继续强化社会主义和谐劳动关系，完善劳动关系协调机制，促进实现体面劳动。这一系列重要论断，为坚持走中国特色社会主义工会发展道路、建设中国特色社会主义工会，提供了坚实的理论支撑，也为做好工会维权工作进一步指明了方向，提供了强大的思想武器。

坚持中国工会维权观，一个重要的方面就是着眼于推动科学发展、促进社会和谐，不断完善劳动关系协调机制，强化社会主义和谐劳动关系。劳动关系是最基本的社会关系，劳动关系的性质是社会性质的重要体现。大力发展和谐劳动关系，是工会推动社会主义和谐社会建设的重要切入点，也是坚持走中国特色社会主义工会发展道路、建设中国特色社会主义工会的必然要求。在发展中国特色社会主义的条件下，国家、集体、个人三者利益是内在统一的，职工和企业是利益共同体，职工利益与企业发展紧密相连，劳动关系不具有根本的对抗性，完全能够在协商、协调的基础上实现和谐稳定。只

需要全本请访问 www.ertongbook.com

有尊重和保障职工群众合法权益，促进劳动关系和谐，企业发展才有动力，社会才能和谐；也只有实现企业发展和社会和谐，职工群众利益才具有更可靠的保障。

当前，面对国际金融危机对我国经济发展和职工队伍带来的严峻挑战，工会要在切实维护职工群众利益的同时，引导广大职工群众积极为推动企业发展献计出力，努力实现企业发展和职工权益的互利双赢，推动劳动关系和谐，促进社会稳定。2008 年底召开的全国总工会十五届三次主席团（扩大）会议和二次执委会议强调，要坚持“促进企业发展、维护职工权益”的企业工会工作原则，按照依法推进、互利共赢、共同协商、因地制宜的原则，大力开展工会与企业、职工的“共同约定行动”，督促企业特别是国有企业带头履行社会责任，努力做到不裁员、少裁员，稳定职工工作岗位，协商确定薪酬，及时发放职工工资，利用开工不足的间歇加强对职工培训，切实提高职工技术技能水平；引导广大职工充分发挥主力军作用，发扬识大体、顾大局的优良传统，广泛开展“同舟共济保增长，建功立业促发展”活动，立足本职岗位、创造一流业绩，与国家、企业共渡难关，为保持经济平稳较快发展贡献更大的力量。

二、维护职工参加和组织工会的权利

《中国工会章程》规定，凡在中国境内的企业、事

业单位、机关和其他社会组织中，以工资收入为主要生活来源或者与用人单位建立劳动关系的体力劳动者和脑力劳动者，不分民族、种族、性别、职业、宗教信仰、教育程度，承认工会章程，都可以加入工会为会员。五年来，中国工会积极适应改革开放的深化、经济社会的发展和职工队伍的变化，大力推进基层工会组织建设，不断扩大工会工作覆盖面、增强工会组织凝聚力，进一步维护了职工群众参加和组织工会的权利。

——适应经济社会快速发展和职工队伍的不断壮大，推动了工会组建率和职工入会率的提高。随着中国工业化、城镇化的不断发展，各类所有制企业快速发展，职工队伍迅速壮大，农民工大量增加。面对新的形势任务，中国工会十四大强调要以非公有制企业、改制企业职工和进城务工人员为重点，最大限度地把他们组织到工会中来，不断增强党的阶级基础和扩大党的群众基础。五年来，各级工会按照“扩大覆盖面、增强凝聚力”的要求，认真贯彻“组织起来、切实维权”的工作方针，坚持“党建带动工建、工建服务党建”，大力加强基层工会组织建设，突出抓好非公有制经济单位工会组建和发展农民工入会工作，工会组建率和职工入会率都有显著提高，走出了一条市场经济条件下组建工会的新路子。截至2008年9月，全国基层工会数增加到172.5万个，比上年增长9.8%，比2003年增长

90.4%；基层工会组织覆盖法人单位368.2万家，比上年增长15.3%，比2003年增长133.9%；全国会员总数达到2.12亿人，比2003年净增8877万人，增长72.1%；全国职工入会率达到73.7%。工会组建和发展会员工作实现又好又快发展，广大职工参加和组织工会的权利进一步得到实现。

——适应国有企业改革的不断深化和非公有制经济的迅猛发展，实现了工会组建领域由国有企业向非公有制经济的全面拓展。面对大规模的国有企业改革、改制和重组，面对雨后春笋般涌现出来的非公有制企业，中国工会高度重视国有、集体企业改制过程中的工会组织建设，坚持企业改制到哪里，工会组织就要重建、整顿和加强到哪里；同时，集中力量抓好非公有制企业工会组建工作，探索非公有制企业工会组建的新思路、新途径、新方式，取得了突破性进展。各级工会从大量非公有制经济单位规模小、人员少、职工流动性强的实际情况出发，探索工会组织的新形式，采取街道工会、社区工会、楼宇工会、一条街工会、工程项目部工会、商贸市场工会等灵活多样的模式，最广泛地把职工组织起来。截至2008年9月，全国建立非公有制企业工会104.6万个，占企业工会总数的86.2%，比2003年提高29.1个百分点；全国非公有制企业工会会员1.15亿人，比2003年净增8565.7万人，占企业工会会员总数

的73.3%，比2003年提高28.5个百分点；非公有制企业工会职工入会率达到57.0%，比2003年提高19.3个百分点。这表明，从总体上，工会工作的主要领域已经基本实现了向非公有制企业的转移。同时，随着许多乡镇和工业园区集聚了大量的企业和职工，全国总工会及时提出工会组织领导体制要向下延伸，各地工会积极探索和完善以乡镇（街道）工会为龙头，村（社区）、各类经济区工会为中间层，企业工会为基础的“小三级”工会组织体系，有效提高了工会组织的覆盖率。

——适应经济社会变迁和职工队伍内部结构变化，实现了工会组建对象向包括农民工在内的全体职工的覆盖。农民工是我国改革开放和工业化、城镇化进程中涌现的一支新型劳动大军。目前，中国农民工总数达2亿多人，其中属于“职工”范畴的约1.3亿人，已经占据我国职工队伍的半壁江山。这是中国职工队伍结构变化最重要的特征之一。中国工会十四大明确指出：进城务工人员是工人阶级队伍的新成员，工会要把他们广泛组织起来，切实维护他们的合法权益。近年来，各级工会突出把农民工作为工会组建的重点对象，从农民工流动性强、人员分散的特点出发，采取有效措施，在工会组织领导体制、组织体系、工作机制、组建模式、组建方式和会员管理上进行了一系列创新，最广泛地组织和吸引农民工加入工会，为维护农民工合法权益提供组织保

障。河南省信阳市等地工会推行了“源头入会、属地管理、联合互动、双向维权”的做法，上海、成都、石家庄、泉州等城市建立了城际间工会工作联动机制，沈阳在劳务市场组建工会，这些，为农民工加入工会创造了良好环境。截至2008年9月，全国工会农民工会员已经达到7216.6万人，农民工入会率超过50%。

——适应对外开放的扩大和外资企业的发展，实现了在外资企业特别是跨国公司组建工会的突破。早在20世纪80年代初期，全国总工会就开始了在“三资”企业组建工会的工作，到2002年，全国外资企业工会达11633家，工会会员274.5万人，但覆盖面和组织率仍然不高，职工入会率只有58.1%，还有大量的外资企业职工没有组织起来。工会十四大之后，特别是2006年以来，全国总工会以推动沃尔玛在华企业建会为突破口，大力推进外商投资企业工会组建工作，取得了突破性进展。2006年3月，全国总工会召开了全国工会推进外商投资企业工会组建工作座谈会。在全国总工会统一部署、全国联动，锲而不舍、强势推动下，2006年7月29日，沃尔玛福建晋江店工会率先宣告成立。这一重大突破，成功破解了沃尔玛建会的世界性难题。在沃尔玛建会过程中，各级党政高度重视和大力支持，社会各界合力推动，各级工会切实加强组织领导，改进工作方式和工作作风，严格依照法定程序运作，下大力气组织和

动员职工，有力地推动了外资企业工会组建工作。从2008年6月中旬到10月底，全国总工会开展了推进世界500强等跨国公司在华企业集中建会行动，通过加强指导、上下联动，创新体制、依靠职工，依法推进工会组建，取得了突破性进展，扭转了跨国公司建会率低的状况，有力地带动了工会组建工作。到2008年底，世界500强等跨国公司总部建会率达83%，法人单位建会3843家，建会率由此前的43%提高到85%，会员从187万名增加到212.5万名。全国外商投资企业（含港澳台投资企业）工会会员1584.1万人。跨国公司建会的突破，扩大了中国工会在国际工运舞台上的影响，彰显了中国工会的鲜明特色和优势。

三、维护职工的劳动经济权益

《中华人民共和国劳动法》等法律明确规定了职工的各项劳动经济权利。五年来，各级工会把竭诚为职工服务作为一切工作的出发点和落脚点，紧紧围绕劳动就业、收入分配、社会保障、劳动安全卫生等职工最关心、最直接、最现实的利益问题，进一步加大维权力度，取得了实实在在的成效，促进了以改善民生为重点的社会建设。

——积极协助政府做好促进就业和再就业工作。就业是民生之本。各级工会充分利用组织体系健全、信息

需要全本请访问 www.ertongbook.com

渠道畅通和与职工群众联系密切等优势，深入调查了解下岗失业人员再就业的情况和问题，及时反映职工群众的要求，积极参与《就业促进法》和有关政策的制定，配合人大、政府、政协开展就业政策落实情况专项督察，推动政策落实。认真监督企业用工行为，督促企业履行社会责任，稳定就业岗位，努力遏制违规裁员特别是大规模裁员现象。各级工会以“零就业家庭”和“4050人员”为重点对象，实施了“三年三个150万促进就业再就业工作计划”和工会“五一促进就业行动”，创办了一批再就业基地和解困贸易市场，大力开展职业培训、职业介绍工作，与有关部门联合开展民营企业招聘周，为下岗失业人员提供再就业服务。大力推广小额贷款、创业培训和再就业基地孵化“三位一体”的促进就业工作模式，取得了显著成效。截至2008年3月，全国县及县以上地方工会共有职业介绍机构2758个，职业培训机构2836个，再就业基地4845个。2003年3月至2008年3月五年间累计成功介绍439.7万人次就业，其中下岗职工264.8万人次；累计培训420.4万人次，其中下岗职工234.5万人次，接受培训的下岗职工实现再就业的173.4万人次。三届民营企业招聘周共吸引了26.6万户民营企业参加，202万求职者签订了就业意向协议。2008年四川汶川特大地震发生后，全国总工会立即组织部分沿海省市工会和企业深入灾区开展就

业爱心帮扶行动，共有4.7万人进场应聘，成为灾后规模最大的一次就业招聘行动。针对国际金融危机影响不断加深、就业形势日趋严峻，全总又启动实施了全国工会“千万农民工援助行动”，明确提出要发挥工会优势，整合社会资源，以就业援助为重点，对1000万名以上农民工实施援助，其中获得就业援助的人数达到500万人以上。

——着力维护职工的收入分配权益。工资收入是职工的主要生活来源，是职工劳动经济权益的核心。各级工会积极参与有关工资分配的法律法规和政策的研究制定，着力推动解决拖欠职工和农民工工资问题，推动建立工资支付保障机制，促进最低工资保障制度的完善，切实维护职工的收入分配权益。

一是推动解决拖欠职工工资问题。2004年，全国总工会向国务院报送了《关于解决当前企业拖欠职工工资问题的建议报告》，得到国务院及有关部门的高度重视。2006年国务院成立了解决企业拖欠工资问题部际联席会议，国务院办公厅转发了《关于推进企业解决工资拖欠问题若干意见》。全国总工会作为解决企业拖欠工资问题部际联席会议的成员之一，积极参与有关政策的制定，参与对企业工资支付的监督检查，积极动员全社会力量共同治理企业欠薪，着力遏制新的欠薪问题发生，督促和帮助企业逐步解决历史陈欠。按照国务院的部

署，各地层层落实清欠责任，想方设法筹措资金，加大清欠攻坚力度，国有企业拖欠工资历史遗留问题基本得到解决，非公有制企业拖欠工资问题也得到有效遏制。2008年下半年以来，受国际金融危机的冲击，一些企业拖欠工资问题又有所抬头。为进一步做好预防和解决企业工资拖欠工作，依法保障职工劳有所得，维护社会稳定，经国务院同意，解决企业工资拖欠问题部际联席会议于2008年底联合下发《关于进一步做好预防和解决企业工资拖欠工作的通知》，努力遏制拖欠工资现象的反弹和蔓延。

二是推动建立健全工资支付保障制度。各级工会积极推动完善企业工资支付制度，促进和参与建立保障工资支付、治理企业欠薪的长效机制。配合劳动保障部门建立工资保证准备金制度及欠薪预警预报制度、欠薪报告制度、企业劳动用工诚信制度，协助劳动部门加强对企业工资支付的监督检查，加大执法力度，设立职工群众投诉信箱、投诉电话，建立欠薪案件处理制度，畅通社会监督渠道，督促企业依法执行工资支付制度，及时足额发放职工工资。

三是推动最低工资保障制度的完善和落实。全国总工会参与了国务院有关部门关于最低工资标准执行情况的研究，提出要完善最低工资保障制度，全面建立小时最低工资标准，建立最低工资标准的正常调整机制，提

高最低工资水平。还下发了关于推动提高和落实最低工资标准的指导意见，要求各地工会通过三方协商机制推动完善最低工资保障制度，全面建立小时最低工资标准，提高最低工资水平，使之逐步达到社会平均工资40%—60%的水平。目前全国各省都建立了最低工资标准调整制度。全国总工会还与有关部门开展有关职工工资收入问题的专题调研，总结和推广上海、江苏、天津等地经验，积极推动企业合理提高普通职工工资水平。

四是深入开展工资集体协商工作，推动建立公正合理的企业工资共决机制。工会维护职工收入分配权益的主要手段之一，就是代表职工与企业开展工资集体协商。近年来，各级工会以国有改制企业、非公有制企业和中小企业为重点，进一步建立健全工资集体协商制度，广泛开展工资集体协商要约行动，规范协商程序，重视协商过程，根据企业实际情况和协商结果，量化细化集体合同内容，把法律法规和各项政策制度转化为企业的劳动标准。在企业规模较小、工会组织程度低、工会不能单独进行工资集体协商的地区，着重抓区域性工资集体协商；在同行业企业相对集中的地区，着重抓行业性工资集体协商，有效地扩大了工资集体协商制度的覆盖面，工资集体协商的质量效果得到逐步提高。截至2008年9月，全国签订工资专项集体合同41.7万份，比2003年增长42.3%；覆盖职工5110.1万人，比2003

年增长42.8%。2007年开展的第六次全国职工队伍状况调查显示，开展工资集体协商的企业，增加工资的占69.1%，开展工资集体协商已成为职工工资收入增加的重要因素。

据国家有关部门统计，本世纪以来，我国职工平均工资几乎每年都以两位数的速度在增长，扣除价格上涨因素，2003年至2007年在岗职工平均工资增长率分别为12%、10.5%、12.8%、12.7%、13.6%，是改革开放以来中国职工实际工资收入水平增长最快的时期。2003年全国城镇单位在岗职工平均工资为14040元，2007年增加到24900多元，2008年前三季度为19731元，比上年同期增加3056元，同比增长18.3%。

——努力维护职工的社会保障权利。社会保障是社会与民生的安全网，是职工的重要社会经济权利。近年来，各级工会积极参与推进社会保障制度改革，通过参加同级政府设立的社会保障监督机构等途径，加强对社会保险的群众监督，广泛开展职工互助保障活动，努力促进职工社会保障权利的实现。全国总工会积极参与《社会保险法》的研究制定，系统地提出了工会的意见和建议，就《国务院关于完善企业职工基本养老保险制度的决定》贯彻落实情况以及困难国有集体企业退休人员养老金偏低、医疗保障缺失等问题进行调研，积极向有关部门反映实际情况和职工的诉求。全国总工会和一

些地方工会积极参与完善城镇社会保障体系试点工作，会同有关单位督促做好试点后续工作和扩大做实个人账户试点工作，参与对试点情况的总结评估，就进一步完善社保体系提出建议。全国总工会参加深化医药卫生体制改革部际协调工作小组的工作，就完善医疗保障制度、修改《工伤保险条例》等提出修改意见。全国总工会有关部门还积极指导企业工会参与企业年金建设，推动企业年金的发展。为了满足广大职工尤其是中低收入职工多层次的医疗保障需求，各级工会发挥自身优势，积极组织开展职工医疗互助活动，由于成本低廉、手续简便，保障及时、服务周到，受到广大职工的欢迎。截至2008年9月，全国开展职工互助互济保障活动的基层工会8.8万个，参加基层工会互助活动的职工1662.5万人。

据国家有关部门统计，2008年末全国参加城镇基本养老保险的在岗职工16597万人，比2003年增加4959万人；参加城镇职工基本医疗保险人数20048万人，比2003年增加12071万人；参加失业保险的人数12400万人，比2003年增加2027万人；参加工伤保险的人数13810万人，比2003年增加9235万人；参加生育保险的人数9181万人，比2003年增加9235万人。我国社会保险的覆盖面大为扩大，保障水平也逐步提高。

——切实维护职工的劳动安全卫生权利。劳动安全

和生命健康是职工在工作场所的基本权利。中国工会历来重视保护职工的劳动安全与职业健康，积极推动“安全第一、预防为主”方针的落实，充分发挥工会的特色和优势，实施群众监督，组织和动员广大职工群防群治、防治结合，努力促进企业劳动条件的改善。五年来，全国总工会和各地工会积极参与安全生产、伤亡事故调查处理、煤炭生产许可证管理、关闭整顿小煤矿、国家职业卫生规划等有关法律法规、政策和标准的制定修改。着力健全工会劳动保护监督检查三级网络体系，完善劳动保护工作长效机制，推动工会劳动保护工作的规范化、制度化，发挥工会劳动保护组织网络的作用，发动广大职工参与安全生产管理，加强劳动安全卫生群众监督。截至2008年9月，全国基层以上工会建立劳动保护监督检查组织2.4万个，比2003年增加1.1万个；全国企事业工会建立劳动保护监督检查委员会42.8万个，比2003年增加27.7万个；建立分公司、分厂、车间一级劳动保护监督检查委员会65.2万个；工会小组劳动保护监督检查员186.4万人，比2003年增加61.6万人；五年来，工会劳动保护监督检查组织共受理举报案件40.5万件。各级工会广泛开展群众性安全生产卫生监督检查活动，与有关部门共同开展“安康杯”竞赛活动，组织职工以安全生产漫画、板报、宣传画、对联、标语等形式，推进企业的安全文化建设；发动广

大职工开展查隐患、堵漏洞等活动，促进企业提升安全管理水平，维护自身安全健康权益，“安康杯”竞赛活动声势进一步扩大，吸引力和社会影响力进一步提升。针对煤矿安全事故频发、安全生产法律规章在生产一线不落实等问题，全国总工会和国家煤矿安全监察局在24个产煤省特聘了8万多名兼职煤矿安全群众监督员，承担起为安全生产“站岗放哨”的职责。各级工会大力推广工会与企业进行平等协商签订劳动安全专项集体合同的做法，促进企业提高劳动安全保障水平，截至2008年9月，全国签订劳动安全专项集体合同10.2万份，覆盖企业15.2万个，覆盖职工1420.7万人；积极参与职业病防治工作，与有关部门联合开展了“国家职业卫生示范企业评选活动”，推动企业全面落实《职业病防治法》，维护广大职工的职业卫生权益；参加安全生产执法检查和事故调查处理，针对“过劳死”、“女职工井下采掘”等社会影响大的侵害职工安全健康权益事件，加大调查处理力度，及时表明工会的立场和态度，谴责不顾职工生命安全的违法行为，促进问题的解决。五年来，各级工会参加安全生产检查1277.1万次，参加职工伤亡事故调查处理51.3万件，参加“三同时”审查验收项目54.9万项，基层以上工会提出事故隐患和职业危害整改意见128.8万条。据国家有关部门统计，2008年我国安全生产形势总体上趋于平稳，事故总

量和事故死亡人数比2007年分别下降18.3%和10.2%，煤矿等重点行业领域安全生产状况持续改善。

四、保障职工的民主政治权利

中国《宪法》、《劳动法》、《工会法》等法律规定了职工享有的各项民主政治权利。工会依照法律规定通过各种途径和形式，组织和代表职工参与管理国家事务、管理经济和文化事业、管理社会事务，维护职工的民主政治权利。

——代表职工积极参与涉及职工切身利益的法律法规和政策制定，从源头上维护职工合法权益。各级工会把推动健全劳动法律体系作为维护职工权益、开展工会工作的重要基础，积极主动地参与涉及职工切身利益的法律法规、政策的制定和修改，反映职工的意见和呼声，提出工会的建议和主张，并参与社会协调与执法监督。工会十四大以来的五年，工会参与立法工作力度大、质量高、效果好，全国总工会先后参与了60余项法律法规的制定与修改工作，重点参与了《劳动合同法》、《就业促进法》、《劳动争议调解仲裁法》、《公司法》、《企业破产法》、《劳动合同法实施条例》等十几部法律法规的制定工作，进一步促进劳动法律法规体系的健全。目前正积极参与和大力推进《社会保险法》、《企业民主管理条例》等重要法律法规的制定。在《劳

动合同法》、《就业促进法》和《劳动争议调解仲裁法》三部法律制定过程中，全国总工会组织力量，各级工会积极参与，深入调研论证，充分反映广大职工和工会组织的意见和建议。在全国人大常委会向全社会全文公布《劳动合同法（草案）》后收到的近20万件修改意见和建议中，63%的意见、建议来自职工和工会。全国总工会对三部法律草案所提出的意见与建议，得到了立法机关的高度重视，绝大多数被吸收。地方工会参与立法工作也取得了明显成效，不少地方结合本地实际制定了一批保障职工和工会权益的地方性法规、规章，五年来全国省、地（市）级工会共参与制定地方法规1300多个。

为了进一步落实职工群众参与管理国家事务的政治权利，全国总工会就贯彻胡锦涛总书记关于依靠工人阶级要在政治安排、权益维护、舆论宣传上落实的重要指示精神，进行深入调研，提出增加人大代表中一线工人的比例、增加政协中工会界委员的比例和工会工作者在政协工会界委员中的人数，得到中央高度重视。各级工会组织职工积极参与各级人大换届选举，引导职工自觉行使民主政治权利。在2008年首次有三名农民工当选全国人大代表，一线工人代表也有增加。

——代表和组织职工参与企事业单位民主决策、民主管理和民主监督。中国工会依照《工会法》等法律规定，推动建立以职工代表大会为基本形式的企业民主管

理制度，代表和组织职工通过职代会、民主评议、厂务公开、职工董事职工监事制度等形式，参与本单位的民主决策、民主管理和民主监督，维护职工的知情权、参与权和监督权。

职工代表大会是企业实行民主管理的基本形式。在国有企业，企业工会委员会是职工代表大会的工作机构，负责职工代表大会的日常工作。工会十四大以来，各级工会适应形势需要，在进一步巩固、规范和深化国有、集体及其控股企业职代会制度的同时，把推进非公有制企业职工民主管理作为一项重要任务来抓，积极探索在非公有制企业中实行以职代会为基本形式的企业民主管理制度，职代会制度在国有企业、集体企业普遍建立的基础上，进一步向非公有制企业拓展。许多地方先后探索建立了区域、行业职代会，大量企业建立了职代会报告制度、职代会预告预审制度、职代会质量评估制度、职工代表信息反馈制度等，推动了职代会制度的创新和完善。截至2008年9月，全国已建工会企事业单位建立职代会制度的达156.8万家，覆盖职工1.19亿人，已建职代会的企事业单位召开职代会的比例达83.6%，铁路、电力、国防、邮政、通信等行业的职代会建制率多年保持在90%以上。职工代表大会制度的普遍实行，为广大职工行使民主管理权利提供了制度保障。

为确保企事业单位职工能够有效地行使民主参与权，各级工会会同党政有关部门在企事业单位中广泛推行厂务公开，要求企事业单位将生产经营管理工作、领导人员廉洁自律情况、涉及职工切身利益的事项，都要向职工公开，让职工了解情况，接受职工群众的监督。自2002年6月中共中央下发《关于在国有企业、集体企业及其控股企业深入实行厂务公开制度的通知》以来，2004年、2008年全国总工会与中纪委、中组部、国资委和监察部等有关部门先后联合开展了第三次、第四次厂务公开民主管理工作调研检查活动。各级工会积极推动把厂务公开纳入到现代企业管理的体制、机制和制度中，促进厂务公开工作深入推进，同时采取各种措施，推动改制企业、非公有制企业厂务公开民主管理工作取得新突破，努力扩大建制率，并更加重视劳动合同、收入分配、社会保险等职工最关心、最直接、最现实的利益问题，保障职工的知情权、参与权、表达权和监督权，提高厂务公开工作的质量，推动厂务公开工作内容的不断深化。一些地方工会借鉴ISO9000国际质量管理模式，建立厂务公开管理体系，推进厂务公开的标准化、规范化、程序化和科学化，取得较好的效果。经过各方面的共同努力，厂务公开民主管理工作呈现出全面推进、逐步规范、不断深化的发展势头，取得了明显成效。截至2008年9月，全国已建工会企事业单位实

行厂务公开制度的达147.6万家，覆盖职工1.13亿人，比2003年增加4675.8万人。

适应深化企业改革的新形势，积极推动公司制企业建立健全职工董事、职工监事制度，完善企业法人治理结构。中国工会依照法律规定，通过职工代表大会或职工大会民主选举一定数量的职工代表，依法进入董事会、监事会，代表职工参与决策和监督。近年来，全国总工会抓住宣传贯彻《公司法》的契机，下发了《关于进一步推进和规范职工董事、职工监事制度建设的意见》，协助国务院国资委制定了《国有独资公司董事会试点企业职工董事管理办法（试行）》，与国资委联合举办中央企业工会主席培训班，提高职工董事、职工监事素质，更好地发挥其参与企业决策和监督的作用。随着现代企业制度的日趋完善，职工董事职工监事制度已成为公司制企业实行民主管理的新的重要平台。截至2008年9月，全国已建工会公司制企业建立职工董事制度的有10.7万家，建立职工监事制度的有10.2万家，分别比2003年增加6.3万家，占已建工会单位中建立董事、监事制度企业的65.5%和74.5%。

为更好地维护改制企业职工合法权益，中国工会高度重视企业改制过程中的民主管理工作。2004年，全国总工会制定并实施《关于进一步加强国有企业改制过程中工会工作的意见》，加大了工会参与国有企业改制工

作的力度。近年来，各级工会积极参与国有企业重组改制和关闭破产工作，强化了对改制和关闭破产国有企业工会工作的指导，抓好改制企业各项职工民主管理制度的衔接、巩固和完善，监督有关法律法规和政策的贯彻落实。各级工会坚持规范运作，严格履行企业改制方案提交职代会审议、职工安置方案提交职代会审议通过等民主程序，落实对职工权益的各项保护措施，防止违规操作、国有资产流失、侵犯职工合法权益等现象发生，改制企业职工的民主权利和经济利益得到较好的维护，促进了改制工作的顺利进行和职工队伍与社会稳定。

五、满足职工的精神文化需求

为适应科教兴国战略、人才强国战略对职工素质提出的新要求，顺应广大职工的新期待，五年来，各级工会充分发挥“大学校”的作用，引导、帮助职工提高自身素质，努力维护职工的精神文化权益，取得了积极的成效。

——广泛开展形式多样的主题教育系列活动，广大职工团结奋斗的思想基础更加巩固。各级工会组织引导广大职工用马克思主义中国化最新成果武装头脑，牢固树立中国特色社会主义共同理想。积极适应职工思想活动的独立性、选择性、多变性、差异性明显增强的新情况，坚持用社会主义核心价值体系引领职工，加大职工

思想政治工作力度。探索职工思想教育的新方法、新途径，广泛开展职工思想道德建设和精神文明创建活动，注重对职工的人文关怀和心理疏导。五年来，先后开展了“十六大精神进基层”、“知荣辱、树新风、促和谐”、“我为‘十一五’做贡献”、“迎奥运、讲文明、树新风”和“高举旗帜、科学发展、共建和谐”等主题教育活动，大力弘扬伟大的民族精神和时代精神。开展了第九届、第十届全国职工职业道德“双十佳”评选表彰活动，与中央文明办等单位联合组织开展了“全国道德模范”评选活动，引导广大职工树立爱国、敬业、诚信、友善等道德规范。编辑出版了《共建和谐职工道德读本》、《社会主义核心价值体系职工读本》等一批职工读物。通过这些工作，努力为推动科学发展、促进社会和谐提供思想基础和精神动力。

——职工素质建设工程全面推进，促进了职工文化技术素质的提高。各级工会按照科教兴国战略、人才强国战略的要求，深入开展“创建学习型组织，争做知识型职工”活动，着力维护职工的学习权、发展权。2008年度基层以上工会表彰的创建学习型组织先进单位1.3万个，表彰的创建学习型组织先进班组1.7万个，表彰的知识型职工标兵和先进个人4.2万人。组织“创争”活动先进事迹报告团赴基层宣讲交流上百场次，举办“中国职工学习论坛”，建成“中华职工学习网”，职工

队伍学习成长的平台越来越丰富，促进了广大职工职业技能素质和科学文化素质的增强。全国总工会会同财政部等11个部委下发了《关于企业职工教育经费提取与使用管理的意见》，进一步明确企业职工教育培训内容以及经费提取、使用和监督管理的要求，维护职工的职业培训权利。积极推进工会系统各类职工学校改革与发展，建设示范性职工学校和培训基地，开展职业技能培训和岗位培训，加快高技能人才培养。截至2008年9月，全国县及县级以上地方工会拥有独立举办的职工教育机构1809所，在校人数123.7万人，其中职工高等院校39所，职工中等学校275所，培训中心244所，再就业培训基地455所，农民工业余学校538所，技能人才实训基地403所。探索建立富有成效的农民工培训体系，多层次、开放式、社会化的教育载体和平台进一步形成。在一线职工特别是农民工工作和居住相对集中的基层企事业单位、城市社区、工业园区、乡（镇）村和重点建设项目工地建立“职工书屋”。全国总工会从2008年起连续3年每年投入2000万元，扶持建设3000个全国工会“职工书屋”示范点，五年内将在全国兴建5万个“职工书屋”，目前各项工作进展顺利。

——加大对工人阶级和工会工作的宣传力度，推动“工人伟大、劳动光荣”的社会舆论氛围进一步形成。全国总工会与中央宣传部联合下发《关于进一步加强新

时期工人阶级新闻宣传的意见》，努力构建大宣传、大教育、大文化工作格局。各级工会着眼于从舆论宣传上推动全心全意依靠工人阶级方针的落实，积极借助社会舆论力量，大力宣传工人阶级丰功伟绩和时代风采，扩大对工会工作的宣传，进一步唱响“工人伟大、劳动光荣”的主旋律。突出宣传工人阶级的先进典型，重点宣传劳动模范的先进事迹和精神风貌，推出了许振超、王顺友、李斌、邓建军、陈刚毅、孔祥瑞、陈有德、王亮、王洪军、常雨琴、党素珍、窦铁成、李久林、杨丽以及沈阳鼓风机厂五朵金花、袁振海班组等先进典型。大力宣传工会工作，对各级工会在推动共同建设、共同享有和谐社会建设中充分发挥作用进行了新探索、新实践。对创建“工人先锋号”、创建劳动关系和谐企业、困难职工帮扶中心建设、“送温暖”活动、农民工维权、工会组建、工资集体协商、《劳动合同法》实施等重点工作进行广泛深入的宣传，扩大了工会工作的社会影响。加强工会信息化建设，运用网络宣传扩大工会影响，“中工网”建成投入运行。五年来，针对一些侵犯职工合法权益的事件和社会热点问题，在第一时间召开新闻发布会，组织记者采访，旗帜鲜明地表达工会的立场、观点和主张，努力推动涉及职工人身安全、劳动用工、工资分配等问题的解决，积极引导舆论，促进了职工队伍和社会政治的稳定。

——广泛开展职工文体活动。各级工会注重加强工会文化阵地建设，大力推动工会文化事业发展，最大限度地发挥工会文化阵地的功能，推进职工文化、企业文化建设，职工文化体育活动更趋活跃，广大职工的文化生活更加丰富多彩，精神面貌更加昂扬向上。积极推进工会文化阵地改革与发展，建立符合市场经济规律和社会主义精神文明建设特点的职工文化建设长效机制，在坚持公益性的基础上激发工会文化阵地的生机和活力，积极探索依托社会力量、按照市场机制组织大型文体活动的工作机制和运作方式。与国家体育总局联合开展全国职工体育示范基地创建工作，促进职工体育活动阵地的建设。成立中国职工文化体育协会，带动各级工会职工文化体育协会的普遍成立。工会宣传文化教育阵地建设积极推进。截至2008年9月，全国基层工会共有直属文化宫、俱乐部3.0万个，馆藏图书1万册以上的直属图书馆1.7万个，直属体育场、体育馆2.2万个。广泛组织职工开展各类文化体育活动，全国总工会组织开展了第二届中国职工艺术节、“五一”晚会、全国亿万职工迎奥运健身活动月、职工奥运知识竞赛等多种形式的示范性文化体育活动。其中，与中国文联、中央文明办、中央电视台等单位共同主办的第二届中国职工艺术节历时7个多月，成为一次规模空前的职工文艺盛会。这些示范性文体活动为活跃基层职工文化生活提供了平

台，成为特色鲜明、影响广泛的职工文化活动品牌。

六、维护职工的社会权利

适应构建社会主义和谐社会的客观要求，各级工会抓住劳动关系的建立、运行、监督、调处等环节，进一步建立健全利益协调机制、诉求表达机制、矛盾调处机制、权益保障机制，认真履行代表和维护职工合法权益的神圣职责，组织和代表职工参与社会事务管理和社会利益关系协调，有力地促进了企业劳动关系和谐与社会稳定。

——积极推动工会与政府联席（联系）会议制度建设。工会领导机关与同级政府联席（联系）会议制度是工会向政府建言献策、反映职工意愿的有效平台，是从源头上维护职工权益的重要途径。五年来，联席（联系）会议制度普遍建立并日益规范，逐步向地（市）、县（区）、乡镇（街道）发展。2008 年度全国县及县级以上地方工会与同级政府开过联席会议的 1938 个，占县及县级以上地方工会总数的 60.0%。其中省级 17 个，占省级地方工会总数的 54.8%，地级 191 个，占 57.2%，县级 1727 个，占 60.3%。全国有 28 个省（区、市）建立了工会与政府联席会议制度或召开了有关会议，目前，全国产业工会已经与对应的 2 个部委、7 个产业局、10 个行业协会或联合会建立了联席（联

系）会议制度，推动解决了一些涉及职工利益和工会工作的突出问题。

——大力推进劳动关系三方协商机制建设。《中华人民共和国工会法》明确规定："各级人民政府劳动行政部门应当会同同级工会和企业方面的代表，建立劳动关系三方协商机制，共同研究解决劳动关系方面的重大问题。"2001 年 8 月建立了由中华全国总工会、劳动和社会保障部、中国企业联合会组成的国家级三方机制。五年来，全国省、市、县三级普遍建立了劳动关系三方协商机制，并已经向乡镇、街道和各类工业园区延伸。截至 2008 年 9 月，全国各级地方及产业工会参与建立的劳动关系三方协调机制 1.2 万个。国家协调劳动关系三方会议成立了劳动关系法律政策研究委员会、企业工资分配研究委员会和集体协商研究委员会。国家和地方各级劳动关系三方协商机制普遍建立了例会制度，加强了三方机构建设。国家三方会议下发了协调劳动关系工作的一系列文件，指导各地三方开展工作，推动实施劳动合同三年行动计划，促进平等协商和集体合同制度落实，建立健全劳动争议协调处理机制，大力开展创建劳动关系和谐企业活动。同时，国家和地方各级三方机制每年围绕建立企业职工工资正常增长机制，解决拖欠职工工资，促进劳动就业，完善社会保险制度，实行最低工资标准等劳动关系方面的突出问题开展调查研究，提

出政策建议，联合开展行动，促进问题的解决。

——推动困难职工帮扶工作经常化、制度化、社会化。面对日益突出的劳动关系矛盾和职工群众更加迫切的维权需要，五年来，各级工会紧紧围绕广大职工群众最关心、最直接、最现实的利益问题，加大困难职工帮扶力度，送温暖活动、困难职工帮扶中心和金秋助学活动已经成为具有较大社会影响的工会工作品牌，为困难职工排忧解难成效显著。从2003年到2008年，各级工会通过自筹资金、政府拨款、职工和社会捐助等形式累计筹集送温暖资金161.7亿元，走访慰问了64.3万家次困难企业和3191.8万户次困难职工家庭。2009年“两节”全国各级工会共筹集送温暖资金33.2亿元，其中政府财政支持16.2亿元；各级工会投入10.8亿元，其中包括全国总工会投入的送温暖资金7000万元；社会各界捐助6.2亿元。

帮扶中心是工会履行维权职能的窗口，是工会实施“送温暖工程”、帮扶困难职工的有效载体。全国总工会2002年提出3年内在全国200个大中城市建立困难职工帮扶中心，经过几年的建设，截至2008年底，全国工会共建立地市级以上帮扶中心358家，县级帮扶中心2722家，实现了信息化管理，覆盖全国的困难职工帮扶工作网络基本形成。2008年度全国困难职工帮扶中心帮扶困难职工627.0万人，其中生活救助230.5万人，占

36.8%；医疗救助47.7万人，占7.6%；资助子女上学46.2万人，占7.4%；职业介绍80.4万人，占12.8%；就业培训80.0万人，占12.8%；政策咨询108.1万人，占17.2%。2003—2008年六年时间，帮扶中心共筹款63.5亿元，帮扶总人数2717.2万人，其中2008年度困难职工帮扶中心筹集资金12.2亿元。困难职工帮扶中心已经成为社会保障体系的重要组成部分，发挥了拾遗补缺的作用。金秋助学活动深入开展，各级工会整合内外资源，丰富助学形式，筹款数额大幅上升，资助人数显著增加，4年来共筹集资金24.2亿元，帮助241.3万多名困难职工子女圆了上学梦。

截至2008年9月，全国已建立送温暖工程基金的基层工会9.4万个，比上年增加1.1万个，增长12.6%；送温暖基金结存额30.8亿元。全国已建立送温暖工程基金的基层以上工会9626个，送温暖基金结存额42.4亿元。其中省级地方工会24个，占省级地方工会的77.4%，送温暖基金结存额3.0亿元；地级266个，占79.6%，结存额5.3亿元；县级1917个，占66.9%，结存额4.4亿元。

——积极维护女职工的特殊权益。各级工会积极推动男女平等基本国策和国务院《中国妇女发展纲要(2001—2010年)》的贯彻落实，进一步加强女职工组织建设。截至2008年9月，全国建立工会女职工组织

的基层工会108.6万个，占全国基层工会的62.9%，比上年增加20.5万个，增长4.5个百分点。全国基层以上工会建立女职工组织的4.9万个，比上年增加3090个。全国基层工会女职工组织中，专职女职工工作人员11.0万人，比上年增加1.3万人，增长13.6%；兼职女职工工作人员155.5万人，比上年增加24.7万人，增长18.9%。截至2008年9月，工会女会员已达7773.8万人。各级工会积极推动女职工权益保护法律法规的贯彻实施，建立健全维护女职工权益的长效机制，努力为广大女职工办实事办好事，切实维护女职工的特殊权益，促进改善女职工的劳动环境和条件。据全国总工会女职工部提供的数据，截至2008年9月，签订女职工权益专项集体合同26.6万份，覆盖企业43.1万个，覆盖职工2318.7万人。全国已建工会企事业单位执行禁止安排女职工从事矿山井下及第四级体力劳动强度的劳动和在经期不得安排从事高处、低温、冷水作业及第三级体力劳动强度的劳动的有关规定的143.6万个，占42.7%，覆盖女职工3930.5万人，占51.6%；执行女职工在怀孕、哺乳期间关于体力劳动强度等方面有关规定的147.9万个，占43.9%，覆盖女职工4070.7万人，占53.4%。

建立女职工互助互济基金，开办女职工特殊疾病互助合作保险，积极帮助困难女职工解决就业、就医、住

房、子女就学等方面的困难。开展对困难女职工特别是单亲困难女职工子女助学活动，据对全国24个省（区、市）的不完全统计，共资助困难女职工子女6万余人，其中女农民工子女1.7万余人。

七、维护农民工合法权益

各级工会认真贯彻落实党和政府关于解决农民工问题的战略部署和政策措施，在大力组织农民工加入工会的同时，努力为农民工办实事办好事，在全社会叫响做实“农民工有困难、要维权找工会”，维护农民工合法权益取得新突破。

——协助政府制定和落实农民工政策。各级工会积极参与国务院《关于解决农民工问题的若干意见》的制定，推动政府制定有关改善农民工生产生活条件的政策法规。全国总工会制定了《关于推进维护农民工合法权益十项工作机制建设的意见》等文件，建立了维护农民工合法权益的工作机制。总结信阳“源头入会、属地管理、联合互动、双向维权”的经验，推广“一次入会、务工享用、持证转移、进出登记、全国通用”的农民工会籍管理制度，目前已有50多个城市建立了农民工城际间维权协作机制。

——积极维护农民工的劳动经济权益。各级工会紧紧围绕广大农民工最关心、最切身的实际问题，把劳动

报酬、劳动安全卫生、困难农民工帮扶等作为维护农民工合法权益的重点，积极为农民工排忧解难。协助政府解决拖欠农民工工资问题，开展农民工工资支付专项检查活动，重点解决建筑等行业拖欠农民工工资问题，取得了明显成效。从抓劳动合同、平等协商和集体合同制度入手，解决农民工在劳动关系中存在的突出问题，以非公有制企业界为重点，指导和帮助农民工与企业签订劳动合同，推进建筑等行业农民工劳动合同管理工作，认真做好农民工集中行业的安全生产检查和监督工作。在困难职工帮扶中心开设专门的农民工帮扶窗口，为农民工提供办理入会、职业介绍、技能培训、法律维权、应急生活救助等一条龙服务。

——广泛开展为农民工送温暖、送文化、送清凉、送健康、送安全等活动。全国总工会拨出1000万元专款在全国建立了200多个流动电影放映队，成立了31所农民工业余学校，在农民工相对集中的企业和工地建立农民工文化工作服务站（室），组织文艺小分队下基层为农民工服务，对1000万人次的农民工进行安全卫生知识教育培训。将农民工纳入“两节”送温暖和金秋助学活动的重点对象，帮助他们解决生产生活中的突出困难，仅2008年元旦春节期间各级工会走访慰问了农民工158.4万人，发放慰问款物合计2.86亿元；2006年以来，共帮助42.6万名困难农民工子女解决了就学

问题。推动改善农民工生产生活条件，筹集慰问资金1.4亿元，开展改善农民工生产生活条件、防暑平安度夏活动。积极开展“农民工平安返乡行动”，2007年、2008年春节前各级工会协助有关部门安排农民工专列579辆、包专车11.6万辆，为农民工购买团体票1140万张，运送4213.6万名农民工平安返回家乡，为农民工争取返乡经济补贴2.6亿元，受到广大农民工的热烈欢迎和社会各界的广泛赞誉。

八、参与协调劳动关系和调处劳动争议

建立和谐稳定的劳动关系是工会促进社会和谐的主要着力点。适应经济关系、劳动关系的深刻变化，各级工会抓住发展和谐劳动关系这条主线，进一步完善协调劳动关系的机制，加强协调劳动关系和调处劳动争议，取得明显成效。

——*扎实推进创建劳动关系和谐企业活动*。各级工会广泛开展了创建劳动关系和谐企业活动，把工会的各项工作统筹落实到企业中去，使创建活动成为工会工作的响亮品牌。2006年以来，全国总工会下发了《关于开展创建劳动关系和谐企业活动的意见》，会同有关部门下发了《关于开展创建劳动关系和谐企业与工业园区活动的通知》。2007年8月，国家协调劳动关系三方召开全国创建劳动关系和谐企业与工业园区活动表彰暨经

验交流会议。全国总工会及时总结了威海、慈溪、邯郸、哈尔滨、镇江等地的经验，推动了创建活动的深入发展。目前，各省（区、市）都已开展了创建活动，各地以非公有制企业为重点努力扩大创建活动的覆盖面，全国已建工会企业开展创建活动的达60%左右。

——加强平等协商和集体合同制度建设，推动基层协调劳动关系机制进一步健全。各级工会广泛开展《劳动合同法》等法律学习和培训活动，与有关部门联合开展《劳动合同法》、《就业促进法》电视知识大赛，取得较好效果。抓住劳动合同、集体合同与职工代表大会三个关键环节，推动劳动关系协调机制建设，促进了规范有序、公正合理、互利双赢、和谐稳定的社会主义新型劳动关系的建立。全国总工会下发或会同有关部门下发了《关于进一步推进劳动合同制度实施的通知》、《全面推进劳动合同制度实施三年行动计划》、《关于做好帮助和指导职工签订劳动合同工作的意见》等文件，指导和推动劳动合同工作。2006年，国家三方联合召开电视电话会议，全面部署劳动合同制度实施三年行动计划，重点推动非公有制企业和农民工劳动合同签订工作。截至2008年9月，全国已建工会企业中签订劳动合同的职工达9214.4万人，占已建工会企业职工总数的55%，比上年增长3.7个百分点，其中农民工2924.9万人，占已建工会企业农民工总数的45.5%，比上年增

加0.9个百分点。各级工会立足规范、提高质量，大力推行平等协商、集体合同制度，全国总工会积极参与《工资集体协商试行办法》、《集体合同规定》、《关于进一步推进工资集体协商工作的通知》、《关于开展区域性行业性集体协商工作的意见》的制定，促进了集体合同制度的规范；召开全国工会工资集体协商工作经验交流会，推进工资正常增长机制健全完善。截至2008年9月，全国签订集体合同110.7万份，比上年增加13.3万份，增长13.6%；覆盖企业190.8万个，比上年增加20.3万个，增长11.9%；覆盖职工14953.5万人，比上年增加2129.9万人，增长16.6%，覆盖职工占全国企业职工的60.2%。分别比2003年增长64.5%、57.1%和48.4%。全国签订区域性集体合同12.5万份，覆盖企业88.0万个，覆盖职工3482.8万人；行业性集体合同7.4万份，覆盖企业24.1万个，覆盖职工1566.6万人。各级工会积极推进世界500强等跨国公司在华企业签订集体合同工作。到2008年9月16日，沃尔玛在华108家建会企业全部开展了集体协商，并签订了集体合同。

——加强劳动争议调解工作，劳动争议调解组织发挥积极作用。各级工会着力健全和完善劳动争议调解制度和劳动关系预警机制，努力把劳动关系矛盾化解在基层。2006年，在全国总工会的积极参与和推动下，最高

人民法院出台了《关于审理劳动争议案件适用法律若干问题的解释（二）》。2007 年，全国总工会下发了《关于进一步加强劳动争议调解工作的若干意见》，推动了工会劳动争议调解工作。加强劳动争议调解组织和队伍建设，截至 2008 年 9 月，全国基层工会所在企事业单位建立劳动争议调解委员会 38.9 万个，占全国企事业工会的 25.3%，比上年增加 7.8 万个，增长 25.0%；覆盖职工 7949.9 万人，占 38.5%，比上年增加 945.7 万人，增长 13.5%。2008 年度全国企事业单位劳动争议调解委员会受理劳动争议 32.3 万件，其中集体劳动争议 5781 件，占 1.8%；调解成功 6.7 万件，占 20.6%。全国设立区域性、行业性劳动争议调解组织 1.1 万个，2008 年度受理劳动争议 12.3 万件，调解成功 10.4 万件，占 84.2%。基层以上工会取得劳动争议仲裁员资格的工会干部 5302 人，其中受聘 3534 人，占 66.7%。2008 年度工会劳动仲裁员参与处理仲裁案件 2.6 万件。充分发挥工会信访部门、“12351”职工热线电话和信息中心的作用，及时了解职工群众的利益诉求，有力地维护了职工队伍和社会稳定。

——工会法律援助工作取得新进展。各级工会大力推进工会系统“五五”普法，组织开展“学法律、讲权利、讲义务、讲责任”为主题的法制宣传教育活动，提高了职工的法律意识和自我维权意识。积极推动法律

援助机构建设，全国县级以上总工会普遍建立工会法律援助服务机构，2008 年度为职工提供咨询代书等服务 9.7 万件；受理法律援助案件 4.7 万件，处理 2.9 万件，结案率 61.5%。工会公职律师试点工作进展顺利，在工会依法维权中发挥了积极作用。全国总工会与司法部、全国律师协会联合组织开展“全国维护职工权益杰出律师”评选表彰活动，收到了良好的社会效果。

——工会劳动法律监督制度进一步健全。全国总工会和各地工会高度重视劳动法律监督检查工作，依法建立健全劳动关系预警机制和劳动法律监督组织，进一步加大工会劳动法律监督工作力度。截至 2008 年 9 月，全国建立劳动关系预警机制的基层以上工会 8252 个，比上年增加 560 个，增长 7.3%。全国企事业工会建立劳动法律监督组织 32.1 万个，占 20.9%，比上年增加 6.8 万个，增长 2.0 个百分点；覆盖职工 6563.4 万人，占 31.8%，比上年增加 908.6 万人，增长 1.8 个百分点。2008 年度全国企事业工会劳动法律监督组织受理违法、违规案件 3.3 万件，其中工会自行处理 2.3 万件，提请劳动监察部门处理 2686 件。全国基层以上工会建立工会劳动法律监督组织 1.2 万个，占 19.3%；2008 年度基层以上工会劳动法律监督组织受理案件 3.8 万件，其中工会自行处理 2.5 万件，提请劳动监察部门处理 7296 件。各级工会积极配合人大开展了《工会法》、

《劳动法》、《安全生产法》、《劳动合同法》执法检查，协助政府加强劳动监察，配合政协开展视察活动。积极开展对劳动保障法规政策落实情况的监督检查，重点对国家就业再就业政策实施情况、治理职工和农民工工资拖欠、关闭破产和重组改制企业职工的安置、经济补偿和社会保险关系接续、城市困难群众生活保障等情况进行了检查，保障职工各项待遇得到落实。近年来，工会充分发挥法律监督组织的作用，配合相关部门开展了打击非法用工专项检查治理活动，取得了很好的效果。加大对侵犯职工合法权益重大案件的监督力度，对山西洪洞县“黑砖窑”非法用工，麦当劳和肯德基等企业涉嫌违法用工，华为公司辞职竞岗等社会热点事件进行调查处理，参与劳动和社会保障部等9个部委对全国18个省（区、市）开展的整治非法用工、打击违法犯罪专项行动督察工作，配合有关部门查处非法用工，参与检查小砖窑、小矿山、小煤窑、小作坊“四小”及其他用人单位62万户，参与调查处理劳动违法案件33.1万件。通过加强参与立法和执法监督检查，为保障和发展职工权益创造了更加有利的环境。

九、团结动员广大职工为促进国民经济又好又快发展作贡献

团结动员广大职工促进国民经济又好又快发展，是

工会适应新形势新任务的需要，在党和国家工作大局中更好地发挥作用的必然要求，也是实现和发展职工根本利益的重要保障。面对全面建设小康社会给工人阶级提出的新任务新要求，五年来，各级工会大力弘扬劳模精神，不断加强职工队伍素质建设，扎实推进群众性建功立业活动，不断激发和调动职工立足本职、争创一流的积极性、主动性、创造性，团结动员广大职工发扬工人阶级主人翁精神，积极投身改革开放和现代化建设，为推动经济社会又好又快发展作出了积极贡献。

——大力弘扬劳模精神。各级工会积极探索和完善培养、选树、表彰、关爱和激励劳模的工作机制。突出宣传劳模典型，推动全社会形成尊重劳模、学习劳模、关心劳模的良好氛围。五年来，全总集中授予2335个先进集体全国五一劳动奖状、5619名先进个人全国五一劳动奖章，对在抗灾救灾、国家重点工程中作出突出贡献，以及获得奥运金牌的300个先进集体和563名先进个人即时授予了全国五一劳动奖状、奖章；全总先后命名全国劳模疗休养基地26个，组织了5600名全国劳模和全国五一劳动奖章获得者到北戴河、青岛等地休养，有241名全国劳模和全国五一劳动奖章获得者当选为党的十七大代表，全国劳模许振超当选为十一届全国人大常委会委员，劳模的社会地位得到进一步提升。各级工会不断创新劳模管理工作，全总开设劳模本科班，免试

招收75名符合条件的劳模入学深造，各地工会出台劳模评选和管理工作新规定，建立健全劳模管理档案，劳模管理和服务水平不断规范、提高。各级工会努力做好困难劳模帮扶工作，向全国劳模发放低收入补助金、特殊困难帮扶金和春节慰问金，五年累计达3.2亿元，年均帮扶全国劳模8700余人，帮助劳模解决实际困难。

——着力提高职工队伍技术技能水平。2003年，全总制定《职工技术成果奖奖励暂行办法》，与科技部、原劳动和社会保障部先后举办了两届全国职工职业技能大赛，并于2004年、2007年两次对群众性科技攻关、技术革新和发明创造方面取得的重大技术成果进行评选表彰。2007年，一汽大众汽车公司王洪军和上海宝钢集团韩明明两位工人的技术创新成果荣获国家科技进步二等奖，实现了工人获得国家科技进步奖零的突破。近年来，全国每年都有上百个工种、千万名以上职工参加各类技能比赛，数以万计的职工通过技能比赛晋升了技术等级，职工学技术、练本领的积极性被充分调动起来。全总会同有关部门，围绕提高职工技术技能水平，共同举办了“状元360超级钳工”专题电视节目、“2007劳动榜样”系列电视宣传活动，推荐了一批中华技能大奖获得者和全国技术能手，组织了职工科技创新先进事迹报告团巡回演讲和高技能人才技能展示活动，开展培养知识技能型、技术技能型、复合技能型高技能人才竞

赛，在广大职工中掀起了学技术、比技能，立足本职、争创一流的热潮，一大批学习型、知识型、技术型、创新型职工脱颖而出，有力地推动了职工队伍技术素质的提高。

——广泛开展职工经济技术活动。各级工会落实《关于团结动员广大职工为实现“十一五”规划建功立业的决议》精神，广泛开展“当好主力军、建功‘十一五’、和谐奔小康”主题竞赛，团结动员广大职工为推动社会主义现代化建设做贡献。广泛开展创建“工人先锋号”活动，全国总工会下发了《关于深入开展创建“工人先锋号”活动实施意见》，创建活动在各行各业普遍开展，2008 年 4 月，全国总工会命名了首批 1055 个全国“工人先锋号”，各省（区、市）、全国产业工会命名的“工人先锋号”有 5221 个。开展重点工程劳动竞赛。全国总工会先后在青藏铁路建设工程、杭州湾大桥工程、北京奥运工程、上海世博会工程和金沙江水电工程等国家重点工程建设中组织开展劳动竞赛，充分激发职工潜能，推进技术进步，促进工程任务完成。2008 年度全国开展劳动竞赛的企事业工会 24.4 万个，占全国企事业工会的 15.9%；参加企事业工会组织的劳动竞赛的职工 5148.2 万人次，占已建工会企事业单位职工人数的 24.9%。竞赛活动主题突出，特色鲜明，成效显著，已成为工会推动经济社会发展的重要载体。围

绕节能降耗、实现经济发展目标，积极开展“我为节能减排做贡献”活动，全国总工会多次下发通知，推动活动开展，在2008年3月开展“全国职工节能减排活动月”活动，举行了全国职工节能环保知识竞赛，发布了100项全国职工节能减排技术创新成果，表彰了1000项采纳实施的节能减排优秀合理化建议。各级工会围绕增强自主创新能力，开展以小革新、小发明、小改造、小设计、小建议为重点的技术创新竞赛，大力开展技术创新活动。2008年度全国已建工会企事业单位职工提出合理化建议719.8万件，其中已实施312.8万件，占43.5%；技术革新项目57.1万项；职工发明创造项目16.5万项；荣获国家专利项目5.4万项；总结推广先进操作法项目7.4万项。加强职工技协组织建设，截至2008年9月，全国职工技协组织3.7万个，推广新技术项目27.5万项。基层以上工会职工技协建立技术转让中介服务机构774个。五年来，各级职工技协组织开展技术攻关、技术开发项目30.9万项，推广新技术45.3万项，签订技术合同成交项目20.2万项，成交金额197.8亿元。

——全力做好抗震救灾和抗击雨雪冰冻灾害工作，大力开展“我为奥运做贡献”活动。全国总工会在全国工会会员中开展“重建家园、再献爱心”大行动，命名了1199个“抗震救灾重建家园‘工人先锋号’”，实施

对口支援，先后组织三批劳模技术服务队赴灾区开展技术帮扶，组织职工踊跃捐款捐物，为家乡房屋受损、亲人遇难和受伤的川籍农民工发放慰问金7000余万元，为7500名灾区农民工返乡救灾提供了经费和交通服务。从5月12日地震发生到6月10日下午3时，短短几十天内，全国各级工会、工会会员捐款和工会组织为四川地震募集社会各界捐款、捐物已累计达31.63亿元；积极开展“我为奥运作贡献”活动，各级工会特别是奥运主办和协办城市工会，开展了以“为祖国争光、为奥运添彩”为主题的立功竞赛活动，引导职工把支持奥运的热情转化为做好本职工作的实际行动，为奥运会和残奥会的成功举办作出了应有的贡献。

十、加强对外交往和港澳台工作，为工会维权创造良好的外部环境

工会对外工作是我国总体外交的重要组成部分，加强工会对外工作和台港澳工作是适应当前国际形势发展的需要。五年来，中国工会坚持“独立自主、互相尊重、求同存异、加强合作、增进友谊”的对外工作方针，抓住国际工运格局变化的契机，坚持以我为主，在独立、平等、相互尊重、互不干涉内部事务的原则基础上，积极开展对外交往，发展相互尊重、友好合作、民主和谐的国际工会关系。

——连续成功举办“经济全球化与工会”国际论坛，创新对外工作平台。2004年至2008年，全国总工会与世界工联、非工统、阿拉伯工联、拉美工人中央工会等部分国际和区域友好工会组织成功举办了四届“经济全球化与工会”国际论坛。论坛围绕国际工运和国际劳工领域中普遍关注的重大问题进行了深入交流和讨论，2008年1月7日，胡锦涛总书记出席“2008’经济全球化与工会”国际论坛开幕式并致辞，引起了国际劳工界的高度重视。通过论坛这个平台，宣传了中国工会维权工作和构建民主和谐的国际工会关系的主张，团结和凝聚了发展中国家的工会力量，扩大了中国工会的影响。

——与西方大国工会的关系取得突破性进展。2007年5月，美国变革谋胜利工会联合会主席应邀对华进行了正式友好访问，英国职工大会总书记、德工联主席等西方工会领导人成功访华，与大国工会的实质性交流不断扩大，推动了双边关系的发展。在2008年国际劳工局理事会工人组选举中，中国工人代表成功当选新一届国际劳工局理事会工人组副理事，中国工会国际活动空间进一步拓展。

——与周边国家工会、亚非拉友好工会以及未建交国家工会交往取得新进展。全总主办了非洲、阿拉伯、拉美安第斯、东盟、东欧国家工会领导人研讨班，全总

领导率团对印度、越南、朝鲜、科威特、叙利亚、坦桑尼亚、毛里求斯、肯尼亚、巴西、委内瑞拉和秘鲁等发展中国家进行友好访问，加强了与广大发展中国家工会的交流与合作。同时，加大对发展中国家工会援助的力度，援建非工统恩克鲁玛劳工学院宿舍楼项目，向加纳、民主刚果、塞舌尔、尼日尔、乌干达等发展中国家工会提供了援助，得到受援国的高度评价。

——进一步深化与港澳台工会和劳动界的交流合作。五年来，全国总工会共接待了104个港澳台工会代表团的2473人次访问，并组派了39个团共544人次到港澳台进行交流。举办“海峡两岸暨港澳工会纪念中国人民抗日战争暨世界反法西斯战争胜利60周年活动”、“海峡两岸工会论坛”、“港澳台职工书画展”、“台湾工会三峡之旅”、“台湾工会子弟夏令营”、“香港工会子弟冬令营”等活动，有力地推动了全国总工会与港澳台工会的交流与合作。各省、自治区、直辖市与港澳台工会交流也更加活跃深入，目前，全国三分之二以上的省（区、市）总工会实现了与港澳台工会的双向交流。一些地方总工会和全国产业工会与台湾相应县、市工会建立了固定的交流合作关系，为保持香港和澳门长期繁荣稳定、促进祖国和平统一大业贡献了力量。

在新的历史起点上，中国工会将高举中国特色社会主义伟大旗帜，深入贯彻落实科学发展观，坚定不移地

走中国特色社会主义工会发展道路，努力建设中国特色社会主义工会，围绕党和国家工作大局，切实维护职工权益，发展和谐劳动关系，不断激发职工的劳动热情和创造活力，团结动员广大职工为应对国际金融危机、促进经济平稳较快发展、夺取全面建设小康社会新胜利，作出新的更大的贡献！

（注：本文由中华全国总工会研究室起草，数据资料除特别注明外，主要来源为中华全国总工会研究室2003—2008年中国工会统计年报）

BLUE PAPER

ON THE ROLE OF CHINESE TRADE UNIONS IN SAFEGUARDING THE LEGITIMATE RIGHTS AND INTERESTS OF WORKERS

(2003—2008)

All-China Federation of Trade Unions

China Gongren Press

Blue Paper
on the Role of Chinese Trade Unions in Safeguarding the Legitimate Rights and Interests of Workers
(2003—2008)

The Chinese trade unions are the mass organizations of the working class led by the Communist Party of China and formed by workers of their own free will. They serve as a bridge and link for the Party to maintain close ties with the masses of workers. They are an important social pillar of the state power and represent and safeguard the interests of trade union members and workers. With the *Constitution of the People's Republic of China* as the cardinal principle for their activities and in accordance with the *Trade Union Law of the People's Republic of China* and the *Constitution of Chinese Trade Unions*, the Chinese trade unions act independently and with the initiative in their own hands and carry out their

basic duties in safeguarding the legitimate rights and interests of workers pursuant to law. Since the 14th National Congress of Chinese trade unions convened in 2003, under the leadership of the Chinese Communist Party, trade unions at various levels have persevered in taking Deng Xiaoping Theory and the important thought of "Three Represents" as guidelines, thoroughly carried out the scientific outlook on development, unswervingly pursued the road for the development of socialist trade unions with Chinese characteristics, endeavored to build up socialist trade unions with Chinese characteristics, conscientiously practiced the guideline of "Organizing for Better Protection", adhered to the principle of putting workers first and taking the initiative in safeguarding workers' rights and interests pursuant to law and in a scientific way, implemented the working principle of "Promoting the Development of Enterprises while Safeguarding Workers' Rights and Interests" among enterprise trade unions, played an active role and achieved remarkable successes in safeguarding workers' economic, political, cultural and social rights, in boosting the realization of decent work among workers, in facilitating the construction of harmonious labor relations, harmonious enterprises and a harmonious society and in building up a

moderately prosperous society in an all-round way.

I. Sticking to the Road for the Development of Socialist Trade Unions with Chinese Characteristics and Exploring New Ways for the Protection of Workers' Rights and Interests by Trade unions

In the process of the reform and opening up and during the course of developing the socialist market economy, profound changes have taken place in China's economy and society and in China's economic and labor relations, making urgent demands on trade unions to earnestly carry out their basic duties in safeguarding workers' legitimate rights and interests and in building up harmonious and stable labor relations. Since the 16th National Congress of the Chinese Communist Party, advancing the scientific development, promoting the social harmony and earnestly improving the people's livelihood has become the strongest voice of the times, creating a still better social and policy environment for trade union work, especially for the work aimed at the maintenance of workers' rights and interests. Chinese trade unions have firmly grasped the theme of building a moderately prosperous society in an all-round way for

contemporary labor movements in China and, proceeding from China's national conditions and on the basis of the characteristics of labor relations, thoroughly carried out various social functions, given prominence to their safeguarding functions, endeavored to explore and innovate trains of thought, ways and measures for the protection of workers' rights and interest by trade unions and gradually formed the protection outlook of socialist trade unions with Chinese characteristics.

It has been explicitly proposed in the 14th National Congress of Chinese trade unions held in September, 2003 that the maintenance of workers' legitimate rights and interests should be carried out throughout the process of facilitating the reform, promoting the development, taking active part and offering energetic aid. The Second Session of the 14th Executive Committee of All-China Federation of Trade Unions convened in December, 2004 has laid down the guiding principle of "Organizing for Better Protection" for trade union work. The Third Session of the 14th Executive Committee of All-China Federation of Trade Unions convened in December, 2005 has made the *Decision on Strengthening the Coordination of Labor Relations, Earnestly Safeguarding Workers' Legitimate Rights and Interests and Facilitating the*

Construction of a Harmonious Socialist Society. According to the nature and characteristics of contemporary labor relations in China, the All-China Federation of Trade Unions has set the orientation for establishing orderly and standardized, just and reasonable, harmonious and stable new socialist labor relations based on mutual gain and, in line with the new circumstances facing enterprise trade union work, set down the working principle of "Promoting the Development of Enterprises while Safeguarding Workers' Rights and Interests" for trade union work. Added to this, it has been expressly put forward at the Eleventh Session (Enlarged) of the 14th Presidium of All-China Federation of Trade Unions convened in December of 2006 that the protection outlook of socialist trade unions with Chinese characteristics should be set up and put into practice and it has been emphasized at the session that trade unions should base themselves on China's national conditions, adapt themselves to the development of the times, adhere to the principle of putting workers first, take the initiative in safeguarding workers' rights and interests pursuant to law and in a scientific way, intensify the coordination of labor relations and make contributions for the construction of a harmonious socialist society. The session has further pointed out that trade

unions' protection outlook is a comprehensive summarization of the protection theory and practice followed and conducted by Chinese trade unions, reflects the innate character of the protection work carried out by Chinese trade unions, has clearly answered the question of "what Chinese trade unions should safeguard and how to safeguard" under the socialist market economy system and is of guiding importance to grasping the orientation for trade unions' protection work, to earnestly safeguarding workers' rights and interests, to promoting harmonious labor relations and to constructing a harmonious socialist society.

The 15th National Congress of Chinese trade unions held in October, 2008 has emphasized that trade unions should always hold high the great banner of socialism with Chinese characteristics, persevere in pursuing the road for the development of socialist trade unions with Chinese characteristics and spare no effort to construct socialist trade unions with Chinese characteristics. The report for the 15th National Congress has thoroughly expounded the principle of "putting workers first and taking the initiative in safeguarding workers' rights and interests pursuant to law and in a scientific way" as one of the basic implications on socialist trade unions with Chinese characteristics. The

report has stressed that Chinese trade unions represent and safeguard workers' rights and interests and that their nature and status determine that they should on one hand carry out various social functions in an all-round way and should on the other give prominence to their protection functions; trade unions should have their eyes on maintaining ties as close as flesh and blood between the Party and the masses of workers, take the maintenance of the interests of the broad masses of workers as the starting point and foothold for all trade union work and defend the employment and economic rights and interests, democratic and political rights, spiritual and cultural rights and interests and social rights of the masses of workers; efforts should be made to set up and improve the mechanisms for safeguarding the rights and interests of workers under the leadership of the Party and government as well as to realize the unity of maintaining the overall interests of the whole nation and the concrete interests of workers, the unity of promoting the development of enterprises and safeguarding workers' rights and interests and the unity of defending workers' rights and interests and educating and guiding workers to improve their personal qualities. The report has proposed that importance should be placed on employment, income distribution, social security

and labor safety and health, the mechanisms for safeguarding workers' rights and interests should be set up and ameliorated, the effectiveness in safeguarding workers' rights and interests should be constantly enhanced and the sharing of the fruitful results from the economic and social development should be broadened among workers.

Adhering to the protection outlook of Chinese trade unions is a fundamental requirement set forward by the Party to trade unions' protection work. When holding talks on October 21, 2008 with the members of the new leading group of All-China Federation of Trade Unions and with some of the delegates to the 15th National Congress of Chinese trade unions, General Secretary Hu Jintao clearly pointed out for the first time that the road for the development of socialist trade unions with Chinese characteristics is an important integral part of the socialist road with Chinese characteristics. He stressed that trade unions should link acting independently and with the initiative in their own hands in accordance with the Constitution of Chinese trade unions and relevant laws and regulations closely with consciously subjecting themselves to Party's leadership, link maintaining the concrete interests of workers closely with maintaining the basic interests of the whole nation, link

serving workers and safeguarding workers' legitimate rights and interests closely with organizing, educating and guiding workers and continually improve their ability and level in serving workers. The basic duty of trade unions is to safeguard the legitimate rights and interests of the broad masses of workers. Giving expression to the interests of workers and safeguarding their interests is the starting point and foothold for all trade union work. Trade unions should always adhere to the people-first principle, serve the broad masses of workers heart and soul, conscientiously carry out their sacred duties and better protect the legitimate rights and interests of workers, especially rural migrant workers. Trade unions should attentively heed the opinions of the masses of workers, reflect the wishes of workers in time, do good, work practically and overcome difficulties for workers in a down-to-earth manner, especially should help needy workers out. Trade unions should continue to strengthen the harmonious socialist labor relations, improve the mechanisms for coordinating labor relations and facilitate the realization of decent work. These important theses have provided a solid theoretical support for sticking to the road for the development of socialist trade unions with Chinese characteristics and for the construction of socialist trade

unions with Chinese characteristics and have further pointed the orientation and provided powerful ideological weapons as well for the better protection of the rights and interest of workers.

In maintaining the outlook of Chinese trade unions on safeguarding workers' rights and interests, one of the important things to do is to focus on facilitating the scientific development, promoting the social harmony, continually improving the mechanisms for coordinating labor relations and strengthening the harmonious socialist labor relations. Labor relations are the most essential social relations and the characters of the labor relations are the embodiment of the social characters. Vigorously promoting harmonious labor relations is an important breakthrough point for trade unions to push forward the construction of a harmonious socialist society, as well as an imperative requirement for sticking to the road for the development of socialist trade unions with Chinese characteristics and for the construction of socialist trade unions with Chinese characteristics. In developing the socialism with Chinese characteristics, the interests of the state, collective and individual are intrinsically unified, workers and enterprise fall within the same interest group, interests of workers are closely linked with the development

of the enterprise and the labor relations are not radically antagonistic. Therefore, the harmony and stability can be fully realized on the basis of consultation and coordination. Only are the legitimate rights and interests of workers respected and guaranteed and the labor relations made harmonious can enterprises be developed and the social harmony be realized, and only are the development of enterprises and social harmony realized can the interests of workers be better protected.

Currently, in the face of the serious challenges brought about by the international financial crisis to China's economic development and to Chinese workers, trade unions should conscientiously defend the interests of the masses of workers and, in the meantime, should guide the vast numbers of workers to positively make suggestions for the development of the enterprise, strive to realize the development of the enterprise and better protect workers' rights and interests, boost the harmony in labor relations and promote the social stability. The Third Session (Enlarged) of the 15th Presidium of All-China Federation of Trade Unions and the Second Session of the Executive Committee convened at the end of 2008 have emphasized that trade unions should adhere to the working principle of "Promoting

the Development of Enterprises while Safeguarding Workers' Rights and Interests", devote major efforts to starting the "agreed joint action" between trade unions and enterprises and between trade unions and workers on the principle of furthering the action according to law, seeking mutual gain, conducting joint consultation and suiting measures to local conditions, urge enterprises, especially state-owned enterprises, to take the lead in carrying social responsibilities, to try their best not to reduce the staff or reduce as fewer staff as possible, to stabilize the posts of workers, to determine the wages through consultation, to give out wages to workers in time and to conscientiously improve workers' technical and skill levels by making use of the intermission during the operation under capacity to strengthen the training among workers; trade unions should guide the vast numbers of workers to play their role as a main force, to carry forward the fine tradition of having cardinal principles in mind and taking the overall situation into account, to widely launch the activities aimed at "Making Joint Efforts to Maintain the Growth and Performing Meritorious Services to Promote the Development", to make best achievements at their respective posts, to tide over the difficulties together with the state and the enterprises and to

make still greater contributions for maintaining the steady and rapid economic development.

Ⅱ. Safeguarding the Right of Workers to Join and Organize Trade Unions

It is prescribed in the *Constitution of Chinese Trade Unions* that all manual or mental workers in enterprises, institutions, state organs or other social organizations within the territory of China who rely on wages or salaries as their main source of income or who have established labor relations with the employing units, irrespective of their nationality, race, sex, occupation, religious belief or educational background, can join trade unions and become trade union members so long as they recognize the Constitution. Over five years, Chinese trade unions, by positively adapting themselves to the deepening of the reform and opening up, to the economic and social development and to the changes in the ranks of workers, have devoted major efforts to pushing forward the construction of the grassroots trade union organizations, constantly expanded the trade union work, increased the cohesion of trade union organizations and further safeguarded the right of workers to join and organize trade unions.

——**Fitting in with the Rapid Economic and Social Development and the Ever-increasing Number of Workers and Increasing the Unionization Rate and the Membership Rate**. With China's industrialization and urbanization growing continuously, enterprises of multi-ownership have sprung up rapidly, the ranks of workers have been growing steadily and the number of rural migrant workers has been increasing considerably. In the face of new circumstances and tasks, the 14th National Congress of Chinese trade unions has emphasized that importance should be attached to workers of enterprises of non-public ownership, workers of restructured enterprises and migrant workers and efforts should be made to organize as many of the workers as possible into trade unions to constantly enhance the Party's class basis and broaden the Party's mass basis. Over five years, in the light of "expanding the membership and strengthening the cohesion", trade unions at all levels have conscientiously carried out the guideline of "Organizing for Better Protection", devoted major efforts to strengthening the construction of grassroots trade union organizations in accordance with the guiding ideology of "letting Party construction bring along trade union construction and trade union construction serve Party

construction" and emphatically done a good job of unionization in private economic units and increasing the membership among rural migrant workers. As a result, the unionization rate and the membership admission rate have all been notably increased, opening up a new road for the unionization under the market economy system. By September, 2008, the number of countrywide grassroots trade unions had increased to 1.725 million, up 9.8% over the previous year and up 90.4% over 2003; 3.682 million corporate organizations had set up grassroots trade union organizations, up 15.3% over the previous year and up 133.9% over 2003; the number of nationwide members had totaled 212 million, with a net increase of 88.77 million over 2003, up 72.1%; the membership admission rate across the country had reached 73.7%. Unionization and membership admission have witnessed a sound and rapid development and the right of the vast numbers of workers to join and organize trade unions has been further exercised.

——Fitting in with the Continually Deepened Reform of State-owned Enterprises and the Rapid Development of the Non-public Sectors of the Economy and Bringing About an All-out Expansion of Unionization from State-owned Enterprises to the Non-

public Sectors of the Economy. Faced with the reform, restructuring and reorganizing of state-owned enterprises on a large scale and in the face of the mushroom growth of the enterprises of non-public ownership, Chinese trade unions have attached great importance to the unionization during the course of restructuring the state-and collectively-owned enterprises and have persistently reorganized, rectified and strengthened trade unions in enterprises where restructuring is being carried out; at the same time, trade unions have intensified their efforts to do a good job of unionization in enterprises of non-public ownership, probed into new trains of thought, new ways and new approaches for the unionization in enterprises of non-public ownership and have made positive breakthroughs. Proceeding from the actual condition that large numbers of non-public sectors of the economy are small in scale with a smaller number of personnel and experiencing an ever-increasing inflow and outflow of workers, trade unions at all levels have explored new forms of trade union organizations and created flexible and varied trade union models such as neighborhood trade union, community trade union, office-building trade union, block trade union, project trade union, bazaar trade union to organize workers to the fullest extent. By September, 2008,

the number of trade unions set up in enterprises of non-public ownership across the country had reached 1.046 million, making up 86.2% of total enterprise trade unions, up 29.1 percentage points over 2003; the number of trade union members in enterprises of non-public ownership across the country had reached 115 million, increasing by 85.657 million over 2003, making up 73.3% of the total enterprise trade union members, up 28.5 percentage points over 2003; the membership admission rate in enterprises of non-public ownership had reached 57.0%, up 19.3 percentage points over 2003. All these have suggested that the main spheres of the trade union work have been shifted on the whole to enterprises of non-public ownership. At the same time, as large numbers of enterprises and workers cluster in many townships and industrial parks, the All-China Federation of Trade Unions has given timely instructions that the leading system for trade union organizations should be extended to the lower levels. Trade unions at various levels have taken vigorous action to explore and improve the "small three-tiered" organizational system with township (neighborhood) trade unions at the leading level, village (community) trade unions and those in various economic areas at the middle level and enterprise trade unions at the basic level, thus

effectively expanding the unionization.

——**Fitting in with the Economic and Social Changes and with the Structural Change of the Ranks of Workers and Unionizing All Workers Including Rural Migrant Workers**. Rural migrant workers are a new work force springing up in China's reform and opening up and during the course of China's industrialization and urbanization. At present, the number of rural migrant workers throughout China has totaled more than 200 million, of whom 130 million are regarded as "workers", making up almost half of China's total workers. It is one of the most important features manifested during the structural change of the ranks of Chinese workers. The 14th National Congress of Chinese trade unions has clearly pointed out that rural migrant workers are new members of the working class and that trade unions should extensively organize them and conscientiously safeguard their legitimate rights and interests. Over recent years, trade unions at all levels have emphatically taken rural migrant workers as an important factor for unionization and, proceeding from such features as the frequent inflow and outflow of rural migrant workers and the dispersion of them, have adopted effective measures to make a series of innovations in terms of the leading system

for trade union organizations, organizational system, work mechanism, unionization model, unionization pattern and membership management and organized and attracted as many rural migrant workers as possible into trade unions to organizationally safeguard the legitimate rights and interest of rural migrant workers. Trade unions in such cities as Xinyang, Henan Province have staged the practice aimed at "unionization at source, possessive administration, interactive co-operation and two-way protection". Cities like Shanghai, Chengdu, Shijiazhuang and Quanzhou have set up the inter-city joint-action mechanisms for trade union work, and Shenyang has set up trade unions on the labor markets. All these have turned into a favorable environment for the unionization of rural migrant workers. By September of 2008, the number of nationwide rural migrant workers admitted to trade unions had amounted to 72.166 million, with the rate of unionization among rural migrant workers exceeding 50%.

——**Fitting in with the Opening Wider to the Outside World and the Growth of Foreign-invested Enterprises and Making Breakthroughs in Unionization in Foreign-invested Enterprises, especially in Transnational Corporations.** As early as in the beginning of 1980s, the

All-China Federation of Trade Unions started the unionization among "three types of foreign-funded enterprises" (including Sino-foreign equity joint ventures, Sino-foreign contractual joint ventures and wholly foreign-owned enterprises). By 2002, the number of trade unions established in nationwide wholly foreign-owned enterprises had reached 11,633, with the number of members totaling 2.745 million, yet the unionization rate was still on the low side, with workers' membership admission rate being only 58.1% and large numbers of workers in wholly foreign-owned enterprises not unionized. After the 14th National Congress of Chinese trade unions, especially since 2006, the All-China Federation of Trade Unions, by making a breakthrough in successfully setting up trade unions in Wal-Mart's China enterprises, has devoted major efforts to facilitating the unionization in foreign-invested enterprises and made breakthrough progress. In March, 2006, the All-China Federation of Trade Unions held a national forum on advancing the unionization among the countrywide foreign-invested enterprises. Under the unified planning of All-China Federation of Trade Unions and with a concerted action being forcefully started all over the country with perseverance, on July 29, 2006, the trade union of Wal-Mart's Jinjiang

Store, Fujian was primarily set up. Such a significant breakthrough has put an end to Wal-Mart's obstinate refusal to set up trade unions in its worldwide stores. Party and government leaders at all levels have attached great importance to and given strong backing for the unionization in Wal-Mart's stores. With the joint efforts made by all walks of life, trade unions at various levels have earnestly strengthened the organizational leadership, improved their working patterns and styles, carried out the unionization work in strict accordance with the legal procedures and made strenuous efforts to organize and mobilize workers to forcefully push forward the unionization work in foreign-invested enterprises. From mid-June to the end of October, 2008, the All-China Federation of Trade Unions launched the action to step up the establishment of trade unions in China branches of the transnational corporations such as the world top 500 firms. By strengthening guidance, taking action from the higher levels to lower levels, innovating on the systems and relying on workers, the All-China Federation of Trade Unions has advanced the unionization work in accordance with the law, made breakthrough progress, reversed the low unionization rate in transnational corporations and forcefully stepped up the unionization work.

By the end of 2008, the rate of unionization in head offices of such transnational corporations as the world top 500 firms had reached 83%, the number of trade unions established in corporate organizations had reached 3,843, with the unionization rate rising from the previous 43% to 85% and the number of members increasing from 1.87 million to 2.125 million. The number of trade union members in foreign-invested enterprises across the country (including Hong Kong, Macao and Taiwan-invested enterprises) had reached 15.841 million. The breakthrough in unionization in transnational corporations has extended the influence of Chinese trade unions on international labor movements and given prominence to the distinctive features and advantages of Chinese trade unions.

Ⅲ. Safeguarding the Employment and Economic Rights and Interests of Workers

Laws such as the *Labor Law of the People's Republic of China* have clearly prescribed various employment and economic rights of workers. Over five years, trade unions at all levels have taken serving workers wholeheartedly as the starting point and foothold for all work and have further intensified the efforts in the protection of rights and interests

of workers by centering on the most immediate and realistic issues cared about most by workers with regard to employment, income distribution, social security and labor safety and health. In doing so, trade unions have achieved remarkable successes and facilitated the construction of a society aimed at improving the people's livelihood.

——**Actively Assist Government to Promote Employment and Re-employment.** Employment is the basis for the people's livelihood. By making full use of their advantages such as perfect organizational structure, unimpeded information channels and close ties with the masses of workers, trade unions at various levels have thoroughly looked into the conditions and questions concerning re-employment among laid-off and unemployed personnel, given expression to workers' demands in time, actively participated in the formulation of the *Employment Promotion Law* and relevant policies, worked jointly with people's congresses, governments and political consultative conferences to conduct special supervision and inspection of the implementation of employment policies and facilitated the implementation of the policies. Trade unions at various levels have conscientiously supervised the recruitment of workers by enterprises, urged enterprises to carry out their

social responsibilities, stabilized the work posts and made strenuous efforts to contain illicit staff reduction, especially the staff reduction on a large scale. By paying close attention to "zero-employment families" and "4050 personnel", trade unions at various levels have implemented the "Working Plan for Promoting Employment and Re-employment by Creating 4.5 Million Jobs within Three Years", started the action of "Promoting Employment on Labor Day", set up a number of re-employment bases and poverty alleviation trade markets, devoted major efforts to conducting vocational trainings and job recommendations, launched the Recruitment Week for Privately-operated Enterprises jointly with the departments concerned and provided the laid-off and unemployed personnel with reemployment services. Trade unions at all levels have devoted major efforts to popularizing petty-sum loans, trainings for business startup and the "three-in-one" working model practiced by the reemployment bases for promoting employment and have achieved remarkable successes. By March, 2008, local trade unions at the county level or above across the country had set up 2,758 employment agencies, 2,836 vocational training centers and 4,845 reemployment bases. Over five years from March, 2003 to March, 2008, jobs were successfully recommended to

4. 397 million people, of whom 2. 648 million were laid-off workers; an accumulative total of 4. 204 million people received trainings, of whom 2. 345 million were laid-off workers, and 1. 734 million trained laid-off workers realized reemployment. The Recruitment Week for Privately-operated Enterprises held for thee times attracted 266,000 privately-operated enterprises to take part and 2. 02 million job seekers signed the intention agreements on employment. In 2008, after the occurrence of the catastrophic earthquakes in Wenchuan, Sichuan Province, the All-China Federation of Trade Unions immediately organized some trade unions and enterprises of the littoral provinces and cities to go right to the quake-afflicted areas to provide aid with loving care. 47,000 people in all came to accept offers of employment, making the recruitment the largest in scale after the earthquakes. Faced with the aggravating international financial crisis and with the employment situation becoming increasingly serious, the All-China Federation of Trade Unions has started the campaign of "giving aid to tens of millions of rural migrant workers" among the countrywide trade unions and clearly stated that advantages of trade unions should be brought into play, social resources should be integrated and aid should be provided to over 10 million

rural migrant workers with importance being placed on employment relief. The number of people receiving employment relief has reached more than 5 million.

——**Safeguarding the Income Distribution Rights and Interests of Workers**. Wages are the main source of income of workers and are the core of workers' employment and economic rights and interests. Trade unions at all levels have actively participated in the research and formulation of relevant laws, regulations and policies concerning wage distribution, precipitated the resolution of back wages for workers and rural migrant workers, facilitated the establishment of the wage security mechanism, expedited the improvement of the minimum wage security system and earnestly safeguarded the income distribution rights and interests of workers.

Firstly, precipitating the resolution of back wages for workers. In 2004, the All-China Federation of Trade Unions submitted the *Report on Suggestions for the Resolution of Current Back Wages for Enterprise Workers* to the State Council. The report drew great attention of the State Council and departments concerned. In 2006, the State Council set up the inter-ministry joint conference for the resolution of back wages defaulted by enterprises, and the General Office

of the State Council transmitted the *Views on Expediting the Resolution of Back Wages by Enterprises.* As one of the members of the inter-ministry joint conference for the resolution of back wages, the All-China Federation of Trade Unions actively participated in the formulation of relevant policies, took part in the supervision and inspection of enterprises' payment of wages, actively pooled all social strength to tackle back wages caused by enterprises, made efforts to prevent the emergence of new back wages, urged and helped enterprises to gradually resolve the back wages left behind before. According to the plan made by the State Council, various localities performed their respective responsibilities in the resolution of back wages, did everything possible to raise funds and intensified efforts to make breakthroughs in the resolution of back wages. As a result, the back wages left behind by state-owned enterprises from previous periods were paid off on the whole and the default on wage arrears by enterprises of non-public ownership was contained in an effective way. Since the later half of 2008, under the influence of the international financial crisis, the default on wages by some enterprises has turned up once again. In order to further prevent and resolve the wage arrears in enterprises, to safeguard the income of

workers according to law and to maintain the social stability, upon approval of the State Council, the inter-ministry joint conference issued the *Circular on Further Preventing and Resolving Wage Arrears in Enterprises* at the end of 2008 to curb the resurgence and spread of the default on wages.

Secondly, expediting the establishment and perfection of the wage security system. Trade unions at all levels have actively expedited the improvement of the enterprise wage payment system, facilitated and participated in the formation of the permanently effective mechanism for ensuring wage payment and resolving wage arrears in enterprises. Along with the labor security departments, trade unions at various levels have set up the wage reserve fund system and the wage arrears warning and forecasting system, the wage arrears reporting system and the employment integrity system, assisted the labor departments to strengthen the supervision and examination of wage payment in enterprises, intensified the efforts in law enforcement, set up complaint mailboxes and telephone numbers for workers, established the system for handling back wage cases, opened wider the channels for public supervision and urged enterprises to carry out the wage payment system according to law and to grant wages to workers on time and in full.

Thirdly, advancing the improvement and implementation of the minimum wage security system. The All-China Federation of Trade Unions has participated in the research into the implementation of the minimum wage standards laid down by the departments concerned of the State Council and proposed that the minimum wage security system should be perfected, the hourly minimum pay should be worked out in an all-round way, the regular mechanism for adjusting the minimum wage should be set up and the level of the minimum wage should be raised. The All-China Federation of Trade Unions has also issued the directive opinions on facilitating, raising and implementing the minimum wage standards and demanded that trade unions in various localities should, through the mechanism of tripartite consultation, facilitate the improvement of the minimum wage security system, set up the hourly minimum pay standards in an all-round way, raise the level of the minimum wage and gradually increase the minimum wage to 40%—60% of the average wage at large. At present, the system for adjusting the minimum wage standards has been set up in various provinces in China. The All-China Federation of Trade Unions has, jointly with the departments concerned, conducted monographic researches into the issue

concerning workers' wages, summed up and popularized the experiences of Shanghai, Jiangsu and Tianjin and actively stimulated enterprises to reasonably increase the wages of common workers.

Fourthly, thoroughly practicing collective wage bargaining work to facilitate the establishment of a just and reasonable joint wage decision-making mechanism among enterprises. One of the main measures for trade unions to maintain the income distribution rights and interests of workers is to conduct collective wage negotiation with enterprises on behalf of workers. Over recent years, trade unions at all levels have given priority to restructured state-owned enterprises, enterprises of non-public ownership, medium-and small-sized enterprises to further set up and improve the collective wage bargaining system, widely started the action of making collective wage negotiation offers, standardized the bargaining procedures, paid close attention to the bargaining process, quantified and detailed the content of the collective contracts according to the actual conditions of enterprises and the bargaining results and turned laws, regulations and various policies and rules into working criteria. Special efforts have been made in carrying out regional collective wage negotiation in areas where

enterprises are small in scale, unionization is less and trade unions are not in a position to conduct collective wage negotiation on their own; in areas where enterprises of similar nature relatively cluster, special efforts have been made in practicing sectoral collective wage negotiation, the coverage of the collective wage bargaining system has been effectively broadened and the effect of the collective wage negotiation has been gradually improved. By September of 2008, 417,000 special wage collective contracts had been signed across the country, up 42.3% over 2003, with 51.101 million workers involved, up 42.8% as compared to 2003. According to the sixth survey of the ranks of workers carried out in 2007 across the country, the proportion of enterprises where workers' wages were increased in all enterprises that had conducted collective wage negotiations accounted for 69.1%. Carrying out collective wage bargaining has become an important factor for the increase of workers' wages.

According to statistics by state departments concerned, since 21st century, the average wage of the Chinese workers has been increased at the two-digit rate almost every year, after allowing for the price rise, from 2003 to 2007, the average wage of the incumbent workers increased by 12%, 10.5%, 12.8%, 12.7% and 13.6%, respectively, being

the fastest increases of the real wage income of the Chinese workers since the reform and opening up. In 2003, the average wage of the incumbent workers of various units in cities and towns across the country amounted to 14,040 yuan and increased to more than 24,900 in 2007. During the first three quarters of 2008, the workers' average wage amounted to 19,731 yuan, rising by 3,056 yuan as compared to the same period of the previous year, up 18.3% year on year.

——**Safeguarding the Right of Workers to Social Security**. Social security is a safe network for the society and the people's livelihood and is an important social and economic right of workers. In recent years, trade unions at all levels have actively participated in facilitating the reform of the social security system and, by joining the social security supervision agencies set up by governments at the same level, have strengthened the mass supervision over the social insurance, widely started the mutual-aid activities among workers and endeavored to promote the realization of the right of workers to social security. The All-China Federation of Trade Unions has actively participated in the research and formulation of the *Social Insurance Law*, systematically put forward the opinions and suggestions of trade unions, made investigations into the implementation of

the *Decision of the State Council on Improving the Basic Old-age Insurance System for Enterprise Workers* as well as into such issues concerning the pensions of the retired workers of the needy state-and collectively-owned enterprises being on the low side and the lack of medical security system, and actively reported the actual conditions and workers' aspirations to departments concerned. The All-China Federation of Trade Unions and some local trade unions have actively participated in the experimental work for improving urban and township social security systems, made supervisions jointly with relevant organizations over the follow-up experimental work and conscientiously conducted and extended the experimental work on personal accounts, participated in the summarization and assessment of the experimental work and put forward suggestions on further improving the social security system. The All-China Federation of Trade Unions has taken part in the work conducted by the inter-ministry coordination work team for deepening the reform of the medical and health system and put forward opinions on improving the medical security system and modifying the *Regulations on Industrial Injury Insurance*. The departments concerned of the All-China Federation of Trade Unions have also actively guided

enterprise trade unions to participate in the annuity construction and to facilitate the development of the enterprise annuity. In order to meet the multi-level needs of workers, especially moderate-and low-income workers, for medical security, trade unions at various levels have given play to their respective advantages and actively organized and conducted the medical mutual-aid activities among workers. Such an activity is favorably accepted by workers for its low cost, simple and easy formalities, timely protection and considerate services. By September of 2008, 88,000 grassroots trade unions across the country had launched the mutual-aid activities, with 16.625 million workers taking part in such activities.

According to the statistics by state departments concerned, by the end of 2008 the number of incumbent workers involved in the urban and township basic old-age insurance system had reached 165.97 million nationwide, increasing by 49.59 million over 2003; the number of workers involved in the urban and township basic medical insurance system had amounted to 200.48 million, up 120.71 million over 2003; the number of workers involved in the unemployment insurance system had hit 124 million, up 20.27 million over 2003; the number of workers involved

in the industrial injury insurance system had reached 138. 1 million, up 92. 35 million over 2003; the number of workers involved in the childbirth insurance system had hit 91. 81 million, up 92. 35 million over 2003. The coverage by China's social insurance system has broadened significantly and the level has been gradually improved.

——**Conscientiously Safeguarding the Labor Safety and Health Rights of Workers.** Labor safety and physical health are basic rights of workers at workplace. Chinese trade unions have always attached great importance to the protection of workers' labor safety and occupational health, positively facilitated the implementation of the guideline of "Safety First and Prevention as the Dominant Factor", given full play to the characteristics and advantages of trade unions, exercised mass supervision, organized and mobilized vast numbers of workers to conduct joint prevention and control and to combine prevention with control and made every effort to facilitate the improvement of the working conditions in enterprises. Over five years, the All-China Federation of Trade Unions and trade unions in various localities have taken active part in the investigation and handling of accidents relating to safety production, casualty accidents, management of coal mining permits, closure and

rectification of small coal mines and participated in the formulation and modification of relevant laws, regulations, policies and standards such as the State Occupational Health Program. The All-China Federation of Trade Unions and trade unions in various localities have made great efforts to improve the three-tiered networks of trade unions for labor protection, supervision and inspection, improved the permanently effective mechanism for labor protection work, advanced the standardization and systematization of the labor protection work of trade unions, brought the role of the labor protection networks of trade unions into play, mobilized vast numbers of workers to participate in safety production and management and strengthened the mass supervision over the labor safety and health. By September, 2008, trade unions above the grassroots level across the country had set up 24,000 labor protection, supervision and inspection organizations, up by 11,000 over 2003; trade unions of institutions and enterprises throughout the country had set up 428,000 labor protection, supervision and inspection committees, up by 277,000 over 2003; had set up 652,000 labor protection, supervision and inspection committees at the branch company, branch factory and workshop levels; had appointed 1.864 million labor protection supervisors and

inspectors of trade union teams, up by 616,000 over 2003; over five years, the labor protection, supervision and inspection organizations of trade unions have received and handled 405,000 reported cases. Trade unions at all levels have widely started the mass activities for the supervision and inspection of safety production and health, launched the "Ankang Cup" emulation campaign jointly with the departments concerned and organized workers to push forward the construction of safety culture in enterprises in the form of safety production caricatures, blackboard bulletins, picture posters, couplets and slogans; trade unions at all levels have also mobilized vast numbers of workers to check up on hidden perils and to stop up loopholes and stimulated enterprises to upgrade their safety management levels and to safeguard their own safety and health rights and interests. In doing so, the momentum of the "Ankang Cup" emulation campaign has been further stepped up and its attraction and social influence have been further escalated. To tackle the problems such as the frequent occurrence of accidents at coal mines and the nonfulfillment of the safety production laws and regulations at the front line of production, the All-China Federation of Trade Unions and State Administration of Coal Mine Safety have invited more than 80,000 part-time mass

supervisors over safety at the coal mines in 24 coal-producing provinces to exercise the supervision and inspection of the safety in the production. Trade unions at various levels have devoted major efforts to popularizing the signing of special labor safety collective contracts through equal consultation between trade unions and enterprises and stimulated enterprises to raise the level of labor safety security. By September of 2008, 102,000 special labor safety collective contracts had been signed across the country, covering 152,000 enterprises and 14.207 million workers; trade unions at various levels have taken vigorous action to take part in the prevention and treatment of occupational diseases, started the activities aimed at the "selection through public appraisal of national occupational health demonstration enterprises" jointly with the departments concerned and facilitated the all-round implementation of the *Law on Prevention and Treatment of Occupational Diseases* among enterprises so as to safeguard the occupational health rights and interests of workers; trade unions at various levels have taken part in the law enforcement inspection with regard to safety production and in the investigation and handling of the accidents, intensified the investigation and handling of the events infringing upon workers' safety and health rights

and interests such as "death from overwork" and "excavation by women workers under the mine shafts", declared their stand and attitude in time, condemned the illicit practices regardless of workers' safety of lives and facilitated the resolution of the problems. Over five years, trade unions at various levels have participated in the safety production inspection for 12.771 million times, taken part in the investigation and handling of 513,000 casualty accidents among workers and joined in the inspection and acceptance of 549,000 "Three Simultaneously Conducted Projects". Trade unions above the grassroots level have put forward 1.288 million opinions on straightening up hidden accidents and occupational hazards. According to the statistics by the state departments concerned, in 2008 safety production in China showed a stable trend on the whole, the total number of accidents and the number of fatal accidents dropped by 18.3% and 10.2%, respectively, as compared with 2007 and the safety production conditions in key sectors such as coal mining continued to improve.

Ⅳ. Safeguarding the Democratic and Political Rights of Workers

It is prescribed in the *Constitution of the People's*

Republic of China, the *Labor Law* and the *Trade Union Law* that workers enjoy various democratic and political rights. In accordance with the legal provisions and through various ways and forms, trade unions organize and represent workers to participate in governing state affairs, governing economic and cultural undertakings, governing social affairs and safeguarding the democratic and political rights of workers.

——**Actively Participating in the Formulation of Laws, Regulations and Policies Relating to Workers' Immediate Interests on Behalf of Workers to Safeguard the Legitimate Rights and Interests of Workers at Source.** Trade unions at all levels have taken the improvement of the labor law system as an important basis for them to safeguard workers' rights and interests and to carry out the trade union work, actively participated in the formulation and modification of the laws, regulations and policies with regard to the immediate interests of workers, reflected the opinions and voices of workers, put forward the suggestions and propositions of trade unions and taken part in social coordination and law enforcement supervision. Over five years since the convening of the 14th National Congress of Chinese trade unions, trade unions have intensified their efforts in taking part in law making with better quality and

marked effects. The All-China Federation of Trade Unions has participated in succession in the formulation and modification of more than 60 laws and regulations and emphatically involved itself in the formulation of more than ten laws and regulations, including the *Labor Contract Law*, *Employment Promotion Law*, *Labor Dispute Mediation and Arbitration Law*, *Company Law*, *Enterprise Bankruptcy Law* and *Regulations on the Implementation of the Labor Contract Law*, to further facilitate the improvement of the labor law system. At present, the All-China Federation of Trade Unions is actively participating in and devoting major efforts to facilitating the formulation of such important laws and regulations as the *Social Insurance Law* and the *Regulations on Democratic Management in Enterprises*. In formulating the *Labor Contract Law*, the *Employment Promotion Law* and the *Labor Dispute Mediation and Arbitration Law*, the All-China Federation of Trade Unions has pooled all strengths, with the active participation by trade unions at various levels, to make thorough researches and demonstrations and fully reflected the opinions and suggestions of vast numbers of workers and trade union organizations. Among nearly 200,000 opinions and suggestions solicited by the Standing Committee of the National People's Congress for the revision

of the *Labor Contract Law* (Draft) after it was made public in full text, 63% of the opinions and suggestions came from workers and trade unions. The legislatures have attached great importance to the opinions and suggestions put forward by the All-China Federation of Trade Unions on the above-mentioned three draft laws and have adopted the overwhelming majority of the opinions and suggestions. Local trade unions have achieved remarkable successes in participating in the law making. Quite a number of localities have worked out a series of local laws and regulations in line with their actual local conditions to safeguard the rights and interests of workers and trade unions. Over five years, the countrywide trade unions at the provincial, prefectural and municipal levels have participated in the formulation of more than 1,300 local laws and regulations.

In order to further exercise the political right of workers to participate in governing state affairs, the All-China Federation of Trade Unions, in the light of the essence of General Secretary Hu Jintao's important instructions that reliance on the working class should be carried out in terms of political arrangement, maintenance of rights and interests and propaganda of public opinions, have made thorough researches and proposed that the proportion of workers at the

front line of production in deputies to the national people's congresses should be increased, the proportion of members of the political consultative conferences from trade unions should be increased and the number of trade union functionaries among the members of the political consultative conferences from trade unions should be increased, which has been valued greatly by the Central Government. Trade unions at all levels have organized workers to actively participate in the election of members for the new rounds of people's congresses at various levels and guided workers to consciously exercise their democratic and political rights. In 2008, three rural migrant workers were elected deputies to the National People's Congress for the very first time and the number of worker-deputies from the front line of production was increased as well.

——**Representing and Organizing Workers to Participate in the Democratic Decision-Making, Democratic Management and Democratic Supervision in Enterprises and Institutions.** In accordance with such laws and regulations as the *Trade Union Law*, Chinese trade unions have boosted the establishment of the enterprise democratic management system with the workers' congress as the basic form, represented and organized workers to take

part in the democratic decision-making, democratic management and democratic supervision in their respective units by means of workers' congress, democratic appraisal, corporate transparency, worker-director and worker-supervisor systems, and safeguarded workers' right to know, right to participate and right to supervise.

The workers' congress is a basic form for enterprises to practice the democratic management. In state-owned enterprises, the trade union committees are the working body of workers' congress to be in charge of the day-to-day work of the workers' congress. Since the 14th National Congress, trade unions at all levels, to conform to the situation, have taken it as an important task to advance the democratic management among workers of non-public sectors while further consolidating, standardizing and deepening the workers' congress systems in state-and collectively-owned enterprises and in their holding enterprises and have positively probed into ways for implementing the democratic management system among non-public sectors with the workers' congress as the basic form. On the basis of the workers' congress system being universally set up in state-and collectively-owned enterprises, the system has been further extended to non-public sectors. Many places have

successively set up through exploration regional and sectoral workers' congresses and a large number of enterprises have set up the workers' congress reporting system, the workers' congress preliminary hearing system, the workers' congress quality evaluation system and the system of information feedback by workers' representatives, thus precipitating the innovation and improvement of the workers' congress system. By September of 2008, the number of the nationwide unionized enterprises and institutions practicing the workers' congress system had reached 1.568 million, covering 119 million workers, the proportion of the workers' congresses held by the enterprises and institutions practicing the workers' congress system had hit 83.6% and the rate for the establishment of the workers' congress systems in such sectors as railway, power, national defense, postal service and communication had remained at 90% or above for years. The implementation of the workers' congress system at large has provided a system guaranty for vast numbers of workers to exercise their right to democratic management.

In order to ensure that workers of enterprises and institutions can effectively exercise their right to democratic participation, trade unions at various levels have widely popularized the corporate transparency among enterprises and

institutions jointly with the Party and government departments, demanding that enterprises and institutions should make public their production, operation and management work, the incorruptibility and self-discipline of the leaders and the matters concerning workers' immediate interests all to workers to let them learn about the realities and exercise supervision. Since the promulgation of the *Circular on Thoroughly Carrying Out the Corporate Transparency System Among State-and Collectively-Owned Enterprises and Their Holding Enterprises* by the Central Committee of the Chinese Communist Party in June of 2002, in 2004 and 2008 the All-China Federation of Trade Unions carried out the third and fourth researches and inspections of the democratic management work concerning corporate transparency jointly with such ministries and commissions concerned as the Central Commission for Discipline Inspection of the Communist Party of China, Organization Department of the CPC Central Committee, the State-owned Assets Supervision and Administration Commission of the State Council and the Ministry of Supervision of the People's Republic of China. Trade unions at various levels have taken vigorous action to facilitate the application of the corporate transparency to the modern enterprise management systems

and mechanisms, thoroughly precipitated the corporate transparency work and, at the same time, have adopted various measures to make new breakthroughs in the democratic management work concerning corporate transparency conducted by restructured enterprises and the non-public sectors, made every effort to enlarge the establishment of the corporate transparency system, attached much more importance to the most immediate and realistic matters of interest cared about by workers such as labor contract, income distribution and social insurance, protected workers' right to know, right to participate, right to express and right to supervise, improved the quality of the corporate transparency work and boosted the continuous deepening of the corporate transparency work. By making reference to ISO9000, the international quality management model, some local trade unions have set up the corporate transparency management systems, expedited the standardization and regularization of the corporate transparency in a programmatic and scientific way and achieved good results. Through joint efforts made by various parties, the democratic management work concerning corporate transparency has been advanced in an all-round way, standardized gradually and deepened continually, thus producing a marked effect.

By September, 2008, 1.476 million unionized enterprises and institutions throughout the country had set up the corporate transparency system, covering 113 million workers, up by 46.758 million over 2003.

Trade unions at all levels have adapted themselves to the new circumstances in deepening the reform of enterprises, actively expedited the establishment and improvement of the worker-director and worker-supervisor systems in corporate enterprises and enhanced the governance of the enterprise legal persons. In accordance with the legal provisions, the Chinese trade unions have, by means of the workers' congress or workers' assembly, elected a certain number of workers' representatives in a democratic way to gain access to the boards of directors and boards of supervisors to participate in decision-making and supervision on behalf of workers. Over recent years, by seizing the turning point of propagandizing and implementing the *Company Law*, the All-China Federation of Trade Unions has issued the *Views on Further Advancing and Standardizing the Construction of the Worker-Director and Worker-Supervisor Systems*, assisted the State Council and the State-owned Assets Supervision and Administration Commission to formulate the *Measures on Management of Worker-Directors in*

Wholly State-Funded Enterprises Experimentally Practicing the Board of Directors (*for trial implementation*), conducted the training courses for trade union chairmen of enterprises directly under the Central Government jointly with the State-owned Assets Supervision and Administration Commission, improved the qualities of worker-directors and worker-supervisors and given better play to the role of the worker-directors and worker-supervisors in participating the decision-making and supervision in enterprises. With the modern enterprise system improving continually, the worker-director and worker-supervisor systems have become an important platforms for corporate enterprises to practice democratic management. By September of 2008, 107,000 unionized corporate enterprises across the country had set up the worker-director system and 102,000 enterprises had set up the worker-supervisor system, up by 63,000 respectively over 2003, accounting for 65.5% and 74.5% of the unionized enterprises where the director and supervisor systems had been set up.

In order to better protect the legitimate rights and interests of workers of the restructured enterprises, the Chinese trade unions have attached great importance to the democratic management work during the course of enterprise

restructuring. In 2004, the All-China Federation of Trade Unions formulated and implemented the *Views on Further Strengthening the Trade Union Work in the Restructuring of State-Owned Enterprises* to consolidate the participation by trade unions in restructuring state-owned enterprises. Over recent years, trade unions at various levels have actively participated in reorganizing, restructuring and closing down state-owned enterprises, strengthened their guidance in the trade union work of the restructured and bankrupt state-owned enterprises, done a good job of the connection, consolidation and improvement of various workers' democratic management systems in restructured enterprises and supervised the implementation of relevant laws, regulations and policies. Trade unions at all levels have adhered to standardized operation, rigorously carried out such democratic procedures as submitting the plan for restructuring enterprises to workers' congress for review and submitting the plan for reposition of workers to workers' congress for review and adoption, put into practice various measures for the protection of workers' rights and interests and prevented illicit operations, loss of state assets and infringement of workers' legitimate rights and interests from happening. As a result, the democratic rights and economic

interests of enterprise workers have been better protected, the restructuring work has been carried out smoothly and the stability among the ranks of workers and in society has been stepped up.

V. Satisfying the Spiritual and Cultural Needs of Workers

In order to tally with the new demands on the improvement of workers' qualities made in carrying out the strategy of rejuvenating China through science and education and the strategy of making China stronger by bringing the roles of the talented people into full play and to conform to the new expectations from vast numbers of workers, over five years, trade unions at all levels have brought their role as "schools" into full play, guided and helped workers to improve their personal qualities, endeavored to safeguard workers' spiritual and cultural rights and interests and achieved positive successes.

——**Widely Conducting a Series of Activities Aimed at Theme Education in Various Forms and Further Consolidating the Ideological Basis of Solidarity and Militancy Among Workers.** Trade unions at all levels have organized and guided vast numbers of workers to arm their

minds with the latest achievements from the adaptation of Marxism to Chinese conditions and to firmly establish common ideals for the construction of the socialism with Chinese characteristics. Trade unions at all levels have positively adapted themselves to the ever-increasing independence, selectivity, variability and diversity of workers' minds, persevered in guiding workers with the key socialist values and intensified the ideological and political work. Trade unions at all levels have explored new methods and new ways for conducting ideological education among workers, widely started the activities aimed at the ideological and moral construction as well as spiritual civilization among workers and paid great attention to showing humanistic solicitude for and providing psychological guidance to workers. Over five years, trade unions at all levels have successively started a number of activities aimed at the theme education, such as "spreading the spirit of the Party's 16th National Congress among grassroots units", "distinguishing honor and disgrace, building up a new general mood and giving impetus to harmony", "Let me contribute to the 11th Five-year Plan", "ushering in the Olympic Games, stressing civility and building up a new general mood" and "holding high the banner, advancing in

a scientific way and jointly constructing harmony", and devoted major efforts to carrying forward the great national spirit and the spirit of the times. Trade unions at all levels have conducted the activity of selecting and commending workers with best professional ethics from across the country for the ninth and tenth times, started the selection through public appraisal of the "national moral model workers" jointly with the Civilization Office of the CPC Central Committee and guided vast numbers of workers to form their moral characters in terms of patriotism, job loyalty, integrity and friendliness. The Civilization Office of the CPC Central Committee has complied and published a number of workers' books such as *A Reader on Jointly Constructing Harmonious Moralities Among Workers*, and *A Workers' Reader on Key Socialist Value System.* Through all these work, trade unions at all levels have endeavored to provide the ideological foundation and spiritual motive power for pushing forward the scientific development and boosting the social harmony.

——**Carrying Out the Project for the Construction of Workers' Qualities in An All-round Way and Improving the Cultural and Technical Qualities of Workers.** In the light of the strategy of rejuvenating China

through science and education and the strategy of making China stronger by bringing the roles of the talented people into full play, trade unions at various levels have thoroughly started the activities aimed at "Creating Learning Organizations and Striving to Become Knowledge Workers" and made great efforts to safeguard workers' right to learn and right to development. In 2008, trade unions above the grassroots level commended 13,000 advanced units and 17,000 advanced production squads and teams for creating learning organizations and 42,000 knowledge workers' pacesetters and advanced individuals. Trade unions at all levels have formed a lecture group to go down to the grassroots level to give publicity to the exemplary deeds made by workers in "Creating Learning Organizations and Striving to Become Knowledge Workers", initiated the "Forum for Chinese Workers' Study" and constructed the "Network for Chinese Workers' Study". In doing so, the number of platforms for workers' study and growth has been on the increase and the professional and skill qualities and scientific and cultural levels of workers have been enhanced. The All-China Federation of Trade Unions has promulgated the *Views on the Management of the Withdrawal and Use of the Education Funds for Enterprise Workers* jointly with 11

ministries and commissions such as the Ministry of Finance, further defining the content of the education and training among workers and the withdrawal, use and supervision of the education funds and safeguarding the right of workers to vocational training. The All-China Federation of Trade Unions has actively pushed forward the reform and development of various workers' schools set up by trade unions, set up demonstration schools and training bases, conducted skill training and job proficiency training and accelerated the cultivation of skilled personnel. By September of 2008, local trade unions at the county or above the county level throughout the country had possessed independently-run workers' educational agencies totaling 1,809, with 1.237 million students, of which 39 were institutions of higher learning, 275 were secondary schools, 244 were training centers, 455 were employment training bases, 538 were spare-time schools for rural migrant workers and 403 were training bases for skilled personnel. Trade unions at various levels have made explorations to set up the highly effective training systems for rural migrant workers, and more multi-level, open and socialized educational carriers and platforms have come into being. The "Workers' Studies" have been set up in grassroots enterprises and

institutions, urban communities, industrial parks, townships and villages and at the construction sites of key projects where workers at the front line of production, especially rural migrant workers, work and live in a relatively concentrated way. From 2008 onwards, the All-China Federation of Trade Unions has invested and will invest 20 million yuan in each of the three consecutive years to help establish 3,000 demonstration "workers' studies" for nationwide trade unions and will set up 50,000 "workers' studies" across the country within five years. At present, all the work have been carried out smoothly.

——**Intensifying the Publicity to the Working Class and Trade Union Work and Precipitating the Formation of the Atmosphere of "Workers Are Great and Labor Is Glorious"**. The All-China Federation of Trade Unions and the Propaganda Department of the CPC Central Committee have jointly promulgated the *Views on Further Intensifying the Publicity to the Working Class during the New Era* and have made every effort to form a working pattern of propaganda, education and culture on a large scale. Trade unions at all levels have laid emphasis on the implementation of the guideline of relying on the working class wholeheartedly by means of propaganda, devoted major efforts to actively

propagandizing the great contributions made by the working class and the demeanor of the times by virtue of the public opinions, intensified the publicity to trade union work and further chanted the melody of "Workers Are Great and labor Is Glorious". Trade unions at various levels have highlighted the propaganda of the advanced examples of the working class, laid emphasis on the propaganda of the exemplary deeds and style and features of model workers, put out such advanced examples as Xu Zhenchao, Wang Shunyou, Li Bin, Deng Jianjun, Chen Gangyi, Kong Xiangrui, Chen Youde, Wang Liang, Wang Hongjun, Chang Yuqin, Dang Suzhen, Dou Tiecheng, Li Jiulin and Yang Li as well as five excellent women workers of Shenyang Blower Works Group Co. Limited and the production squad led by Yuan Zhenhai. Trade unions at all levels have devoted major efforts to propagandizing the trade union work and made new explorations and practices in giving full play to their roles in advancing the joint construction and in the construction of jointly sharing the harmonious society. Trade unions at all levels have also given wide and thorough publicity to the creation of "Workers' Vanguard", construction of enterprises with harmonious labor relations, construction of solidarity centers for needy workers, Warmth Project,

protection of the rights and interests of rural migrant workers, trade union formation, collective wage bargaining and implementation of the *Labor Contract Law* and extended the social influence of the trade union work. Trade unions at various levels have strengthened the informationization among trade unions, extended the influence of trade unions by making use of network propaganda, set up and put into operation the "Network for Chinese Trade Unions". Over five years, to tackle the incidents infringing upon the legitimate rights and interests of workers and to address the hot issues in society, trade unions have immediately held news conferences, organized correspondents for interviews, declared the stand, viewpoints and prepositions of trade unions with a clear-cut stand, made every effort to facilitate the resolution of the problems concerning workers' personal safety, employment and wage distribution, positively guided the public opinions and given impetus to the stability among the ranks of workers as well as political and social stability.

——**Widely Starting Cultural and Sports Activities Among Workers.** Trade unions at all levels have paid close attention to the construction of their cultural battlegrounds, devoted major efforts to advancing their cultural undertakings, given play to the functions of their cultural

battlegrounds to the fullest extent and facilitated the construction of workers' cultures and corporate cultures. As a result, the cultural and sports activities are being carried out in a more lively manner among workers, the cultural lives of the vast numbers of workers are becoming more colorful and varied and the vast numbers of workers are assuming a more high-spirited mental outlook. Trade unions at all levels have actively pushed forward the reform and development of their cultural battlegrounds, set up the permanently effective mechanism for the construction of workers' cultures that conforms to the market economy laws and accords with the features of the socialist spiritual civilization, aroused the vigor and vitality of their cultural battlegrounds while sticking to the public welfare of the battlegrounds and actively explored the working mechanisms and operating methods for organizing full-scale cultural and sports activities by virtue of social forces and in line with the market mechanism. Chinese trade unions have started the construction of the national workers' sports demonstration bases jointly with the General Administration of Sport of China to give impetus to the enhancement of the sports activities for workers. Chinese trade unions have set up the Cultural and Sports Association of Chinese Workers to bring

along the establishment of workers' cultural and sports associations of trade unions at various levels. The construction of propaganda, cultural and educational battlegrounds of trade unions has been advanced in a positive way. By September of 2008, the nationwide grassroots trade unions had owned 30,000 cultural palaces and clubs, 17,000 libraries with a collection of 10,000 books and above and 22,000 stadiums and gymnasiums under their direct jurisdiction. Trade unions at various levels have widely organized workers to conduct various kinds of cultural and sports activities. The All-China Federation of Trade Unions has sponsored various forms of demonstration cultural and sports activities such as the Second Art Festival of Chinese Workers, "May Day" evening parties, the Physical Culture Month for hundreds of millions of workers to usher in the Olympic Games and Olympic Knowledge Contest. Of all the activities, the Second Art Festival of Chinese Workers sponsored by All-China Federation of Trade Unions jointly with the China Federation of Literary and Art Circles, Civilization Office of the CPC Central Committee and CCTV took more than 7 months, becoming a magnificent literary and art meet on an unheard-of scale. These demonstration cultural and sports activities have created platforms for

enlivening the cultural lives of workers at the basic level and have become distinctive and much influential brands for workers' cultural activities.

Ⅵ. Safeguarding the Social Rights of Workers

In order to meet the objective requirement for the construction of a harmonious socialist society, trade unions at various levels have laid emphasis on the establishment, functioning, supervision and mediation of labor relations, further established and improved the interest coordination mechanism, aspiration expressing mechanism, contradiction mediation mechanism and the mechanism for the protection of workers' rights and interests, conscientiously carried out their sacred duties in representing and safeguarding workers' legitimate rights and interests and organized and represented workers to participate in the management of social affairs and in the coordination of social interest relations, thus forcefully promoting the harmonious industrial relations and the social stability.

——**Actively Facilitating the Construction of the Joint Conference System Between Trade Unions and the Government.** The joint conference system between the

leading bodies of trade unions and the governments at the same level is an effective platform for trade unions to make suggestions and reflect workers' wishes to governments and is an important channel as well for trade unions to safeguard workers' rights and interests at source. Over five years, the joint conference system has been set up at large and is being increasingly standardized and the system has been gradually extended to prefectures (municipalities), counties (districts) and townships (neighborhoods). In 2008, 1,938 local trade unions at the county level or above across the country held joint conferences with the governments at the same level, making up 60.0% of total local trade unions at the county level or above. Of the total, the number of trade unions at the provincial level amounted to 17, accounting for 54.8% of the total local trade unions at the provincial level, the number of trade unions at the prefectural level amounted to 191, constituting 57.2%, and the number of trade unions at the county level amounted to 1,727, making up 60.3%. 28 provinces (regions and municipalities) throughout the country set up the joint conference system between trade unions and governments or held relevant conferences. At present, the nationwide industrial trade unions have set up the joint conference

system with their corresponding 2 ministries or commissions, 7 industrial bureaus and 10 industrial associations or federations to have expedited the resolution of some conspicuous problems impairing workers' interests and the trade union work.

——**Vigorously Precipitating the Construction of the Tripartite Consultation Mechanism of Labor Relations.** It is explicitly prescribed in the *Trade Union Law of the People's Republic of China* that "the labor departments of the people's governments at all levels should set up the tripartite consultation mechanism of labor relations jointly with trade unions at the same level and with representatives of enterprises to jointly probe into and solve important issues concerning labor relations." The tripartite consultation mechanism at the national level was set up in August, 2001, which consists of All-China Federation of Trade Unions, Ministry of Labor and Social Security and China Enterprise Confederation. Over five years, the tripartite consultation mechanisms at the provincial, municipal and county levels have been set up at large throughout the country and have been extended to townships, neighborhoods and various kinds of industrial parks. By September of 2008, the nationwide local and industrial trade

unions at various levels had taken part in the construction of 12,000 tripartite consultation mechanisms of labor relations. The National Tripartite Conference for coordinating labor relations has set up the Research Committee for Labor Relation Law and Policy, the Research Committee for Wage Distribution in Enterprises and the Research Committee for Collective Consultation. A regular meeting system has been set up at large for the tripartite consultation mechanisms of labor relations at the national and local levels, thus having strengthened the construction of the tripartite mechanisms. The National Tripartite Conference has issued a series of documents for coordinating labor relations to guide the tripartite consultation work in various localities, facilitated the implementation of the three-year plan for executing the labor contracts, expedited the enforcement of the equal consultation and collective contract systems, set up and improved the mechanism for coordinating and arbitrating labor disputes and vigorously started the activities aimed at the creation of enterprises with harmonious labor relations. At the same time, the tripartite mechanisms at the national and local levels have conducted investigations and researches each year into the conspicuous issues with regard to labor relations, such as the establishment of the mechanism aimed

at the normal increase of workers' wages, the resolution of back wages for workers, the employment promotion, the improvement of the social insurance system and the implementation of the minimum wage standards, put forward policy suggestions and launched joint actions to facilitate the resolution of the issues.

——**Promoting the Regularization, Systematization and Socialization of Aid to Needy Workers.** Faced with the increasingly conspicuous contradictions in labor relations and the ever-increasing need of workers for the protection of their rights and interests, over five years, trade unions at all levels have firmly centered round the most immediate and realistic issues of interest cared about most by workers and intensified their efforts in providing aid to needy workers. The Warmth Project, the solidarity centers for needy workers and the activity of giving financial aid to school students in autumn have all become most influential brands of trade union work and have brought about remarkable successes in eliminating worries and overcoming difficulties for needy workers. From 2003 to 2008, by raising funds on their own and by receiving government appropriations and donations from workers and all social strata, trade unions at all levels raised the Warmth funds reaching an accumulative total of

16.17 billion yuan and visited and extended regards to 643,000 needy enterprises and 31.918 million families of needy workers. During the New Year's Day and the Spring Festival in 2009, trade unions at various levels throughout the country raised the Warmth funds totaling 3.32 billion yuan, of which 1.62 billion yuan were appropriated by the government; 1.08 billion yuan were invested by trade unions, of which 70 million yuan were Warmth funds invested by the All-China Federation of Trade Unions; 620 million yuan were donated by all social strata.

The solidarity centers are windows for trade unions to carry out their functions in safeguarding workers' rights and interests as well as an effective carrier for trade unions to carry out the "Warmth Project" and giving aid to needy workers. In 2002, the All-China Federation of Trade Unions proposed that solidarity centers for needy workers should be set up in 200 large and medium-sized cities across the country within 3 years. After years of construction, by the end of 2008, trade unions across the country had set up 358 solidarity centers at the prefectural (municipal) level and above and 2,722 solidarity centers at the county level and realized the informationized management, thus basically forming the nationwide solidarity networks for needy

workers. In 2008, the nationwide solidarity centers provided aid to 6.27 million needy workers, of whom 2.305 million received life relief, making up 36.8%; 477,000 received medical aid, making up 7.6%; 462,000 children received educational aid, making up 7.4%; 804,000 received job recommendations, making up 12.8%; 800,000 received employment-oriented training, making up 12.8%; 1.081 million received policy advice, making up 17.2%. During the six years from 2003 to 2008, the solidarity centers raised funds totaling 6.35 billion yuan and provided aid to 27.172 million people in all. Of the total raised funds, the solidarity centers raised 1.22 billion yuan for needy workers in 2008. The solidarity centers for needy workers have become an important integral part of the social security system and played the role of "making good omissions and deficiencies". The aid to school students has been thoroughly carried out. Trade unions at various levels have integrated their internal and external resources and enriched the forms for aiding students. The amount of raised funds has been increased by a wide margin and the number of subsidized people has been increased considerably. Over 4 years, the solidarity centers have raised funds of 2.42 billion yuan in all to help children of more than 2.413 million needy workers to attend school.

By September of 2008, 94,000 grassroots trade unions across the country had set up the Warmth Project Fund, up by 11,000 over the previous year, up 12.6%, with the balance of the fund reaching 3.08 billion yuan. 9,626 trade unions above the grassroots level across the country had set up the Warmth Project Fund, with the balance of the fund amounting to 4.24 billion yuan. Of all the trade unions, 24 were trade unions at the provincial level, accounting for 77.4% of all local trade unions at the provincial level, with the balance of the Warmth fund reaching 300 million yuan; 266 were trade unions at the prefectural level, making up 79.6%, with the balance of the Warmth fund amounting to 530 million yuan; 1,917 were trade unions at the county level, constituting 66.9%, with the balance hitting 440 million yuan.

——**Actively Safeguarding the Special Rights and Interests of Women Workers.** Trade unions at all levels have actively facilitated the implementation of the national policy towards the gender equality and the *Development Outline for Chinese Women* (2001—2010) formulated by the State Council and further strengthened the construction of women workers' organizations. By September of 2008, 1.086 million grassroots trade unions across the country had

set up women workers' organizations, making up 62.9% of all grassroots trade unions throughout the country, increasing by 205,000 over the previous year, up 4.5 percentage points. 49,000 trade unions above the grassroots level across the country had set up women workers' organizations, up by 3,090 from a year ago. Among the nationwide women workers' organizations of grassroots trade unions, the number of full-time women functionaries had reached 110,000, a rise of 13,000 from a year ago, up 13.6%; the number of part-time women functionaries had hit 1.555 million, an increase of 247,000 over the previous year, up 18.9%. By September, 2008, the number of women trade union members had reached 77.738 million. Trade unions at various levels have actively advanced the implementation of laws and regulations aimed at the protection of women workers' rights and interests, set up and improved the permanently effective mechanism for safeguarding the rights and interests of women workers, made every effort to work practically and do good for women workers, conscientiously safeguarded the special rights and interests of women workers and facilitated the improvement of the working conditions and environment for women workers. According to figures provided by the Women Workers' Affairs Department of All-

China Federation of Trade Unions, by September of 2008, 266,000 special collective contracts on women workers' rights and interests had been signed, covering 431,000 enterprises and 23.187 million workers. 1.436 million unionized enterprises and institutions across the country had carried out the relevant regulations on prohibiting the arrangement of women workers to be engaged in the work under the mine shafts or of fourth-grade labor intensity or arrangement of women workers to be engaged in the work at higher places, in low temperatures, in cold water or of third-grade labor intensity during the menstrual period, accounting for 42.7%, covering 39.305 million women workers, making up 51.6%; 1.479 million unionized enterprises and institutions had carried out the relevant regulations on prohibiting the arrangement of women workers to be engaged in manual labor during their gestation period and breast-feeding period, accounting for 43.9%, covering 40.707 million women workers, making up 53.4%.

Trade unions have set up the mutual-aid funds for women workers, developed mutual-aid health insurance schemes and provided support to needy women workers in terms of employment, medical care, housing and children's schooling. Trade unions at various levels have given

financial assistance to needy women workers, especially needy women workers as single mothers, to enable their children attend school. According to the incomplete statistics of 24 provinces (regions and municipalities) throughout the country, more than 60,000 children of needy women workers were subsidized, of whom over 17,000 were children of rural women migrant workers.

Ⅶ. Safeguarding the Legitimate Rights and Interests of Rural Migrant Workers

Trade unions at various levels have conscientiously carried out the strategic plans, policies and measures of the Party and government on tackling the issues for rural migrant workers and, while vigorously organizing rural migrant workers to join trade unions, endeavored to work practically and do good for rural migrant workers and earnestly advocated and practiced the guideline of "Rural migrant workers should go to trade unions for the protection of their rights and interests in case of difficulty". New breakthroughs have been made in safeguarding the legitimate rights and interests of rural migrant workers.

——Assisting Government to Formulate and Implement Policies Towards Rural Migrant Workers.

Trade unions at all levels have taken active part in the formulation of the *Views of the State Council on Tackling the Issues for Rural Migrant Workers* and stimulated the government to formulate policies, laws and regulations concerning the improvement of the working and living conditions for rural migrant workers. The All-China Federation of Trade Unions has formulated such documents as the *Views on Facilitating the Construction of Ten Working Mechanisms for Safeguarding the Legitimate Rights and Interests of Rural Migrant Workers* and set up the working mechanisms for safeguarding the legitimate rights and interests of rural migrant workers. The All-China Federation of Trade Unions has summed up the experience achieved by Xinyang, Henan Province in practicing the guideline of "union participation at source, possessive administration, interactive co-operation and two-way protection" and popularized the rural migrant workers' membership management system of "union participation once yet for all work engaged, membership registration in and out of any employing unit and the membership valid all over the country". At present, more than 50 cities have set up the inter-city coordination mechanisms for protecting the rights and interests of rural migrant workers.

——**Actively Safeguarding the Employment and Economic Rights and Interests of Rural Migrant Workers.** By centering round the most immediate and realistic issues cared about most by rural migrant workers, trade unions at all levels have attached great importance to payment for labor, labor safety and health and aid to needy rural migrant workers in safeguarding the legitimate rights and interests of rural migrant workers and taken vigorous action to allay worries and surmount difficulties for rural migrant workers. Trade unions at all levels have assisted governments to demand payment of back wages for rural migrant workers, made special inspections of the payment of wages to rural migrant workers, laid emphasis on the resolution of the problem relating to back wages of rural migrant workers in such sectors as the building industry and achieved remarkable successes. Proceeding from the signing of labor contracts and the enforcement of the equal consultation and collective contract systems, trade unions have addressed the conspicuous problems existing in labor relations among rural migrant workers, focused on enterprises of non-public ownership to guide and help such enterprises to sign labor contracts with rural migrant workers, stepped up the management of the labor contracts

of rural migrant workers in such sectors as the building industry and conscientiously done a good job of inspection and supervision over the safety production in sectors where rural migrant workers cluster. Trade unions have set up special windows in solidarity centers to provide services from A to Z to rural migrant workers in terms of union participation, job recommendation, skill training, legal protection and emergency life relief.

——**Widely Starting the Activities Aimed at Delivering Warmth, Cultures, Coolness, Health and Safety to Rural Migrant Workers.** The All-China Federation of Trade Unions has earmarked 10 million yuan for the establishment of over 200 mobile film projection teams throughout the country, set up 31 spare-time schools for rural migrant workers, established cultural work stations (offices) in enterprises and at construction sites where rural migrant workers relatively aggregate, organized literature and art teams to go down to the grassroots level to serve rural migrant workers and conducted education and training on safety and health among 10 million rural migrant workers. Trade unions at various levels have laid special emphasis on delivering warmth to rural migrant workers and giving them financial aid for their children's schooling during the New

Year's Day and the Spring Festival and helped them to surmount their outstanding difficulties in their production and lives. During the New Year's Day and the Spring Festival in 2008 alone, trade unions visited and extended regards to 1.584 million rural migrant workers and gave out sympathy benefit and articles totaling 286 million yuan; since 2006, trade unions have helped children of 426,000 needy rural migrant workers to attend school. Trade unions at various levels have facilitated the improvement of the working and living conditions for rural migrant workers, raised the sympathy funds totaling 140 million yuan and launched the activity of improving rural migrant workers' working and living conditions and preventing heatstroke during the summertime. Trade unions at all levels have taken vigorous action to help rural migrant workers to return home safe and sound. Before the spring festivals in 2007 and 2008, trade unions at various levels assisted departments concerned to arrange 579 special trains, chartered 116,000 buses and purchased 11.4 million group tickets for rural migrant workers, transported 42.136 million rural migrant workers back to their homes safe and sound and made strenuous efforts to gain 260 million yuan of financial subsidies for rural migrant workers to go home. All this has been well

received by vast numbers of rural migrant workers and has been widely commended by all walks of life.

Ⅷ. Participating in Coordinating Labor Relations Arbitrating Labor Disputes

Establishing harmonious and stable labor relations is a main effort to be made by trade unions to promote the social harmony. To adapt themselves to the profound changes in economic and labor relations, trade unions at all levels have seized the main line of developing harmonious labor relations and achieved remarkable successes in further improving the mechanisms for coordinating labor relations and in strengthening the coordination of labor relations and the mediation of labor disputes.

——Conscientiously Precipitating the Activity of Creating Enterprises with Harmonious Labor Relations. Trade unions at all levels have widely conducted the activity of creating enterprises with harmonious labor relations, planed all work of trade unions as a whole and carried out the work in various enterprises, so as to make the activity become a brilliant brand in trade union work. Since 2006, the All-China Federation of Trade Unions has promulgated the *Views on Starting the Activity of Creating Enterprises with*

Harmonious Labor Relations and promulgated the *Circular on Starting the Activity of Creating Enterprises and Industrial Parks with Harmonious Labor Relations* jointly with the departments concerned. In August, 2007, the national three parties for coordinating labor relations convened the national commendation and experience exchanging meeting for the creation of enterprises and industrial parks with harmonious labor relations. The All-China Federation of Trade Unions duly summed up the experiences achieved by Weihai, Cixi, Handan, Harbin and Zhenjiang and advanced the deep-going activity. At present, various provinces (regions and municipalities) have all started the activity. Various localities have given priority to non-public sectors in expanding the activity. The proportion of the unionized enterprises across the country that have started the activity has reached 60% or so.

——**Strengthening the Construction of the Equal Consultation and Collective Contract Systems and Facilitating the Further Improvement of the Mechanisms for Coordinating Labor Relations at the Grassroots Level**. Trade unions at various levels have widely started the activities aimed at the study and training on such laws as the *Labor Contract Law* and achieved remarkable successes in

conducting TV knowledge contests on *Labor Contract Law* and the *Employment Promotion Law* jointly with the departments concerned. By paying close attention to the three links of labor contract, collective contract and workers' congress, trade unions at various levels have pushed forward the construction of the mechanism for coordinating the labor relations and facilitated the establishment of the standardized and orderly, just and reasonable, harmonious and stable new socialist labor relations aimed at mutual gain. The All-China Federation of Trade Unions has promulgated or issued jointly with the departments concerned such documents as the *Circular on Further Advancing the Implementation of the Labor Contract System*, the *Three-year Plan for the All-round Implementation of the Labor Contract System* and the *Views on Helping and Guiding Workers to Sign Labor Contracts* to guide and advance the labor contract work. In 2006, the national three parties jointly held television and telephone conferences to make arrangements for the three-year plan for the implementation of the labor contract system and to place importance on the signing of labor contracts between the non-public sectors and the rural migrant workers. By September of 2008, the number of workers of the unionized enterprises

who had signed labor contracts had reached 92. 144 million, making up 55% of all workers of unionized enterprises, up 3. 7 percentage points over the previous year, of whom 29. 249 million were rural migrant workers, accounting for 45. 5% of the total rural migrant workers of the unionized enterprises, up 0. 9 percentage points over the previous year. Trade unions at various levels have based themselves on standardization and enhancement of quality and devoted major efforts to carrying out the equal consultation and collective contract systems. The All-China Federation of Trade Unions has actively participated in the formulation of the *Measures for Trial Implementation of Collective Wage Consultation System*, *Regulations on Collective Contract*, *Circular on Further Advancing the Collective Wage Consultation Work* and *Views on Carrying Out Regional and Sectoral Collective Consultation Work*, thus facilitating the standardization of the collective contract system, and has held the experience exchanging meeting on collective wage consultation work conducted by nationwide trade unions and facilitated the amelioration of the normal wage promotion. By September of 2008, 1. 107 million collective contracts had been signed nationwide, an increase of 133,000 over the previous year, up 13. 6%, covering 1. 908 million

enterprises, a rise of 203,000 from a year ago, up 11.9% and covering 149.535 million workers, an increase of 21.299 million over the previous year, up 16.6%, with the number of workers involved accounting for 60.2% of workers of all enterprises throughout the country, up 64.5%, 57.1% and 48.4% respectively over 2003. 125,000 regional collective contracts had been signed nationwide, covering 880,000 enterprises and 34.828 million workers; 74,000 sectoral collective contracts had been signed, covering 241,000 enterprises and 15.666 million workers. Trade unions at all levels have taken vigorous action to facilitate the signing of collective contracts in China enterprises of the transnational corporations such as the world top 500 firms. By September 16, 2008, collective consultation had been carried out and collective contracts had been signed in Wal-Mart's 108 unionized enterprises in China.

——**Strengthening the Mediation of Labor Disputes and Giving Play to the Active Role of Labor Dispute Mediation Organizations.** Trade unions at various levels have made great efforts to establish and improve the labor dispute mediation system and the labor relation warning mechanism and endeavored to solve the contradictions in

labor relations at the grassroots level. In 2006, with the active participation and stimulation by the All-China Federation of Trade Unions, the Supreme People's Court promulgated the *Interpretation of the Questions on Laws Applicable to Trying Labor Dispute Cases* (Ⅱ). In 2007, the All-China Federation of Trade Unions issued the *Views on Further Strengthening the Mediation of Labor Disputes* and facilitated the mediation of labor disputes by trade unions. The All-China Federation of Trade Unions has also strengthened the construction of the labor dispute mediation organizations and contingents. By September, 2008, the countrywide enterprises and institutions with grassroots trade unions established had set up 389,000 labor dispute mediation committees, making up 25.3% of the nationwide trade unions in enterprises and institutions, up by 78,000 or 25.0% over the previous year, covering 79.499 million workers, making up 38.5%, a rise of 9.457 million from a year ago, up 13.5%. In 2008, the labor dispute mediation committees of the nationwide enterprises and institutions received and handled 323,000 labor dispute cases, of which 5,781 were collective labor dispute cases, accounting for 1.8%, with 67,000 cases being successfully solved, constituting 20.6%. 11,000 regional and sectoral labor

dispute mediation organizations have been set up across the country and such organizations received and handled 123,000 labor dispute cases in 2008, with 104,000 being successfully solved, constituting 84.2%. 5,302 cadres of the trade unions above the grassroots level have been qualified as labor dispute arbitrators, of whom 3,534 have been recruited, constituting 66.7%. In 2008, the labor dispute arbitrators of trade unions took part in the handling of 26,000 cases. Trade unions have given full play to the role of their inquiry departments, the hotline of "12351" and their information centers, looked into workers' aspirations for interests in time and forcefully maintained the stability among the ranks of workers and in society.

——**Making Further Progress in Legal Aid Provided by Trade Unions**. Trade unions at all levels have devoted major efforts to facilitating the popularization of laws among trade unions, organized and conducted the law publicity and education activities centered on the theme of "Studying Laws and Stressing the Rights, the Obligations and the Responsibilities", thus enhancing workers' sense of laws and their awareness of self-protection. Trade unions at various levels have actively precipitated the construction of legal aid agencies. The trade union federations above the

county level across the country have set up legal service institutions under trade unions. In 2008, the legal service institutions offered legal advice or wrote legal documents for workers totaling 97,000 and accepted and heard 47,000 legal service cases, with 29,000 being handled, with the case closure rate reaching 61.5%. The trail employment of public lawyers by trade unions has been carried out smoothly and the lawyers have played a positive role in trade unions' maintenance of workers' rights and interest according to law. The All-China Federation of Trade Unions has organized and started the selection and commendation of the "National Outstanding Lawyers for Safeguarding Workers' Rights and Interests" jointly with the Ministry of Justice and the All China Lawyers Association, which has produced a marked effect in society.

——**Further Improving the Labor Law Supervision System.** The All-China Federation of Trade Unions and trade unions in various localities have attached great importance to the labor law supervision and inspection work, set up and improved the labor relation warning mechanism and the labor law supervising organizations in accordance with the law and further intensified the efforts in carrying out the labor law supervision work. By September, 2008, 8,252

trade unions above the grassroots level across the country had set up the labor relation warning mechanisms, with an increase of 560 over the previous year, up 7.3%. Trade unions of the countrywide enterprises and institutions had set up 321,000 labor law supervising organizations, making up 20.9%, up by 68,000 or 2.0 percentage points from a year ago, with 65.634 million workers involved, constituting 31.8%, up by 9.086 million or 1.8 percentage points over the previous year. In 2008, the labor law supervising organizations of trade unions of the nationwide enterprises and institutions accepted and heard 33,000 law-violating cases. Of all the cases, trade unions handled 23,000 cases on their own and submitted 2,686 cases to labor supervision and inspection departments for settlement. Trade unions above the grassroots level across the country set up 12,000 labor law supervising organizations, making up 19.3%; in 2008, the labor law supervising organizations of trade unions above the grassroots level accepted and heard 38,000 cases. Of the total, trade unions handled 25,000 cases on their own and submitted 7,296 cases to labor supervision and inspection departments for settlement. Trade unions at all levels have taken vigorous action to co-operate with the people's congresses to make inspections of the

implementation of the *Trade Union Law*, the *Labor Law*, the *Safety Production Law* and the *Labor Contract Law*, assisted governments to strengthen labor supervision and inspection and co-operated with the political consultative conferences to make inspections. Trade unions at all levels have taken vigorous action to conduct supervision and inspection of the implementation of labor security laws, regulations and policies, emphatically inspected the implementation of the state employment and reemployment policies, the governance of workers and settlement of rural migrant workers' back wages, reposition of workers from closed and bankrupt, reorganized and restructured enterprises, continuation of economic compensation and social insurance and the minimum living standard of urban masses in need and ensured that various kinds of treatment are put into practice in favor of workers. Over recent years, trade unions have given full play to their role as law supervising organizations and achieved good results in co-operating with the departments concerned to launch special inspections and eradication of illegal employment. Trade unions at all levels have tightened their supervision over serious cases infringing upon the legitimate rights and interests of workers, looked into and handled such hot issues of public concern as the

illegal employment of workers by the "Black Brickkiln" in Hongdong County, Shanxi Province, the suspected illegal employment of workers by such enterprises as Mcdonald's and Kentucky Fried Chicken and the competition for posts after resignation in HUAWEI, taken part in the supervision work carried out by 9 ministries and commissions such as the Ministry of Labor and Social Security with a view to combating illegal employment of workers and all sorts of crimes in 18 provinces (regions and municipalities), co-operated with the department concerned to investigate and prosecute illegal employment of workers, participated in the inspection of 620,000 small brickkilns, small mines, small coalpits, small workshops and other employing units and taken part in the investigation and handling of 331,000 law-violating cases. By strengthening their participation in law making and in supervision and inspection of law enforcement, trade unions at various levels have created a more favorable environment for safeguarding and promoting the rights and interests of workers.

Ⅸ. Rallying and Mobilizing the Broad Masses of Workers to Make Contributions Towards the Promotion of the Sound and Rapid Development of the National Economy

Rallying and mobilizing the broad masses of workers to promote the sound and rapid development of the national economy is imperative for trade unions to adapt themselves to the new circumstances and new tasks and to play a better role in the overall situation of the Party and state work and is an important guarantee for realizing and developing the fundamental interests of workers. With the new tasks and new requirements put before the working class in building up a moderately prosperous society in an all-round way, over five years, trade unions at all levels have devoted major efforts to carrying forward the spirit of model workers, constantly strengthened the quality construction among the ranks of workers, conscientiously promoted the mass campaign of performing meritorious services, continually aroused the enthusiasm, initiative and creativity of workers in basing themselves on their own posts and aiming for the best and rallied and mobilized vast numbers of workers to carry forward the spirit of the working class as masters and to actively throw themselves in the reform and opening up and

in the modernization drive. Hence, trade unions at all levels have made positive contributions for boosting the sound and rapid economic and social development.

——**Vigorously Carrying Forward the Spirit of Model Workers**. Trade unions at all levels have positively explored and improved the working mechanisms for cultivating, selecting, commending, caring about and stimulating model workers, given prominence to the publicity to examples of model workers and expedited the formation of a sound atmosphere in the whole society for respecting, learning from and caring for model workers. Over five years, the All-China Federation of Trade Unions has awarded the National May Day Certificates of Merit to 2,335 advanced groups and conferred the National May Day Medals to 5,619 advanced individuals and granted the National May Day Certificates of Merit and the National May Day Medals to those who had made outstanding contributions in earthquake relief work and in the construction of the key national projects and to 300 advanced groups and 563 advanced individuals who had won gold medals in the Olympic Games. The All-China Federation of Trade Unions has successively named 26 convalescent bases for national model workers and organized 5,600 national model workers and national May

Day medalists to recuperate in Beidaihe and Qingdao. 241 national model workers and national May Day medalists were elected deputies to the 17th National Congress of the Chinese Communist Party. The national model worker Xu Zhenchao was elected member of the Standing Committee of the 11th National People's Congress. The social status of model workers has been further improved. Trade unions at various levels have constantly innovated in the model worker management work. The All-China Federation of Trade Unions has set up courses for undergraduate studies and enrolled 75 qualified model workers for further studies without entrance examinations. Trade unions in various localities have come up with new regulations on appraisal, selection and management of model workers, set up and improved the archives for the management of model workers. The model worker management and service levels have been constantly standardized and improved. Trade unions at all levels have done their best to help needy model workers out and granted low-income allowances, relief funds and Spring Festival sympathy benefit to countrywide model workers, hitting an accumulative total of 320 million yuan within five years. More than 8,700 national model workers have received aid and help each year to overcome the actual

difficulties.

——**Making Efforts to Improve Workers' Technical and Skill Levels.** In 2003, the All-China Federation of Trade Unions formulated the *Provisional Measures on Giving Awards to Workers for Their Technological Achievements*, conducted national workers' professional skill contests for two times jointly with the Ministry of Science and Technology and the former Ministry of Labor and Social Security, and appraised and cited the significant technical achievements scored in mass scientific and technological breakthroughs, technical innovations and inventions and creations for two times in 2004 and 2007. In 2007, Wang Hongjun of FAW-VW Automobile Co., Ltd and Han Mingming of Baoshan Iron & Steel Co., Ltd won National Second Prize for Scientific and Technological Progress for their achievements made in technical innovations, topping zero in acquisition of the national prizes for making scientific and technological progress. Over recent years, every year tens of millions of workers from various types of work have participated in various kinds of skill contests and tens of thousands of workers have had their technical scales promoted through skill contests. The enthusiasm of workers for learning skills and improving abilities has been brought

into full play. The All-China Federation of Trade Unions has focused their attention on the improvement of workers' technical and skill levels, given the special TV program of "The Best Fitters" and conducted a series of activities for giving publicity to model workers jointly with the departments concerned, recommended a number of skill-contest prize winners and national technical crackajacks, organized lecture groups to propagandize the exemplary deeds of workers in making scientific and technical innovations across the country and demonstrated the skills of skilled personnel, started the contests on cultivating knowledge skilled personnel, technically skilled personnel and compound skilled personnel and set off an upsurge of learning skills and aiming for the best at the posts among vast numbers of workers. A great number of learning, knowledge, technical and innovative workers have sprung up and have forcefully boosted the enhancement of the technical quality among the ranks of workers.

——**Widely Starting Economic and Technical Activities Among Workers.** Trade unions at all levels have carried out the spirit of the *Resolution on Rallying and Mobilizing Vast Numbers of Workers to Perform Meritorious Services for the Realization of the 11th Five-year Plan*, widely

conducted the contests with the theme of "Serving as Good Main Force, Performing Meritorious Services for the 11th Five-year Plan and Harmoniously Pursuing A Moderately Prosperous Society" and rallied and mobilized vast numbers of workers to make contributions to the socialist modernization drive. Trade unions at various levels have widely launched the activities for creating the "Workers' Vanguards". The All-China Federation of Trade Unions has issued the *Views on Thoroughly Creating "Workers' Vanguards"* and such an activity has been carried out at large in various trades and professions. In April of 2008, the All-China Federation of Trade Unions named the first 1,055 "Workers' Vanguards" and the industrial trade unions of various provinces (regions and municipalities) or on the national level named 5,221 "Workers' Vanguards". Trade unions have launched emulation campaigns for the construction of key projects. The All-China Federation of Trade Unions has successively launched emulation campaigns for the construction of the key state projects, such as the Qinghai-Tibet railway, the bridge at the Hangzhou Bay, projects for Beijing Olympic Games, projects for Shanghai World Fair and the hydropower project at Jinshajiang River, fully tapped the potentials of workers,

advanced the technical progress and facilitated the completion of the projects. In 2008, 244,000 trade unions of the nationwide enterprises and institutions launched emulation campaigns, accounting for 15.9% of all trade unions of the nationwide enterprises and institutions; 51.482 million workers took part in the emulation campaigns organized by trade unions of enterprises and institutions, making up 24.9% of all workers of the unionized enterprises and institutions. The themes of those emulation campaigns were outstanding and distinctive, producing a marked effect. The emulation campaigns have become an important carrier for trade unions to advance the economic and social development. Centering round the energy saving and reduction of consumption and round the realization of the objectives for economic development, trade unions at all levels have actively started the activity of "Let me contribute to energy saving and emission reduction". The All-China Federation of Trade Unions has issued circulars for many times to facilitate the implementation of the activity. Trade unions conducted the "Month for Energy Saving and Emission Reduction by Nationwide Workers" in March of 2008, started the knowledge contests on energy saving and environmental protection among nationwide workers,

released 100 technical innovation achievements made by nationwide workers in energy saving and emission reduction and commended 1,000 excellent rationalization proposals adopted and implemented in energy saving and emission reduction. By centering round the enhancement of the ability in independent innovation, trade unions at all levels have launched technical innovation contests focused on small innovations, small inventions, small transformations, small designs and small suggestions and vigorously started the technical innovation activities. In 2008, workers of the unionized enterprises and institutions across the country put forward 7.198 million rationalization proposals, of which 3.128 million proposals have been put into practice, making up 43.5%; conducted 571,000 technical innovation projects; made 165,000 inventions and creations; honorably won 54,000 national patents; summed up and popularized 74,000 advanced operating methods. Trade unions at all levels have strengthened the construction of workers' technical associations or organizations. By September, 2008, there had been 37,000 workers' technical associations and organizations throughout the country, with 275,000 new techniques being popularized. Workers' technical associations of trade unions above the grassroots

level had set up 774 intermediary service agencies for technology transfer. Over five years, workers' technical associations and organizations have conducted 309,000 technical breakthrough and technical development projects, popularized 453,000 new techniques and signed technology contracts reaching a total of 202,000 projects, with the contracted value hitting 19.78 billion yuan.

——**Going All Out to Fight Against the Earthquakes and Snowstorms and Devoting Major Efforts to Developing the Activity of "Let Me Contribute to the Olympic Games"**. The All-China Federation of Trade Unions has started the action of "Reconstructing the Homelands and Giving More Loving Care" among nationwide trade union members, named 1,199 "'Workers' Vanguards' for Fighting Against the Earthquakes and Rebuilding the Homelands", conducted counterpart relief, successively organized three batches of model-worker technical service teams to go to disaster areas to offer technical aid, organized workers to enthusiastically donate money and articles, granted over 70 million yuan of sympathy benefit to rural migrant workers of Sichuan origin whose houses in hometowns were damaged and whose family members were killed or wounded in the disasters and

provided funds and traffic facilities for 7,500 rural migrant workers to go back to their hometowns to combat the disasters. Within decades of days from May 12 when the earthquake took place to 3:00 p. m. of June 10th, the money donated by trade unions at various levels and trade union members across the country and the money and articles raised and collected by trade union organizations for the earthquake-hit areas in Sichuan reached an accumulative total of 3. 163 billion yuan. Trade unions at all levels have actively started the activity of "Let me contribute to the Olympic Games". Trade unions at various levels, especially trade unions in cities hosting the Olympic Games or Olympic collaborator cities, have launched the campaign of "Winning Honor for the Motherland and Adding Luster to the Olympic Games", guided workers to turn their enthusiasm for supporting the Olympic Games into actual deeds for doing their own work well and made due contributions for the success of the Olympic Games and the Paralympics.

X. Strengthening International Exchanges and Contacts with Trade Unions in Hong Kong, Macao and Taiwan and Creating a Favorable External Environment for Trade Unions to Protect Workers' Rights and Interests

Trade unions' external work is an important integral part of China's overall diplomacy. Strengthening trade unions' external work and the work towards Taiwan, Hong Kong and Macao is a necessity for fitting in with the developments of the current international situation. Over five years, Chinese trade unions have adhered to the guiding principle of "maintaining independence and keeping the initiative, respecting each other, seeking common ground while reserving differences, strengthening co-operation and promoting friendship", seized the turning point of the changing pattern for international labor movements to persistently take themselves as the dominant factor, actively conducted external contacts on the principle of independence, equality, mutual respect and noninterference with each other's internal affairs and promoted the democratic and harmonious international trade union relations based on mutual respect and friendly co-operation.

——**Successively and Successfully Holding the International Forum on "Economic Globalization and Trade Unions" and Innovating in Platforms for External Work.** From 2004 to 2008, the All-China Federation of Trade Unions successfully held the International Forum on "Economic Globalization and Trade Unions" for four times together with such international and regional friendly trade union organizations as WFTU, OATUU, ICATU and Latin American Central of Workers. At the forum, thorough exchange of views and discussions were made on important issues of common concern in international labor movements and in international labor field. On January 7th, 2008, General Secretary Hu Jintao attended the opening ceremony of the 2008 International Forum on "Economic Globalization and Trade Unions" and made a speech, drawing great attention of the international labor circles. With the forum as a platform, Chinese trade unions have given publicity to their protection work and given expression to their preposition on constructing democratic and harmonious international trade union relationships, united and consolidated the strength of trade unions of the developing countries and extended the influence of Chinese trade unions.

——**Making Breakthrough Progress in Establishing Relations with Trade Unions of the Major Countries in the West**. In May 2007, at the invitation of Chinese trade unions, chairman of US Change to Win Federation paid an official and friendly visit to China. Leaders of trade unions of western countries, such as the general secretary of Trades Union Congress and chairman of DGB, successfully visited China. Chinese trade unions have constantly expanded the substantive contacts with the trade unions of major countries and have promoted the bilateral relations. In the election of the worker-members for the Council of the International Labor Organization in 2008, the Chinese worker-deputy was successfully elected deputy director of the Worker Department of the new Council of the International Labor Organization. The space for Chinese trade unions to go in for international activities has been further expanded.

——**Making New Progress in Conducting Exchanges with Trade Unions of Neighboring Countries, Friendly Trade Unions of Asia, Africa and Latin America and Trade Unions of Countries Who Have Not Established Diplomatic Relations with China**. The All-China Federation of Trade Unions has conducted seminars for trade union leaders of African, Arab, Andes, ACEAN and East European

countries. Leaders of All-China Federation of Trade Unions have led delegations to pay friendly visits to such developing countries as India, Vietnam, Korea, Kuwait, Syria, Tanzania, Mauritius, Kenya, Brazil, Venezuela and Peru and strengthened contacts and co-operation with trade unions of the vast numbers of developing countries. At the same time, Chinese trade unions have intensified their assistance to trade unions of developing countries, assisted OATUU to build the dormitory buildings for Kwame Nkrumah Africa Labor College and provided aid to trade unions of such developing countries as Ghana, Democratic Republic of the Congo, Seychelles, Niger and Uganda, which has been favorably reviewed by aid recipient countries.

——**Further Deepening the Exchange and Co-operation with Trade Unions in Hong Kong, Macao and Taiwan and with Other Institutions in the Labor Field.** Over five years, the All-China Federation of Trade Unions has received a total of 104 trade union delegations from Hong Kong, Macao and Taiwan involving 2,473 visitors and sent 39 delegations consisting of 544 people in all to visit Hong Kong, Macao and Taiwan. The All-China Federation of Trade Unions has put on such activities as "Trade Unions from Across the Straits and from Hong Kong and Macao

Commemorate the 60th Anniversary of the Victory Over Chinese People's Anti-Japanese War and the World Anti-Fascism War", the "Cross-Straits Trade Unions' Forum", the "Exhibition of Calligraphy and Paintings by Workers in Hong Kong, Macao and Taiwan", "A Trip to Three Gorges by Taiwan Trade Unions", the "Summer Camp for Children of Members of Taiwan Trade Unions" and the "Winter Camp for Children of Members of Hong Kong Trade Unions" and has forcefully facilitated the exchange and co-operation between All-China Federation of Trade Unions and the trade unions of Hong Kong, Macao and Taiwan. Trade unions of various provinces, autonomous regions and municipalities directly under the Central Government have also enlivened and deepened their contacts with trade unions of Hong Kong, Macao and Taiwan. At present, trade union federations of more than two-thirds of the provinces (regions and municipalities) have realized the two-way contacts with trade unions of Hong Kong, Macao and Taiwan. Some local trade union federations and the nationwide industrial trade unions have established fixed relationships in exchange and co-operation with trade unions of corresponding counties and municipalities in Taiwan and have made contributions towards the maintenance of the long-term prosperity and

stability of Hong Kong and Macao and the promotion of the great cause of peaceful reunification of the motherland.

At the new historical starting point, Chinese trade unions will hold high the great banner of the socialism with Chinese characteristics, thoroughly carry out the scientific outlook on development, unswervingly take the road for the development of socialist trade unions with Chinese characteristics, endeavor to build socialist trade unions with Chinese characteristics, center round the overall situation of the Party and state work to earnestly safeguard workers' rights and interests and to promote harmonious labor relations, constantly arouse workers' enthusiasm in work and their creative vitality, rally and mobilize vast numbers of workers to make new and still greater contributions in fighting against the international financial crisis, promoting the stable and rapid development of the economy and striving for new victories in constructing a moderately prosperous society in an all-round way!

(*Note*: *The paper was drawn up by the Policy Research Office of All-China Federation of Trade Unions. Unless otherwise specified, the main source of data furnished in this paper is the* 2003—2008 *Statistical Yearbooks of Chinese Trade Unions compiled by the Policy Research Office of All-China Federation of Trade Unions.*)

2003-2008年中国工会维护职工合法权益蓝皮书

BLUE PAPER
ON THE ROLE OF CHINESE TRADE UNIONS
IN SAFEGUARDING THE LEGITIMATE
RIGHTS AND INTERESTS OF WORKERS
(2003-2008)



ISBN 978-7-5008-4393-1/D·614
定价：15.00元