

Non-Standard Employment and *Precarity*: Student-Workers in China

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Non-Standard Employment and the *Precariat*

Global economic changes and the resulting shifts in the role of the state from being a provider of resources, has led to significant transformation of the concept of full-time, permanent employment. This has led to new forms of non-standard employment and work arrangements, thus making labour, fluid and dynamic. Standard employment practiced in many industrial nations in the twentieth century, formed ‘the basis of framework within which labour law, collective bargaining and social security systems developed’ (Kalleberg 2000: 342). The emphasis on competition and profits, along with shifts to non-state or private sector also introduced flexibility – in hiring, wages, working hours and other aspects of the employment relations. Furthermore, ‘technological improvements in communications and information systems’, and ‘demographic changes in the composition of the labour force, such as increase in married women workers and older workers – who often preferred the flexibility available – also fuelled the rise of non-standard employment (Kalleberg 2000: 342).

This transformation in the nature of employment and resulting instability and uncertainty surrounding the lives organized

around such employment has led to, the rise of the *Precariat*, as defined by British scholar Guy Standing. The *Precariat* ‘consists of people who have minimal trust relationships with the capital or the state’, and who ‘lacked a secure work-based identity’, thereby, being defined by ‘short-termism’ (Standing 2016: 9, 10, 21).

Lack of security in employment (arbitrary hiring and firing, lack of stable work contracts), work (protection against accidents in workplace, lack of safety and health regulations, limits on working hours), income (stable income, minimum wage, social security), representation (absence of collectives and unions), and skill reproduction (proper apprenticeships and training) were among some of the markers with regard to the *Precariat* (Standing 2016: 12). While often used interchangeably, there exists different forms and categories of temporary employment, often shortened as ‘Temp’ in popular usage, and are therefore, far from being homogeneous. These consist of part-time work, agency/dispatch work (workers hired through labour dispatch agency), contract work, short-term work and casual work. Each of these categories have their own definitions and characteristic features. However, precariousness, in one form or other, undergirds the scene of temporary work – ‘to be precariatized is to be subject to pressures and experiences that lead

to existence, of living in the present, without a secure identity or sense of development achieved through work and lifestyle (Standing 2016: 19).

Internships: Origins and Development

One form of temporary work that has become a generic ‘rites of passage’ among the middle-class youth across the world, is internship. They are ‘presented as a way of gaining useful experience’ and as a ‘gateway to a regular job’ (Standing 2016: 87). The phenomenon of internships has its origins in apprenticeships or work-based learning, which ‘is consistent with the idea of “learning by doing” and can be linked to the larger pedagogical philosophy of experiential education’ (Frenette 2015: 352). Apprenticeships was ‘a complex social and economic system, wherein skilled masters hosted apprentices in the workplace for an agreed period of time’ (Frenette 2015: 352). ‘Masters ideally took on the role of parents to serve the apprentices in learning their craft’; the ‘relationship was bound by a contract (i.e. indenture), whereby the apprentice served the master for numerous years before earning the right to become a journeyman’ (Smith 1981, cited in Frenette 2015: 352). However, with the rise of industrial capitalism, the apprentice system also started declining, as more efficient and specialized machinery replaced their labour.

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Internships gained prominence in the USA, initially in the medical field and later in other fields too. Work-based learning grew incrementally till the 1990s, with government policies encouraging their rise. ‘Work-based learning provides an opportunity for youth to develop “social maturity”, benefitting students of diverse backgrounds’ (Coleman 1977, as quoted in Frenette 2015: 352). Further, there was also a demographic reason for the rise in

internships – that later also came to be known as the intern economy – and that being the increasing number of college-age youth. The changing nature of work in the post-industrial era and the increase in the non-standard work arrangements, have provided the context for the accentuation of internships as a ‘more purely market-based regime’ (Frenette 2015: 355). Internships – with interns being mostly college graduates without any particular academic affiliation – ‘function as a sorting mechanism and credential system, aimed at rationalizing the transition from school to work’ (Frenette 2015: 355). Under the intern economy, companies and firms tapped into low-paid or unpaid labour to offset their workforce burdens and costs. Internships are ‘potentially a vehicle for channelling youths into the precariat’, with some governments introducing or promoting them as ‘a form of “active” labour policy designed to conceal unemployment’ (Standing 2016: 18).

With internships falling under informal labour and therefore, outside regulatory purviews, the firms employing interns are successful in avoiding the employer obligations and responsibilities, which are otherwise applicable for workers on their payroll. It is also interesting to note that ambiguity surrounding internships due to the overlap of work and education experience, ‘transforms interns’ perception and allow them to build a reluctant internalized justification’ of the exploitation involved (Marrone 2017: 7). This produces ‘a moralizing effect’, evoking ‘a necessary sacrifice in the present in order of achieving a bright future’ (Brown 2003, as quoted in Marrone 2017: 7). Such a narrative, absolves entities employing interns as cheap labour from employer obligations; and also make the interns ‘a very attractive workforce’ because they are ‘flexible, vulnerable and strongly motivated’ (Marrone 2017: 8).

Informal Employment in China: The Overarching Term under which Intern Labour falls

The post 1978 economic reforms paved the way for industrial reforms in China, which came into force from 1983. These reforms

transformed the country's industrial sector, introducing the market-oriented mechanisms of competition and profit, along with autonomy to the enterprises in production relations and types of workforce to be employed. Enterprise managers gained control in hiring and firing, along with regulation of the labour force employed on factory floor, and their employment relations. In line with the changes globally, shift from permanent employment to non-permanent forms was also impacting China. There was increasing 'prevalence of nonstandard work arrangements such as temporary work, casual or seasonal work, and dispatch work' (Ying2013: 356). From formal, full-time jobs as in the Mao period, informal employment gradually made its way not only into the vocabulary of labour relations, but also in actual practice.

'Informal employment covers a host of forms of work arrangements and the characteristics of informal workers can vary significantly from one group to another' (Ying 2013: 358). However, despite the heterogeneity in the types of informal employment – ranging from employment with a labour contract to different forms of temporary work to casual work – precariousness prevails within it, though its degree may vary. 'With the exception of a small minority in the skilled occupations, informal employment is an unprotected form of employment. The majority of workers engaged in informal employment do not possess a work contract, which makes it easy for employers to increase work hours, delay payments, and dismiss workers at will' (Cooke 2008, as cited in Ying 2013: 364).

Those working in informal employment fall outside the purview of labour laws and other work-based regulations. Furthermore, there are inadequate mechanisms to represent the workers in informal jobs and represent their interests, given the primary trade union's role and 'leadership' in the formal sector. The implementation of the Labor Contract Law in 2008 has made it mandatory for all workplaces to provide employees with a contract detailing the terms and conditions of their employment; and also demand a non-fixed term contract after signing two successive fixed-term contracts or after being employed for 10 years by the same employer under Article 14 of the

law (Labor Contract Law of the People's Republic of China, as cited in Laws and Regulations of the People's Republic of China: Social Law, 2011). However, even as implementation has been undertaken, often grudgingly by the employers, enterprises and work places have also come up with measures and mechanisms to circumvent the law, identifying the loopholes and gaps, thereby leading to rise in labour disputes. This is especially true in the case of informal employment and related work arrangements.

Vocational and Technical Education – Dual Commodification of Labour and Education

Vocational and Technical Education (VET) is one of the much trumpeted success stories in China, providing skill-based learning and contributing a trained workforce to the labour market, thus helping in the country's industrial production and augmenting the manufacturing sector. 'Vocational education in China follows the principle of "theory into practice" – a standardized three-year vocational education programme is made up by the first two years in structured and career-orientated classroom learning, followed by the final year in practice with a period of internship closely linked to the programme of study' (Smith and Chan 2015: 308). Through this system while the prospective employers feel assured that the staff had attained the requisite skills and competent training, the students – future workers – come to believe that their employment opportunities in field of their specialization get strengthened.

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The system's 'aim is to prepare intermediary-level skilled workers with comprehensive occupational skills for the industrial, technology, and management sectors' (Barabasch et al. 2009: 9). This system of combining 'learning with working' (*gongxue jiehe*) – school-based education with on-the-job training in factories through apprenticeships – had its origins in the Mao period. (Ye and Meng, 2008, cited in Zhang, 2015: 58). The Chinese Party-state has repeatedly espoused the need for developing skill-based workers and in line with this intention, there has been a visible increase in VTE institutions in different parts of the country, 'advertising a vast range of courses covering just about all occupations and professions' (*China Labour Bulletin* 2012).

Despite the deficit in the jobs, the state continued to emphasize on the need to supply skilled labour to serve the labour market, thus further accentuating the commodification of the VTE.

However, the VTE in China and its entangled relationship with internships is more complex than what appears on the surface. The post 1978 market-oriented reforms led to commodification in most arenas and sectors of the economy and society, including labour and education. While loosening of economic controls and laws of supply and demand deciding prices, the state had made labour dependent on the requirements of the market, leading to its commodification. Similarly, the prevailing heavy state investments and subsidies in education, and in vocational and technical education, have given way to gradual withdrawal of the state as well as oversupply of skilled workers on the one hand and shrinking jobs on the other; despite the deficit in the jobs, the state continued to emphasize on the need to supply skilled labour to serve the labour market, thus further accentuating the commodification of the VTE. The cutback of the state was paralleled by the encouragement to the vocational and technical schools to "cooperate" with the enterprises (Meng 2004, cited in Su 2010: 349), introducing a Dual Commodification of Labour and Education.

Internships and Emergence of Student Workers

The VTE system is 'increasingly decentralized and fragmented, combining public and private profit-seeking segments, which compete for students and teachers – many of the latter are poorly qualified and paid (Smith and Chan 2015: 309). Many of the schools have also been crippled with outdated textbooks, and quality resources. Further, the decline in support from the central government and in turn by the provincial governments, along with the 'devolution of responsibility to local governments, local communities and other non-state actors', have led to partnerships and collaborations with enterprises and companies, providing the base for students being sent for full-time work under internships, in exchange for funding and other resources, making the VTE schools 'function as a supply chain' (Smith and Chan 2015: 309). As VTE schools send their 'students to enterprises and companies in exchange for equipment, trainers, and funding, the latter receives flexible and cheap labour in order to make profits' (Su 2010: 350).

Easier to recruit and be laid-off without any notice period, the interns are mostly at par with regular workers in work commitments but sans social protection, employment security and representative organizations. In many cases, even local government(s), have been found to be 'involved in facilitating such arrangements from VTE schools, to meet investors' demand for large number of cheap and flexible workers' (Pun and Chan, 2012). 'In the face of persistently high labour turnover, employers make good use of economic power to negotiate with local governments to demand that schools supply interns to its production lines. The automobile and electronics manufacturing industries, like Honda and Foxconn have big concentrations of student workers and are often culpable of indulging in exploitative practices (Zhang, 2015; Zhuang, 21 July 2017; Hodal and Bengsten, 6 October 2017; Yang, 21 November 2017).

Even though working on the factory floor as cheap, temporary manual labourers, the interns are not legally classified as workers and are rather considered as students. Such an ambiguous identity renders precariousness to their lives without any rights mandated by the labour laws in the country. Often working overtime, unprotected by labour laws, and without contracts, 'ineligible to receive social insurance benefits and to join labour unions', they are 'vulnerable to exploitation and workplace abuse' (Zhang 2015: 58-9).

Further, a noticeable phenomenon, especially in the electronics and automobile industries, is a mismatch or misalignment between the specialization of the interns learned at the VTE schools and the tasks performed by them on the factory floor. As noticed in a case study at Foxconn factories in Guangdong and Sichuan during 2011-12, 'students were assigned to a one-size-fits-all internship that factory work completely divorced from their studies and interests' (Smith and Chan 2015: 314). Laying waste valuable time period for the interns, this phenomenon also gives rise to a category of generalist workers, de-skilled and devoid of specialization. Negatively impacting employability, such cases also casts questions on the narratives of skilling and skill-based education in China. Finally, the agency of teachers in VTE schools also come into question, given their dual roles – firstly as 'an enforcer to ensure interns follow enterprise rules', and secondly, 'as emotional manipulators, counselling and deflecting students from feeling dejection at their work and employment situation and the risks of resistance and self-harm that could flow from this' (Ibid).

With impending threats of blocking degrees in the event of non-compliance with enterprises' regulations, or refusing to engage or continue in internships, the teachers are perceived to be part of the enterprise management rather than being in support of the students. In the light of the student interns experiencing dual control of both their teachers as well as the enterprise managers, termed as 'working for two bosses', Smith and Chan (2015) see the internships 'illustrating a dual process of capitalist social relations reaching inside the classroom,

transforming students into workers, and teachers into supervisors; and student-teacher relationships following students into the factory to intersect workplace relations', thereby classifying the Student Workers as 'constrained labour'.

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There have been occasional protests by the student workers through social media, highlighting the "immorality" of the VTE schools in forcing and arm-twisting them to accept such exploitative work, which have grabbed attention of parents and media, even at times internationally. However, beyond such aberrations, the 'constrained labour' continues to operate out of fear and career apprehensions.

Conclusion

The shift in the nature and characteristic of work from formal, full-time employment to increasing non-standard forms that are informal and casualized in China, is in line with global trends. The phenomenon of student workers arises out of the interlinking of vocational and technical education with the demands of investments and production for cheap, flexible labour. The decline of the control of the central government and devolution of power to local governments, who while prioritizing economic needs ensure the collaboration of VTE schools with enterprises and companies to maintain a steady supply of interns. Excluded from the purview of labour laws and other regulatory mechanisms due to the ambiguity in being recognized as workers, the interns function as expendable workforce, without social protection and suffering alienation and physical and mental abuse. Rendered vulnerable due to exploitative work practices that denote them as

‘constrained labour’, the student workers’ resistance appears occasionally aided by media – at times international media – but more an exception than norm. The apprehensions regarding career prospects and related compulsions keep student workers tethered to their vulnerabilities.

Xi Jinping in his political report at the 19th Congress of the Communist Party of China, had emphasized on the need to ‘build an educated, skilled, and innovative workforce, foster respect for model workers, promote quality workmanship, and see that taking pride in labor becomes a social norm and seeking excellence is valued as a good work ethic’ (2017: 26-27). His words reflect the challenges and contradictions confronting the Party-state in the ‘New Era’. However, it remains to be seen in actual practice whether those are in alignment with the realities of the intern labour in the country. Bringing interns into regular labour laws to overcome the absence of legal protection is a possible solution for the Party-state, along with remediation actions like options for student workers to leave internships, matching their specialization with assignments given on the factory floor, and more closer checks on the skills learnt at the internship. To implement them would require a leadership role of the Party-state to prevail over local governments, enterprises and VTE schools. ■

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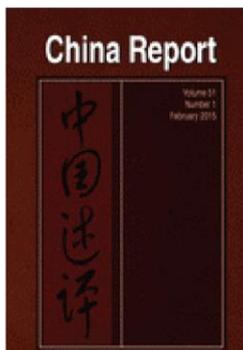


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