## VII. Worker Rights

### WORKER RIGHTS

## **Findings**

- Documented worker strikes and protests in China decreased overall from 2023 to 2024; however, strikes in the manufacturing sector increased. The Chinese Communist Party (CCP) has attempted to resolve wage arrears, in part due to a desire to "maintain social harmony and stability." Wage arrears were the cause of the majority of worker strikes and protests in 2024.
- During the Commission's 2025 reporting year, the People's Republic of China (PRC) and Hong Kong authorities continued to suppress labor rights activists. In Hong Kong, Carol Ng Man-yee and Winnie Yu Wai-ming were sentenced to prison for "conspiracy to commit subversion" under Hong Kong's National Security Law in November 2024. Mainland Chinese labor rights advocate Wang Jianbing was released from prison in March 2025, but human rights experts assert that he may continue to face unlawful restrictions and is at risk of re-detention. Similarly, in August 2024, Chinese labor activist and women's rights advocate Li Qiaochu was released after serving a three-year, eight-month prison sentence, and remains subject to two years' deprivation of political rights.

• Due to fears of instability and social unrest, PRC officials have sought to provide more protection for delivery workers, who have faced increasing pressure in the expanding gig economy. Observers are skeptical that these measures will directly

benefit delivery workers.

• Chinese workers continued to face poor working conditions and were subject to excessive overtime practices. Workers in Yunnan province's coffee farms, who supply coffee to Starbucks and Nestlé, as well as workers at Contemporary Amperex Technology Co., Ltd. (CATL), faced excessive overtime practices.

• The Commission continued to document cases of job discrimination in China. Local procurators found that women who applied to positions at over a dozen companies in Nantong municipality, Jiangsu province, were illegally administered pregnancy tests during pre-employment physicals. Concerns over age bias were raised by representatives at the annual meetings of the National People's Congress and Chinese People's Political Consultative Conference in March (Two Sessions), with some calling for age limits to be formally eliminated in the hiring process.

## WORKER RIGHTS

### Introduction

During the 2025 reporting year, the Commission observed the suppression of internationally recognized worker rights in China. In 2024, worker strikes continued to occur at a high pre-pandemic level, even as the government continued to crack down on labor rights activity and labor activists. The People's Republic of China (PRC) government also extended the statutory retirement age, raising concerns that rural migrant workers would potentially face a more difficult road to gaining access to social insurance benefits. The Commission continued to observe instances of excessive overtime, as well as employment discrimination against women and job applicants over the age of 35.

### Worker Strikes and Protests

## STRIKES AND LABOR PROTESTS REMAINED FREQUENT

The Commission monitors China's compliance in protecting internationally recognized worker rights as part of its legislative mandate. This includes the right to form trade unions and the right to strike as provided in Article 8 of the International Covenant on Economic, Social and Cultural Rights, which China has ratified, and the right to organize as provided for in International Labour Organization (ILO) conventions that China has not ratified.<sup>2</sup> China has, however, ratified 7 of the 10 ILO fundamental conventions, including the Abolition of Forced Labour Convention of 1957.3 The right to strike is an "intrinsic corollary of the fundamental right of freedom of association," a freedom that, on paper,4 is protected by Article 35 of China's Constitution.5 Though the PRC government notes that strikes are not formally prohibited by law, workers have been prosecuted for participating in strikes, often under the criminal charges of "disturbing public order" or "picking quarrels and provoking trouble." Furthermore, the CCP-led All-China Federation of Trade Unions (ACFTU) remained the only trade union organization permitted to represent worker rights under Chinese law.<sup>7</sup>

China Labour Bulletin (CLB), a Hong Kong-based nongovernmental organization (NGO) that closed in June 2025,8 compiled data annually on worker actions collected from traditional news sources and social media and documented protests carried out by workers across China on its "Strike Map." CLB cautioned that their reporting on collective actions is incomplete given difficulties with the availability of information, and estimates that its database only collects roughly 5 to 10 percent of all incidents. 10

Despite an overall decline in documented strikes and labor actions since 2023, China's worker unrest continued to remain at a high level in 2024. CLB documented 1,509 incidents in 2024, compared to 1,794 incidents in 2023. The last time China witnessed more than 1,509 incidents was 2018, when a total of 1,707 incidents were documented by CLB. 13

## Labor Actions by Sector

WORKER STRIKES AND OTHER LABOR ACTIONS BY SECTOR BASED ON CHINA LABOUR BULLETIN'S (CLB) STRIKE MAP

- Construction workers. Similar to last year's reporting cycle, the construction industry continued to see the most protests of all sectors, as financial issues in China's real estate market continued to inhibit developers' ability to pay out wages to construction workers. 14
- Manufacturing workers. Although labor protests have decreased overall, the manufacturing sector saw an increase in protests, with most strikes in this sector taking place in the electronics and apparel industries. <sup>15</sup> For instance, a Foxconn factory in Hengyang municipality, Hunan province, faced protests after the company cut workers' subsidies and overtime shifts. <sup>16</sup>
- Service workers. The services sector saw a decrease in the total number of strikes, with the catering, sanitation, and retail industries experiencing the greatest number of protests within the service industry. In the sanitation sector, workers protested unpaid wages attributable to the financial challenges facing local governments, such as a December 2024 incident involving hundreds of sanitation workers in Xi'an city, Shaanxi province, who surrounded government offices and blocked a road due to lack of payments for five months. According to CLB, an official claimed that the government could not pay workers due to a lack of funds but promised that it would pay them before the end of the month. 19
- Logistics and transportation workers. The logistics and transportation sectors also saw a decline in the number of protests, but taxi drivers, who faced intensified competition from ride-hailing companies, initiated many protests.<sup>20</sup> In September 2024, hundreds of drivers went on strike in Xiangyang municipality, Hubei province, after the local government "ordered taxi drivers to transfer their permits to a designated company."<sup>21</sup> An X account named "Yesterday," run by a project dedicated to recording and sharing information about protests in China, said that the Xiangyang government sent "transportation management personnel" to intercept and seize taxis on the road in an effort to make the drivers comply.<sup>22</sup>

## China Seeks to Maintain Social Stability by Combating Wage Arrears

The CCP has sought to resolve cases of wage arrears in order to maintain "social stability." CLB asserts that wage arrears accounted for 88 percent of reported labor disputes in 2024.<sup>23</sup> The State Council acknowledged that one of its objectives was to "firmly prevent any major mass incidents or vicious extreme events triggered by wage arrears" and to also "maintain social harmony and stability."<sup>24</sup> As noted by the *South China Morning Post*, PRC officials' efforts to maintain social stability took place during a period of economic pressure and high-profile mass killings.<sup>25</sup> [For more on officials' tightening control on risk management, see Chapter 5—Governance and the Rule of Law.]

During this year's reporting cycle, the PRC government sought to address the issue of wage arrears by prosecuting individuals and businesses responsible for failing to pay wages. <sup>26</sup> Beginning in November 2024, the Supreme People's Court launched a three-month campaign that aimed to have courts expedite criminal proceedings against those who failed to pay wages, prioritizing projects initiated by local governments and state-owned enterprises. <sup>27</sup> Chinese state media claimed that China's courts processed around 82,000 cases involving the recovery of unpaid wages during the first 11 months of 2024. <sup>28</sup> In January 2025, state media asserted that "procuratorates in China prosecuted 1,866 individuals for failing to pay labor compensation," claiming that this was a 7.3-percent increase from 2023. <sup>29</sup> During the same month, the Supreme People's Court and the Ministry of Human Resources and Social Security also said that between 2020 and 2024, courts around the country closed over 6,200 criminal cases of "refusal to pay labor remuneration." <sup>30</sup>

# Continued Suppression of Labor Rights Advocates

During this reporting year, the Commission continued to observe reports of PRC and Hong Kong authorities' suppression of worker and labor advocates.<sup>31</sup>

- Carol Ng Man-yee and Winnie Yu Wai-ming. In November 2024, two Hong Kong labor rights advocates, Carol Ng Man-yee, former chairperson of the Hong Kong Confederation of Trade Unions, and Winnie Yu Wai-ming, founder and former chairperson of the Hospital Authority Employees Alliance, were sentenced to prison for "conspiracy to commit subversion" under Hong Kong's National Security Law. 32 Hong Kong police arrested Ng and Yu in 2021 along with other prominent pro-democracy activists who organized a non-binding primary election in July 2020.33 Hong Kong judges sentenced Ng to four years and five months in prison and Yu to six years and nine months.<sup>34</sup> According to Hong Kong Labour Rights Monitor, Yu and Ng participated in the primary election to "strengthen the bargaining power of ordinary citizens through legislative means and protect workers' rights."35 Ng stated in her mitigation hearing that "[p]articipating in the primary election was a means to enter the legislature, to allow workers to share in the fruits of socio-economic development and to protect labour rights, not to subvert the state."36
- Wang Jianbing. The Guangdong High People's Court rejected the appeal of Chinese labor rights advocate Wang Jianbing in September 2024, upholding his original June 2024 verdict.<sup>37</sup> Wang, along with journalist and human rights advocate **Sophia Huang Xueqin**, were convicted in June 2024 of "inciting subversion of state power."<sup>38</sup> The Guangzhou Municipal Intermediate People's Court sentenced Wang to three years, six months' imprisonment and three years' deprivation of political rights.<sup>39</sup> According to *China Digital Times*, the Guangdong High People's Court held the trial in September 2024 without notifying Wang and Huang's lawyers, leading to criticism by supporters and human rights organizations, who asserted that the decision was a violation of due process.<sup>40</sup> In March 2025, Rights Defense

Network reported that Wang was released from prison and noted that he was in good spirits but appeared to have lost a significant amount of weight.<sup>41</sup> Amnesty International expressed concern that Wang may continue to face "unlawful restrictions on his freedoms and the risk of re-detention" following his release.<sup>42</sup> [For more information regarding Wang Jianbing's case, see Chapter 1—Freedom of Expression.]

• Li Qiaochu. In August 2024, Chinese labor activist and women's rights advocate Li Qiaochu was released after serving three years and eight months in prison. Li posted on the social media platform X, saying that she and legal rights activist Xu Zhiyong still needed the public's continued attention so that we can live in this country free from fear. Li was initially taken into custody in February 2020 and detained incommunicado under residential surveillance at a designated location (RSDL). Following her release on bail in June 2020, authorities arrested Li in March 2021 for inciting subversion of state power after she documented poor conditions at the Linshu County Public Security Bureau Detention Center and posted about it online. Li's sentence includes a two-year term of deprivation of political rights following release. For more information regarding Li Qiaochu's case, see Chapter 7—Status of Women.

## China's New Retirement Age Fuels Dissatisfaction among Workers

China's new retirement ages were announced during this reporting year, laying out new requirements for male and female workers. The raising of the retirement age is taking place amid China's challenges in facing an aging population and a falling birth rate, both of which have led to "concerns about the country's shrinking labor force and the sustainability of the pension system."48 In September 2024, the National People's Congress Standing Committee announced a decision on the implementation of raising the retirement age.<sup>49</sup> Effective January 2025, the statutory retirement age will gradually be raised over a 15-year period. 50 For men, the retirement age will be raised from 60 to 63 years of age. 51 Retirement ages will be raised from 55 to 58 for women who hold "cadre positions," such as managers or senior technical staff.<sup>52</sup> The retirement age for other female workers will increase from 50 to 55.53 Beginning in January 2030, the minimum period of contributions toward the basic pension insurance fund needed before being able to receive monthly pension benefits will gradually increase from 15 years to 20 years, rising in six-month increments per year.54

Chinese workers expressed discontent online and through interviews with the media over the new policy, while observers said that the new requirements will negatively impact China's migrant workers in particular. Over 100,000 people posted on social media following the announcement, with many internet users expressing concern that there would not be enough job openings for those seeking employment and that pension funds would be depleted by the time of retirement, among other issues.<sup>55</sup> There was no public consultation process for the new retirement age.<sup>56</sup> Journalist Deng Yuwen explained that "[d]elaying retirement is different from general public policies. It involves the practical rights and interests

of almost every worker, so it is particularly necessary to consult the public." Furthermore, migrant workers,  $^{58}$  who do not possess an urban residency within China's household registration (hukou,  $\not \vdash \Box$ ) system, lack the same access to local government services as compared to their urban counterparts.  $^{59}$  China Labour Bulletin previously assessed that raising the retirement age may add burdens to migrant workers who already have difficulty finding jobs that pay for social insurance benefits, which includes pension payments even for the current minimum period of 15 years.  $^{60}$ 

## Food Delivery Workers in the Gig Economy

PRC authorities took steps to improve protection for food delivery workers due to fears of social unrest and to buttress against the slowing economy, but analysts have expressed doubt that such efforts will directly benefit workers. Official media described employment in the gig economy, including work as food delivery drivers, live-streamers, couriers, and drivers for ride-hailing services, as "flexible employment." 61 Although the gig economy offers workers flexible hours, pay structures, and work terms, this model has allowed companies to avoid formal obligations like providing social insurance. 62 Rising unemployment and an economic slowdown have led to the expansion of China's gig economy in recent years, which has created additional competition and pressure for food delivery workers. 63 Following a February 2025 meeting between PRC leader Xi Jinping and Chinese business leaders, China's largest food delivery platforms JD, Meituan, and Ele.me said that they would expand social insurance benefits for delivery workers.<sup>64</sup> Analysts asserted that Xi's meeting with the leaders indicated a push to make the private sector better serve the CCP's goals.<sup>65</sup> Gig workers were a focus at the annual meetings of the National People's Congress (NPC) and Chinese People's Political Consultative Conference in March (Two Sessions). 66 Åt a press conference during the Two Sessions, Minister of Human Resources and Social Security Wang Xiaoping stated that a pilot government program providing occupational injury insurance for gig workers would be expanded from 7 provinces to 17 provinces. 67 Commentators are skeptical that efforts to expand social or state insurance to delivery workers will be directly beneficial for them and have also noted that details on implementation have been sparse.<sup>68</sup> In a letter to the *Financial Times*, one Shanghai municipality-based commentator said that "[b]y adding state insurance to the delivery drivers, the primary beneficiary would be the state insurance fund, whose coffers have been emptied by mismanagement, corruption, and most importantly, misguided Covid restrictions."69

### Excessive Overtime

The Commission continued to observe cases of Chinese workers being subject to excessive overtime practices during this reporting year:

• Coffee farm workers in Yunnan province. China Labor Watch (CLW) asserted that coffee farms in Yunnan subjected workers to excessive hours and poor working conditions.<sup>70</sup> CLW conducted three undercover investigations in 2024 that consist-

ed of interviews with 66 individuals working on Yunnan farms that supply coffee to Starbucks and Nestlé. <sup>71</sup> Coffee farmers and hired pickers endured excessive work hours, consisting of a schedule of 11 to 12 hours a day, seven days a week, for three months straight. <sup>72</sup> Employers did not provide paid leave, compensation for statutory holidays, or personal leave. <sup>73</sup> Farmers did not receive medical or health insurance and were not provided with safety equipment. <sup>74</sup> The farms also used child workers for tasks including picking coffee beans during school breaks, potentially exposing them to agrochemicals. <sup>75</sup> CLW's investigation found that "ethnic minorities, including the Wa, Hani, Lisu, Lahu and others, face cultural and linguistic marginalization within the coffee industry," since many of the workers do not speak Mandarin Chinese, impeding their ability to advocate for improved workplace conditions and defend their rights. <sup>76</sup>

• CATL corporate workers. Chinese state media reported that the Chinese battery company Contemporary Amperex Technology Co., Ltd. (CATL) launched a "Strive for 100 Days" campaign, and pushed employees to work from 8 a.m. to 9 p.m., six days a week, or an "896" work schedule. This schedule exceeds the "996" work schedule, 9 a.m. to 9 p.m., six days a week. The PRC government stated in 2021 that the "996" work schedule is illegal. Article 36 of the PRC Labor Law provides that the workday should not exceed 8 hours and that the workweek may not exceed on average 44 hours. CATL's management did not issue an official document requiring the "896" schedule, but a company source said that department heads have "mandated their subordinates [to] work overtime." One CATL employee noted that others had resigned in response to the requirement.

## Employment Discrimination

During this reporting year, the Commission continued to observe cases of employment discrimination in China:

- Companies illegally administer pregnancy tests for job applicants. In July 2024, state media reported that over a dozen Chinese companies allegedly asked job applicants to take pregnancy tests. Sa According to the *Procuratorial Daily*, a Chinese state media outlet, procurators found that 168 women who applied to positions at 16 companies in Nantong municipality, Jiangsu province, were illegally tested during pre-employment physicals. Procurators later conducted an investigation, visiting two public hospitals and a medical exam center. The procurators found that one woman who was pregnant was not hired. For more on the illegally administered pre-employment pregnancy tests in Nantong municipality, Jiangsu province, see Chapter 7—Status of Women.]
- Age bias negatively impacts prospective job applicants. For years, ageism has been a form of job discrimination in China, and the *PRC Labor Law* lacks prohibitions against age-based discrimination.<sup>87</sup> During the Two Sessions, the CCP signaled that addressing ageism will be a focus during the year.<sup>88</sup> For instance, Zheng Gongcheng, an NPC delegate, said that age lim-

its were "wasting talent" and suggested that such limits should be illegal. Another NPC deputy, Meng Yuan, urged that China's labor laws be strengthened to eliminate arbitrary age restrictions that are unrelated to job requirements. These calls for strengthened regulations against age restrictions emerged following several prominent cases of ageism in China. For instance, in February 2025, a job advertisement for sanitation workers in Guangzhou municipality, Guangdong province, sparked outrage online, after Xinshi subdistrict, Baiyun district, set an age limit of 35 for the position, with a possible extension to 40.92 According to Sixth Tone, a Chinese state-affiliated media outlet, a popular Chinese microblogging platform, with many internet users criticizing the age limit and expressing how difficult it is to find work as people get older.

#### Notes to Chapter 10—Worker Rights

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<sup>2</sup>"International Covenant on Economic, Social and Cultural Rights (ICESCR)," adopted December 16, 1966, entry into force January 3, 1976, art. 8; International Covenant on Economic, Social and Cultural Rights," *United Nations Treaty Collection*, Chapter IV Human Rights; "Freedom of Association and Protection of the Right to Organise Convention, 1948," *International Labour Organization*, No. 87, adopted July 9, 1948, entry into force July 4, 1950; "Right to Organise and Collective Bargaining Convention, 1949," *International Labour Organization*, No. 98, adopted

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4 Maina Kiai, "UN Rights Expert: Fundamental Right to Strike Must Be Preserved," U.N. Office of the High Convention of March 1988, 1988, 1988, 1989

of the High Commissioner for Human Rights, March 9, 2017; "张千帆. 中国宪法为何难以落实" [Zhang Qianfan: Why is the Chinese constitution difficult to implement?], Yanhuang Chunqiu, no. 5, reprinted in China Digital Times, May 11, 2011; "零八宪章全文(刘晓波等)" [Full text of Charter 08 (Liu Xiaobo et al.)], December 9, 2008, reprinted in Radio Free Asia, July 13, 2016. Legal scholars in China have asserted that while the PRC has a constitution, it does not have a constitutional government. In other words, the constitution fails to protect citizens' rights in

5 "中华人民共和国宪法" [PRC Constitution], passed December 4, 1982, amended March 11,

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