

劳动合同法的影响

The Impact of Labor Contract Law

青岛小陈热线服务社

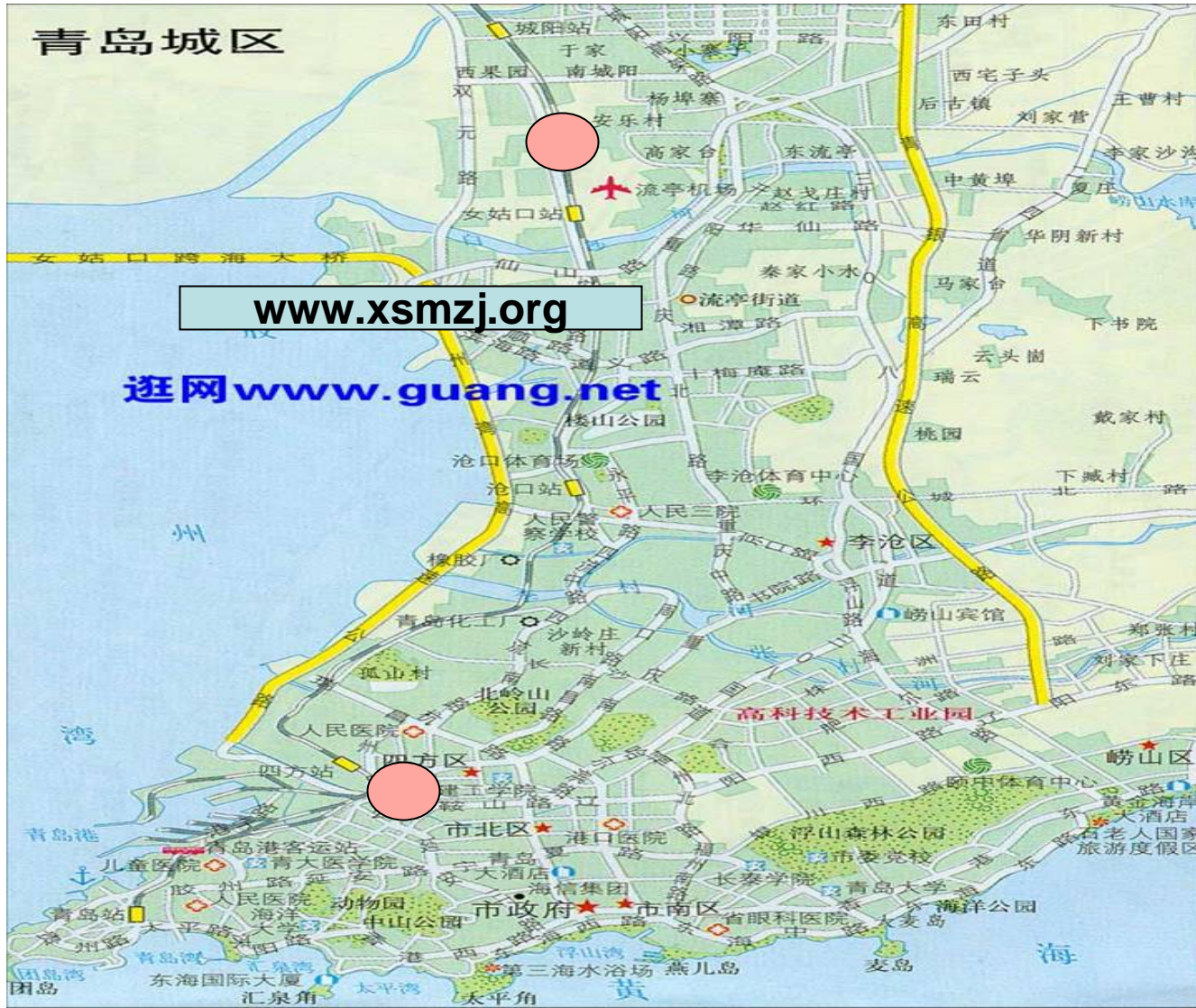
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机构背景

Background of the Organization



北部机构-新市民家园

Organization in Northern Qingdao - New Citizen's Home

- 成立于2005年，现在机构有工作人员3名，志愿者128名。
- Established in 2005 and has 3 staff and 128 volunteers now
- 机构附近的工厂（以自行车十分钟为半径）约700余家，工人约12万人。
- There are 700+ factories with 120 thousand workers in the organization's surrounding area (within 10 minute's bicycle ride)
- 工厂有电子、纺织、机械加工、水产品加工等。
- Factories including electronic, textile, machinery processing, seafood processing factories, etc.
- 机构目前提供的服务：法律咨询、法律讲座、工业安全预防、图书借阅、生殖健康服务、文化娱乐活动的组织。
- Services provided currently include legal consultancy, legal awareness workshop, industrial safety and prevention, library, reproductive health service, recreational activities.

南部机构—新市民之家

Organization in Southern Qingdao – Home for New Citizen

- 成立于2006年8月，工作场所由政府提供，现有工作人员3名，志愿者32名。
- Was established in August 2006. The workplace was provided by the government. There are 3 staff and 32 volunteers now.
- 机构所在区域为服务业为主。涉及服务对象有8万人。
- The organization is located in an area with the service sector as its main industry. Number of relevant target group of service is more than 80 thousand.
- 机构目前提供的服务：法律服务、法律政策的普及、生活常识的培养。
- Services provided currently include legal service, awareness on laws and policies, life skill in urban cities.
- 机构理念：帮助新市民熟悉城市生活、融入城市生活、享受城市生活。
- Concept of the organization: help the new citizen to get familiar with life in city, be included in the city and enjoy the life in the city.

工人眼中的劳动合同法

Worker's perspective on the Labor Contract Law

- 实用性；劳动合同法的规定对于工人而言，容易理解并能在具体劳动合同履行的过程中使用。
- Practical; the clauses in the Labor Contract Law is easy for workers to understand and they are able to use it in the implementation process of the labor contract.
- 知晓率高；劳动合同法自公布以来，工人的了解程度提高，根据机构的调查，在调查的800人中有87%的工人知道有劳动合同法，在这当中有53%的工人能说出三项以上法律规定的內容。
- High awareness; since the Labor Contract law was published, worker's understanding of the law has improved. According to a survey statistics, among the 800 workers surveyed, 87% of them know there's a Labor Contract Law, and 53% of them can name more than 3 items regulated by the law.

- 对工人权益保护的条款增多；
- More clauses on protection of worker's rights and interests
- 对用人单位的处罚力度加大；
- Penalty on the employers is more strict.
- 工人学习劳动合同法的愿望强烈。
- Workers are willing to learn the Labor Contract Law.

NGO看劳动合同法

NGO's Perspective on the Labor Contract Law

- 赋予工会的权利明显；
- Rights granted to Trade Unions are obvious;
- 劳动争议案件成上升趋势；
- Labor disputes cases have an increasing trend
- 用人单位用人日趋规范；
- More regularized for employers in the employment
- 执法透明度增强；
- Transparency of law enforcement increased.
- 工会将在维护工人权益发挥更为重要的作用。
- Trade Unions will play a more important role in protecting worker's rights and interests.

面临的挑战

Challenges

- 法律普及的缺乏
- Lack of legal awareness
- 用人单位阻止建立工会的行动一直未停止
- Employers have never ceased stopping the establishment of the Trade Unions