Research on the Labor Relations of Chinese Logistic Enterprises

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Abstract: Logistics is a traditional labor-intensive industry, the stability of its labor relations decide his sustainable development, and at the same time it is also decide social harmony and stability. This article through the research on the labor relations of small and medium-sized logistic enterprise, then propose some ideas to cope with it.

Keywords: Logistics enterprises, Labor relations, Trade unions

1 Instruction

Logistics is a service industry which compounded with shirt-sleeve, transportation, warehousing, freight forwarders and information industries, involved field wide, absorbed employment and promoted economic growth of consumption. Modern logistics as an important means of production services for each additional 5.68 percentage points, it can drive services increases 1 percent. China engaged in logistics enterprises as many as 200 thousand, over 95% of them are local small and medium-sized logistics enterprises, and they almost entirely focused on the road auto transportation field. The good environment what Chinese logistics industry development need has not been perfected and fuel prices hike, pass toll repeatedly increase, led to the logistics enterprises operated under the condition of high cost and low profit, these enterprises in order to survive only by constantly price-dropping mode, then obtain the necessary profit space. The direct consequence of enterprises continuously low labor costs, allowing employees to work overtime, so work overtime becomes the norm situation, also led industry become labor disputes out.

2 The status of small and medium-sized logistic enterprise in the Chinese labor relationship

Labor relations as a social economic relation that laborer, employer and relevant organizations achieve labor process. Chinese labor relations because of it located in enterprise ownership is difference, so that different industry showed their features, such as the labor relation of state-owned enterprise more harmonious and stable than the non-public enterprises, and other factors such as the status and size of the enterprise and industry, profitability.

For the small and medium-sized logistics enterprise, due to business owners their own quality is not high, legal consciousness weak, and they engaged in the service industry which the particularity of nine-to-five schedules to logistics enterprise speaking is not practical, and in this workplace less consider the right of holiday and safeguard laborer, employers optional overtime becomes the norm, at the same time overtime wage calculation but no one can according to the state's relevant standards implementation, thus for Labor and capital contradicts the outbreak of buried a foreshadowing.

2.1 Personnel situation of the logistic enterprise

Chinese logistics industry professionals have 1676 million in 2008, college degree or above accounted for 21.56%, we can see that the vast majority of the employees who degree is low, it belongs to manual workers. Logistics professionals can be simply divided into three levels: fist is the basic operation personnel, such as packing, tally, sorting, etc, the level of labor supply relative enough, ordinary workers through simple training can be competent, secondly it is middle managers, such as purchasing manager, storage manager, has had a batch of experienced people engaged in these occupations, but
professional talents are still scarce, thirdly it is advanced logistics director, this kind of talents is the key to the development of logistics industry.
The second and third levels of practitioners due to their own human capital scarcity, and the employer of labor relations in the game can effectively protect labor rights, and just is sufficient supply of the first layer of the staff, labor rights and regular by the employer's invasion, the labor force in the labor market unlimited supply condition inevitably determines their relative to the management of absolute vulnerable position.

2. The employment contract system is not standard

In January 2008 Employment Contracts was implemented, the strict implementation of the relevant Labor laws and regulations will inevitably lead to increase of enterprise labor costs, the logistics of small and medium-sized enterprises for profit will further diluted. Thus, a few enterprises in order to obtain more profits, the enterprise operator reluctant to sign labor contract with laborer, are used to constrain their behavior, even to sign labor contract also exists many problems, just as the relevant Labor standards, labor conditions with the state's relevant regulations by resisting.

As a laborer, because of the existence of many unemployed population and the cost of working searching increases, as an individual does not have the ability to bargain with employer, but as groups of laborer not perfectly to organize and maintain their own lawful rights and interests. Local government at all levels which as labor regulator, because of fears of the escape of capital and attach too much importance to economic growth, to some extent that government and employers to reach a compromise or conspiracy, labor interests then become be sacrificed party, employers to excessive grab absolute surplus value. in which the logistics of small and medium-sized enterprises, these objectively existing realities which lead to the lack of rights and interests of employees.

2.3 Trade union cover rate is low

One of the characteristics of Labor relations in the market economy which both sides of Labor and capital as an independent subject with their ownership of own resource. At the beginning of Labor and capital establishment the Labor contract, because laborer economy and personality dependency determines the laborer disadvantage.

As a laborer individual only unite through groups to be the rival of employers, and then realize the balance of the Labor relations. By the end of 2009, our country the basic-level trade union organizations has accumulated to 184.5 million; The national union members totaled 226 million people, a new member 1417.3 million years, including rural migrant workers 798.3 million members. But because of its particularity, the trade union logistics industry of coverage is not very high, a more only a few staff logistics small businesses, and this is the most cannot get labor rights protection department. These companies in the employers don't give employees on time pay wages, and even a roll of abscond case employers.

Governments at all levels in order to attract investment to promote economic development and ignoring the violations what management done to laborer's interests, only to be macro-initiator intervenes when the contradictions seriously of both sides of Labor and capital. If lack or narrow of proper channel to express, it inevitable cause the interest demand of right subject, the parties may be damaged by turning to a more intense, system outside manner, will affect the stability of the society harmonious. This situation was showed in spontaneous shutdown of employees, such as Beijing some dairy company worker abrupt shutdown event, Guangzhou large logistics enterprise driver to compensate for overtime work stoppage events.

In this context, the laborer of private enterprise need channels to express his opinions, and labor organization which could represent their interests, but due to the thought of private business owners that its management authority guild is unnecessary interference, in addition to prevent union expenditures for the reduce unnecessary expenditure, obstruct the union established in private enterprises, and the government and the behavior, thus make union ignore cover rate is very low. Even in which established
trade union enterprise, the union has also cannot function properly, in one of them have a plenty of employers union, some unions are useless what due to lack of necessary support to the tort of employers.

3 Countermeasures study on the harmonious labor relations of small and medium-sized logistics enterprise

3.1 The construction of the regional and trade unions
Individual worker exercise collective labor right through trade union, and enhance the laborer conditions for employment purposes through collective negotiations, it is the essential way of right-maintaining for the advanced industrial countries. Chinese logistics industry because of small-scale logistics company objective existence, many companies can't satisfy the basic-level trade union construction requirements. As the article 10 of the Trade Union Law: "A basic-level trade union committee shall be set up in an enterprise, an institution or a government department with a membership of twenty-five or more; where the membership is less than twenty-five, a basic-level trade union committee may be separately set up, or a basic-level trade union committee may be set up jointly by the members in two or more work units, or an organizer may be elected, to organize the members in various activities. Accordingly for small-scale logistics enterprises may establish a grass-roots work committee, a township and village and the community for the unit labor organization, specific management can draw lessons from Yiwu pattern, such as non-state-owned enterprises union execute appendage management, member execute flow, membership relations member system with labor relations flow.
Through the regional trade union or industrial trade union to represent workers and employers sign a collective contract to regulate logistics bottom their employment benchmark, thus realize laborer, on the one hand, the maintenance of rights of the trade union in Kunshan higher level trade union basic-level trade union part maintenance responsibilities method "is worth using for reference," designated "to of higher level trade union basic-level trade union part maintenance responsibilities of content and range of the rules, solved the basic-level trade union in performing their duties, safeguard in position, information and measures of asymmetry, improve the workers' ability.

3.2 Labor organization of participation
Our country unified unions rights protection mode, by the past institutional inertia and the social and political influence of the structure of the specific operation of union safeguard the rights and interests of every worker has problems such as: the efficiency is low, the enthusiasm enough wait for a phenomenon.
To this, some experts think is mainly due to internal power shortage, namely, trade unions rights and the existence of whether union between development is no necessary causality, even if the union does not rights, will not lead to union atrophy and die. In this context, among China's coastal and inland some developed local spontaneous appeared like fraternity, the association, migrant workers association with these union property organizations, to safeguard the rights and interests of laborers. And this one form and our country as prescribed by law, unified union model of this conflict, the solution of the problem must undertake careful consideration, not just because it is not superior to its trade union agree with the establishment and maintenance of the rights and interests of laborers. And this one form and our country as prescribed by law, unified union model of this conflict, the solution of the problem must undertake careful consideration, not just because it is not superior to its trade union agree with the establishment and maintenance of the rights and interests of every worker the conduct of the ban, and that will only intensified both sides of Labor and the contradiction between lead to social instability. We can take a flexible and pragmatic measures will be its standard at the union of the system, relaxing union apply for to establish standards and give them some necessary policy and economic support, which increase the flexibility of rights form, such as folk association, register as the workers' organization (such as Beijing's little bird culture dissemination center) and some ngos. Laborer spontaneous rights groups can avoid the preexisting trade union organization construction such as capture expends form, caused by the employer boycott.
For that unofficial labor organization representing the right-maintaining legitimacy, this is a problem worth discussing. Throughout most of western industrialized country foreign trade union adopts is
diversified, such as the United States to model the ultimate ratio as union presence premise, emphasize on American free enterprise system recognition, emphasize union needs to solve the problems such as wages and working hours, to use a certain procedure to solve the labor wage places dispute. Labor organization is a term to employees in any kind of any organization or any agencies, or employee representatives committee and plan, all or part of its existing purpose is to various misconduct, labor disputes, wage, salary grade, working hours, and working conditions with employer negotiate.

3.3 Strict implementation of the labor contract law, promote industrial integration
Squeezed survival of small and medium-sized logistics enterprise on one hand has great flexibility, low price advantage on the development of local economy have certain positive role, but on the other hand, some enterprise by using illegal operations and employees not sign labor contract and less on insurance, not hair overtime, labor protection supplies and equipment to substandard methods, the logistics brings malignant competition, resulting in the working conditions "explore bottom. Affect the whole logistics positive development, only by logistics effective integration, will be some abnormal logistics companies, in order to eliminate the industry long-time development, now the implementation of labor contract is a turning point. Just as Employment Contracts Article 84If an Employer violates this Law by retaining an employee’s resident ID card or other papers, the labor administration authority shall order the same returned to the Employee within a specified period of time and impose a penalty in accordance with the provisions of relevant laws. For many years, with the highway transportation industry and express profession, drivers and express delivery staff and cars with goods with the money fled fraud incident sometimes occur, small and medium-sized enterprises to adopt simple buckle certificate, accept deposit management. Labor contract is strictly implemented on this kind of enterprise must be upset, cause the labor dispute. Only reaches a certain scale enterprise party has the ability to construct a new credit system, and it must be based on regulating stabilize labor relationship basis, this is small and medium-sized enterprise unavoidable.

In addition, although the labor contract law article 85 of labor remuneration, overtime pay, economic compensation made rules, but due to the logistics exist liquidity strong industry characteristics, the objective cause beyond labor time "overtime" is widespread. For example long-distance transit appear road resistance phenomenon often happens, overtime pay compensation system, perfect need enterprise and employee to settle through consultation, avoid caused by labor disputes. The law of labor contract gradually put into effect, the industry labor condition will continuously improve, laborer rights will also get ensuring.

4 Conclusion
From perspective of the whole of logistics industry, it is a objective facts that the implementation of the Labor Contract Law must increase the cost for enterprise in the short period, maybe could pass all to the service target, increase the burden of consumer, it necessarily promote industry muck, the survival of the fittest, there is a pain, but this is a perfect logistics system building, it is must be assumed logistics enterprises formed real competitiveness and grants.

References