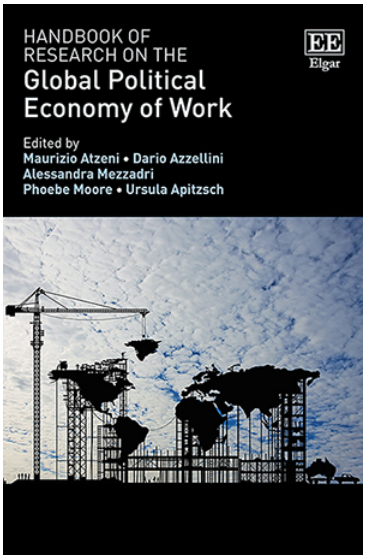
Handbook of Research on the Global Political Economy of Work



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50. Informalization of labor in contemporary China

Jenny Chan

1. INTRODUCTION

Labor informality is not a remnant of pre-capitalist society but is central to the organization of developed and developing modern economies. Informal work arrangements are also functional to both capitalist and socialist processes of wealth accumulation (Tilly and Tilly 1998; Agarwala 2013; Lee 2019). From the 1980s, when China opened to the world, the post-socialist state took a series of gradual but profound measures that facilitated flexible employment, which had a far-reaching impact on workers' incomes, employment security, and the social reproduction of labor power (Kuruvilla, Lee, and Gallagher 2011; Blecher 2016). Deregulation and re-regulation by the contemporary Chinese state, as well as managerial control by global and domestic corporations, have resulted in multiple forms of informalization of labor.

China has the world's largest population and today hundreds of millions work in the informal economy. In urban manufacturing, construction, and services, the magnitude of informal employment (including locals and rural migrants) increased from 55 million in 2004 to 227 million in 2017, in tandem with enterprise restructuring and economic diversification. During the same period, formal or standard employment as a share of total urban employment fell from 66.8 percent to 43.8 percent (Rozelle et al. 2020: 563). This chapter aims to delve more deeply into this trend to analyze how informalization is taking place within and beyond the formal sector. It also seeks to explain the growth of the informal sector over the course of China's transformation through state-guided market reforms and corporate-led globalization. The author further reflects on how labor politics, in its changing historical and political-economic context, has shaped employee relations and state policies, challenging structures of inequality.

The next section reviews the literature on the informalization of work and employment. The chapter then describes the reintegration of China into an international economic system; the reemergence of a labor market within it; and the trends toward labor informalization. In particular, the analysis explores the general features of formal and informal labor; it maps working conditions and how temporary workers (including agency laborers and student interns) resist and acquiesce to these conditions; and draws on recent research of diverse sectors including homeworking, construction, service, and the "gig" economy. The discussion section considers the role of the state in regulating informal employment. Finally, the conclusion summarizes the consequences of China's market transformation and reflects on the prospects of stronger labor and social protections.

2. INFORMALIZATION OF LABOR, CAPITAL, AND THE STATE

Economic liberalization and internationalization have vastly changed the nature of jobs and employment relations in Western economies since the 1970s. While early discussions viewed informal work simply as an absence of formal employment arrangements, later studies explored the social composition and organization of informal labor, as well as the interdependent relationship between informal and formal economic sectors (Standing 2011; Weil 2014; Kalleberg and Vallas 2018). Castells and Portes (1989: 31) argue that there is "no clear-cut duality between a formal and an informal sector, but a series of complex interactions that establish distinct relationships between the economy and the state."

In competitive markets, employers compete for less costly and less organized laborers who are unprotected by the state or trade unions. Across time and space, multinational corporations from the US and Europe have streamlined their operations to outsource low value-added jobs offshore. Industrial capital has massively relocated to Japan, the "East Asian Tigers" (including Taiwan, South Korea, Singapore, and Hong Kong) and later, China and Southeast Asian countries (Kalleberg, Hewison and Shin 2022). In newly industrializing states such as Taiwan and South Korea, the governments maintained a "friendly" business environment by suppressing wages and repressing labor organizations to attract foreign investment, facilitating rapid industrial growth in their economies (Deyo 1989; Chang 2009). During the 1980s and 1990s, Asian as well as Western multinationals accelerated their move to China to tap into even lower-cost labor and acquired land in coastal and interior provinces for investment (Hung 2009; Hung and Selden 2017).

As companies from capitalist economies seek to increase profitability by moving over longer distances to employ less expensive workforces or relying on the availability of migrants to reduce expenses, it is tempting to envision the expansion of informal employment as merely an outcome of the labor-capital battle. But we must also consider the state's regulatory intent and capacity in the process of informalization (Basile and Harriss-White 2010). State-initiated labor policies and laws often determine how workers are hired with different terms and conditions and how some find themselves excluded from formal, government-sponsored grievance mechanisms and welfare provisions (Gallagher 2017).

The development of some of the most modern forms of employment underlines the role of the state in defining the boundaries between formal and informal employment and the differences between them. The state's tolerance and tacit legitimization of "agency workers" (deployed by temporary staffing agencies) and "student interns" (coordinated by vocational schools through their internship programs) has systematically produced a large pool of subcontracted laborers (Zhang 2015; Chan, Selden and Pun 2020). In this nexus of the state and capital, employers' costs are drastically reduced and organizational flexibility greatly enhanced.

In the past decade, with the rise of the "gig" economy, critical scholars debunk how business interests profit from new technologies (Srnicek 2017; Woodcock and Graham 2020). Outside of the formal, state-defined labor relations framework, technological innovators recruited workers through digital platforms to establish a system of on-demand labor services. Online labor platforms of ride-hailing, food delivery, and parcel express delivery have created numerous part-time and full-time jobs across rural and urban spaces. But except for a very few, an overwhelming majority of the app-based labor force is classified as "independent contractors,"

who are not legally recognized as employees and receive no standard employment benefits (Wood et al. 2019).

Thus, not only capital, but also the state (including labor laws and policies, courts, and other institutions), plays a pivotal role in shaping the intricately linked formal and informal economies. Labor, of course, also plays a part. In some cases, access to informal employment makes it possible to maintain low salaries in formal employment (Zhang and Friedman 2019). An exploration of the links between formal and informal work, as well as production and social reproduction, is useful for assessing questions of worker activism and acquiescence.

Formal or informal workers' struggles over work status and remuneration, sometimes with support from non-governmental organizations, have sought comprehensive reforms centering on employment, healthcare, housing, education, and other essential human needs. Even when precarious workers cannot legally or effectively engage in collective bargaining through trade unions, they have sought diverse ways to make collective demands. Multiple forms of workers' self-organization have emerged to resist precarity (Breman and van der Linden 2014; Atzeni and Ness 2018).

3. CHINESE STATE, MARKET, AND WORKERS IN ECONOMIC TRANSFORMATION

In a span of forty years, China's state-society relations have drastically changed. Joel Andreas (2019) in his book *Disenfranchised* analyzed the loss of "industrial citizenship rights" enjoyed by urban workers during the market reforms in the 1980s and 1990s. Under the auspices of the Beijing state, human resource policies were reoriented from full employment to increased productivity and competitiveness in state-owned and collective enterprises. Managers were delegated greater decision-making power vis-à-vis rank-and-file workers in production scheduling, discipline, and punishment, and wage-and-bonus levels were tied to work performance. With the influx of foreign capital, state-owned factories were struggling to survive and grow in the market (Gallagher 2005).

Inefficient and loss-making state industries no longer received bank loans or government subsidies. Amid successive enterprise reforms, bankruptcies, mergers, and acquisitions, tens of millions of state sector employees were laid off. By 2002, with China's accession to the World Trade Organization and further opening to the world economy, over 60 million urban workers had lost their state sector jobs; that is, there was "a 44 percent reduction of the 1993 state sector workforce within a 10-year period" (Hurst 2009: 16). Critically, in the mid-to-late 1990s, the legalization and signing of fixed-term contracts signaled the end of a system of lifetime employment. The "iron rice bowl" tenure, enshrined in the socialist entitlement of cradle-to-grave benefits, was smashed (Solinger 2009).

In the northeastern rustbelt and central regions notable for old heavy industrial complexes, massive worker resistance to privatization eventually led the state to provide a social insurance scheme including unemployment benefits to tame widespread anger (Lee 2007; Hurst 2009). Meanwhile, as the state loosened social and geographical restrictions to facilitate labor mobility, particularly rural to urban migration, it simultaneously set severe limits to the permanent settlement for this "floating population" in large cities (Whyte 2010). A state-sanctioned socio-political classification of "locals" and "internal migrants" with differential labor, welfare, and even citizenship rights, deeply segmented the changing Chinese labor market.

Young people migrating from villages and towns to large cities were recruited by private and foreign firms, as well as restructured state-owned enterprises, driving the rapid growth of China's export-oriented, labor-intensive industrialization. From the 1990s to 2000s, with the seemingly inexhaustible supply of labor, many employers in both the state and private sectors felt free to hire and fire workers quickly. State monitoring of workplace conditions remains weak. Aggravated by the urban-biased development policy that has resulted in a great rural-urban disparity, the spheres of production (wage employment centered in the city) and social reproduction (childcare in the village) are spatially separated for many low-income rural migrants (Pun 2005). A despotic labor regime sustained by a low minimum-wage state policy and perpetuated by an unequal household registration system that jeopardizes the rural laboring classes is characteristic of China's rise to become the "world factory" (Chan 2001).

Various forms of worker resistance can be "distinguished by the varying level of pressure that they bring to bear on the state" (Elfström 2021: 21). Aggrieved workers and their supporters are engaging in contained, boundary-spanning, or transgressive contention, while three approaches are sometimes combined to strengthen grassroots pressures. In response to waves of labor strikes and protests, the All-China Federation of Trade Unions—the only official trade union organization in China—has advocated pro-labor legislative reforms, such as higher incomes and better benefits (Chen 2009; Chan and Hui 2017; Howell and Pringle 2019). The Chinese Labor Contract Law, which came into force in January 2008, raised hopes of strengthened employment security and labor protection. The law guaranteed employees the right to an open-ended labor contract after signing two consecutive fixed-term contracts. However, both state and non-state enterprises frequently circumvent the law by outsourcing labor to cut costs and enhance flexibility by terminating labor contracts with long-term employees or replacing them through temp agencies (Xu 2014; Feng 2019). Employers have repeatedly used the distinction between formal and informal to avoid the expenses of protected employment. As discussed below, informalization has intensified, generating greater opportunities for some workers but deepening economic and social hardships for many.

3.1 Agency Workers and Student Interns

Subcontracted workers often risk having lower wages, lower social insurance, and less security than direct employees. At surveyed state-owned and joint-venture automobile plants, in 2011, agency laborers and student interns constituted 33 percent to 60 percent of the workforce, who were paid only half to two-thirds the wages of regular workers, even when they "had to shoulder heavier workloads and perform less desirable tasks" (Zhang 2015: 150). In 2014 and 2015, agency workers from various industries filed over 1,000 lawsuits each year, contesting unequal payment of wages and benefits as well as illegal termination of employment contracts (Huang 2017a, 2017b).

In China, maintaining that student interns are not employees—even when they perform work identical to that of production workers—is a core concept of the system of internships. The state and employers use the formal/informal distinction to justify not enrolling interns in state-administered social security, such as pensions, healthcare benefits, and insurance against accidents and diseases. It was not until 2016 that the government set out criteria to distinguish student internships (Chan 2017). Internship programs should have substantial educational content and work-skill training provisions on an eight-hour workday with no overtime and no night shifts. At any given facility, no more than 10 percent of the labor force should consist

of student interns at any point in time. Despite tightened legal requirements, the state simultaneously allowed wage payments of interns at just 80 percent of that of employees. Abuses of student interns have also remained rampant (Chan, Selden, and Pun 2020).

3.2 Homeworkers and Nannies

Outside of formal enterprises, self-employed manufacturing workers are incorporated in global production circuits at the margins. The "home" doubles as the workplace at the bottom-tier of the multi-layered production networks. Women, in their roles as grandmothers and mothers, often shoulder production and social reproduction (such as cooking, cleaning, childcare, and elderly care) burdens in working-class families. Besides homes, unregistered workspaces also serve to accommodate peripheral workers at the lowest possible cost, "blending productive and reproductive time" (Mezzadri and Fan 2018: 1042). In peri-urban areas of Shanghai, with the exception of groups of highly skilled local women who have formed cooperative teams to bargain for a better deal for garment work, most others toil in substandard workshops. In everyday management, contractors organize and discipline low-skilled rural migrant workers through existing kinship and neighborhood relations. These unorganized wage earners lack job autonomy and economic security. They receive low piece-rate payments and may be exposed to under-employment or unemployment during slow seasons.

Informalization lowers employers' costs by shifting the burdens of social reproduction to workers' households. Interestingly, from the lived experience of some homeworkers, even when informalization leaves many bereft of various benefits associated with employment, they find new paid work opportunities in a dynamic economy. With the rise of Chinese consumerism and e-commerce, localized apparel production in small batches (ranging from only a few dozen to hundreds of pieces per order) has formed a market niche. Husband-and-wife teams, with their informally assembled day laborers, made direct deals with online store owners, thereby participating in hyper-flexible, just-in-time clothing sourcing chains (Fan 2021). The relatively skillful, entrepreneurial homeworkers enjoyed higher incomes and greater freedom than when they worked for the boss. The growth of such informal, specialized production activities is in turn dependent on the growth of formal, internet-based retail trade.

From manufacturing to service work, middle-aged urban women spinners quit their posts in a privatized mill to become nannies for prosperous households (Dong 2020). Many of them received far higher pay in the thriving domestic service market. Their childcare and domestic work skills were valued by urban households, particularly when the state withdrew from providing subsidized childcare at the workplace level as in many former state-owned enterprises. Individually, the nannies were not heavily constrained by their own family care responsibilities. By contrast, rural women migrants could only take up low-status, hourly paid cleaning and cooking tasks at the bottom stratum of the hierarchical care market.

3.3 Gig Workers (Mediated by Digital Labor Service Platforms)

The momentum of China's platform economy is strong and may even involve emotional rewards for some flexible workers. In transport services, for instance, part-time drivers working for Uber or Didi report enjoying socializing with passengers while making some money. Their laboring experience, compared to full-time drivers, may be freer or less coercive. Normative expressions such as share, task, help, and service are now frequently used

by governments and businesses to replace more clearly defined terms like work, job, and employee in the digitalized service economy (Wu et al. 2019: 576).

Gender preferences intersect with independent service contracting. Male rural migrants are concentrated in food delivery dominated by a duopoly of Meituan (owned by Tencent) and Ele.me (owned by Alibaba). Their payment is calculated by piece rates. When food takeaway platforms reduce the pay and speed up delivery, conflicts targeting management and its algorithmic control are sometimes triggered (Chan 2021; Liu and Friedman 2021; Sun and Chen 2021). Through mediation, food-delivery riders may reach private settlements over wage disputes, work schedules, and injury compensation (as a result of road accidents) with the concerned parties (Lei 2021).

In courier parcel services, giant firms like Amazon and Alibaba have likewise classified last-mile delivery workers as independent contractors to lower labor costs (Alimahomed-Wilson and Reese 2020). Deliverymen rely on assistance from family members to meet delivery requirements, especially during the online shopping festivals. This kind of informal work arrangement is obscured from logistics service chain governance (Chan 2023). The fragmented lives of family members, notably the sacrifices of parenting even when their children have migrated with them, are among the hidden costs behind "free delivery."

3.4 Construction Workers

Manufacturing and services aside, tens of millions of menial workers toil at construction sites, fueling the property boom. In *Building China*, Sarah Swider (2015) explains how male rural construction workers were guaranteed a one-year verbal contract before being brought to work in the city by labor contractors. Under this form of "mediated employment configuration," construction workers enjoy some degree of job security. However, as they will not get paid until the very end of the year-long contract, their work mobility or turnover is restricted. In some cases, they fail to receive any of the agreed pay. This might happen when labor contractors are corrupt or when they themselves are victims of their clients' non-payment of project fees.

In multi-tier subcontracting chains, only licensed labor service contractors have legal standing as employers. Critics have accused the Chinese state of allowing "illicit practices of subcontracting to continue" (Pang 2019: 560). Hired by unregistered labor subcontractors, some construction workers still seek to resolve their disputes through legal avenues but many find that laws "do not work to the protection of workers" (Pang 2019: 553).

Day laborers, who are recruited in street-side open markets, report problems with the non-payment or underpayment of their wages (with daily wages bargained down to below-subsistence levels). In fact, they are often not protected by kinship and family networks or other social groups, and therefore more vulnerable to slave-like labor conditions (Swider 2015). Some have contracted fatal occupational diseases and suffered deadly injuries (Fan and Ng 2019). Without establishing formal labor relations, aggrieved construction workers staged public actions such as threats to die by suicide to disrupt production, drawing media and public attention to their plight (Halegua 2008; Pun and Lu 2010). More contentious cases of labor conflicts have evolved into large-scale protests, work stoppages, and traffic blockades.

In the course of state-led urbanization (such as building a hi-tech industrial park or a university town), landless rural migrants, who lost family lands previously bound to them through their registered household, risk losing their employability in the construction sector (Chuang

2020). Small contractors are reluctant to hire dispossessed rural migrants because they themselves have to pay upfront to sustain the migrant workers' livelihoods before getting paid following completion of the project. The cost of social reproduction for laborers who have lost land will be higher than average migrants who can fall back on their rural land and families in times of crisis. This underclass are double losers, who no longer possess their means of production (e.g., farmland) and their employment in construction work. Without access to relief, some lived difficult lives; a few took their own lives.

4. REGULATING THE INFORMAL ECONOMY

If, the informalization process of the Chinese economy is a broad trend, the connections between informality and precarity are multiple and not linear. Women local workers who have succeeded in organizing cooperatively experience newfound freedom and greater control over their labor in contrast to their previous experience in a factory regime. They can also care for their families while working from home (Mezzadri and Fan 2018). Male rural migrants who successfully pick up parcels from recurrent customers have similarly shared independence as micro-entrepreneurs (Chan 2023). Such income-generating activities, though unstable and shaped by market conditions, contribute to a better livelihood for some.

Still, without state protection, a large segment of informal workers lives on the margins. Social security, in essence, represents part of the cost of the reproduction of labor in that it supports workers through times of illness, injury, and old age. Workers with more secure forms of employment enjoy this benefit partially underwritten by the government. In comparison, workers outside of this institutional protective system rely exclusively on their own earnings and savings, or family assistance, if any.

The concept of "precarious work" refers to the nature of "uncertain, unstable and insecure" work in which "employees bear the risks of work" (Kalleberg, Hewison and Shin 2022: 2). There are different levels of state involvement in structuring precarious employment and labor segmentation. In an *active* way, the Beijing government excludes tens of millions of teenage student interns from the rank of "employees" under the current internship regulations. The making of a large pool of student labor reduces employer costs and undermines worker interests as workers are compelled to compete with lower-cost and less protected interns. In a *passive*, or possibly unintended way, the rollout of new legal requirements—such as restrictions over firings of long-serving employees and limitations on the overuse of agency workers—has nevertheless given rise to various types of labor outsourcing and subcontracting. Countervailing strategies by employers have frequently defeated government attempts to re-regulate the market by mandating secure employment.

In the digital economy, platform-hired laborers are classified as independent service contractors, who do not possess formal labor relations or employment status. Facing a growing public outcry, the authorities have begun to attend to the plight of food-delivery workers and parcel express couriers, among others. Officials pledged to grant trade union membership rights to those who wish to join, thereby monitoring the work relations dominated by platform firms (Chan 2021). But it is too soon to tell how new forms of state oversight might influence this newer form of employment. Recently, gig workers have built online forums and social groups to share tips on job search, negotiations with private insurance companies, and access to cheap accommodation, among other problems. Such grassroots, low-profile

self-organization can nurture working-class cultures and solidarity, although it may be vulnerable to state crackdown.

The Chinese state has sought to accelerate labor migration and urbanization through more inclusive development plans. Yet, the provision of basic public services such as education, healthcare, and housing remains severely limited and highly selective to the detriment of most rural migrants who are prevented from sinking their roots in large cities (Gallagher 2020). With very low income and insecure employment, marginalized migrant workers may entirely lose their ability to marry and care for children.

5. CONCLUSION

This chapter sketched in broad strokes major transformations of the Chinese economy and its impact on the lives of workers through the intertwined realms of production and social reproduction. In four decades or so, the rigid boundary marked by decades-old rural/urban household registration has somewhat been relaxed to fill the enormous demand for labor. While both locals and rural migrants are more mobile between jobs than under the previous state socialist system, they experience unprecedented changes in an era of marketization and corporate-driven globalization.

From the bottom-up, labor informalization shapes contentious new forces and resistance. Laid-off state sector workers, for the first time in their lives, were pitted against rural migrants to find jobs in successive waves of market reforms. In the recruiting processes, categorical or institutional differences based on gender, migration, and citizenship status often influence the outcomes. In navigating their own paths, some workers land on digital platforms to undertake deliveries and customer service work, while others choose homeworking tied to global supply chains and contingent on the formal economy. Many others are employed at factories or construction sites through agencies. As a result, a large pool of flexible workers, along with interning students, are fueling China's growth in a competitive and volatile environment.

The state, through legislation and economic development policies, has been deeply involved in defining the limits of, and incentivizing, informalization. Workers, particularly those who are dispersed geographically and experience work in individualized ways, are prone to abuses and super-exploitation (instances in which workers are paid below their subsistence costs). Against all odds, some have stood up to fight poverty wages and inhumane and precarious conditions. In a slowing economy, and particularly in the face of the Covid-19 pandemic since 2019, the struggle for redistributing resources and creating greater social protections for all workers assumes yet greater importance.

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