



中华全国总工会
All China Federation of Trade Unions

中国工会外资企业工会组建简介

Trade Union Organizing in Foreign
Invested Companies in China

中华全国总工会国际联络部

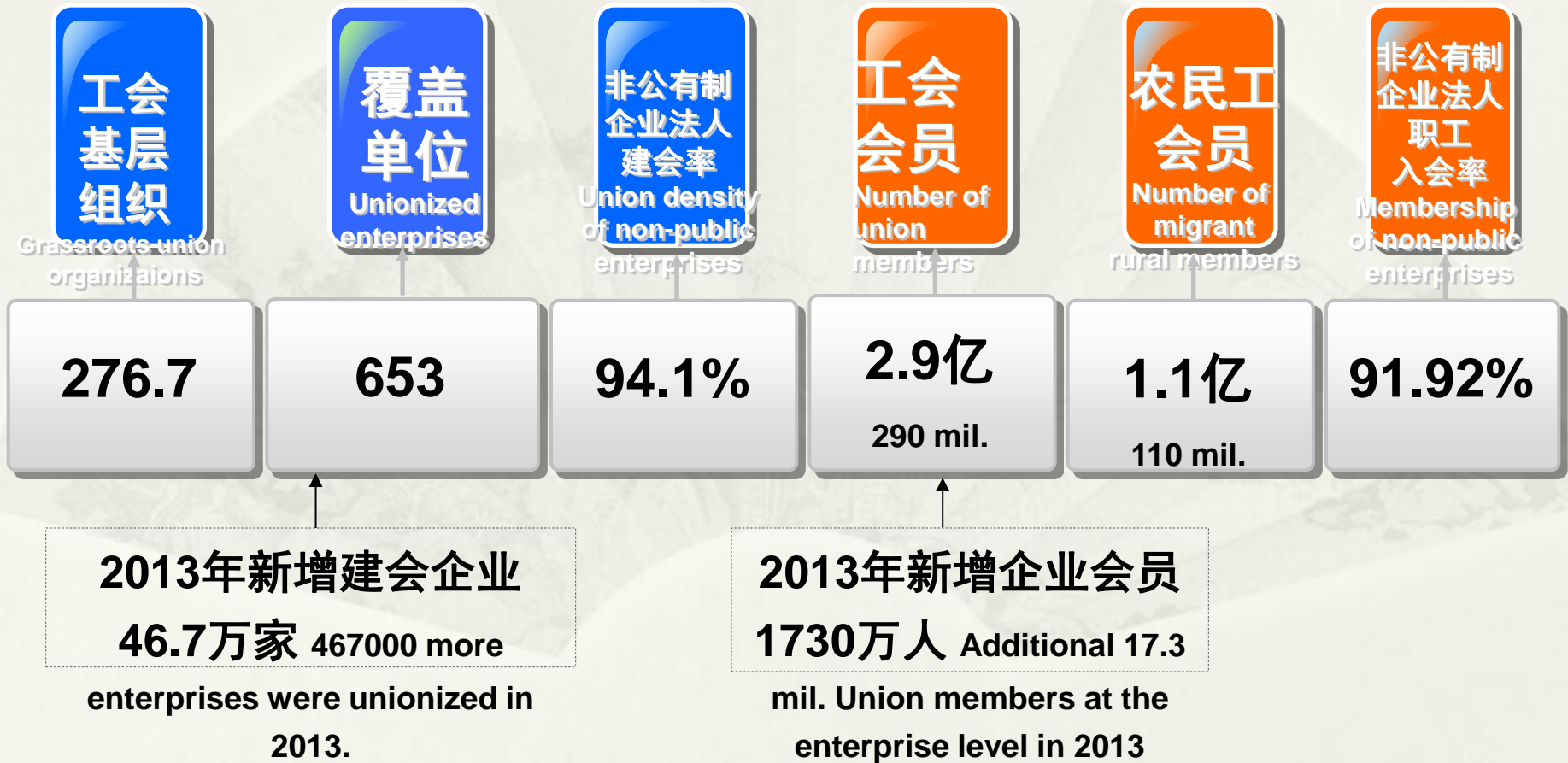
Chief of International Liaison Department

ACFTU. 处长 高晓梅



工会组建和发展会员现状

Status Quo of Union Organizing





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一、法律法规提供保障

Stipulations in relevant laws and regulations

《中华人民共和国工会法》规定：

In accordance with Trade Union Law of the People's Republic of China,



中华人民共和国工会法

Trade Union Law of the People's Republic of China

(中英对照)

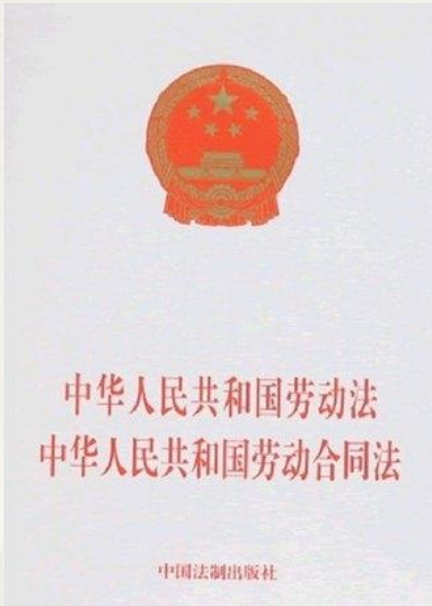
法律出版社
Law Press·China

“在中国境内的企业、事业单位、机关中以工资收入为主要生活来源的体力劳动者和脑力劳动者，不分民族、种族、性别、职业、宗教信仰、教育程度，都有依法参加和组织工会的权利。**任何组织和个人不得阻挠和限制。**”

All manual and mental workers in enterprises, institutions and government departments within the territory of China who rely on wages or salaries as their main source of income, irrespective of their nationality, race, sex, occupation, religious belief or educational background, have the right to organize or join trade unions according to law. **No organizations or individuals shall obstruct or restrict them.**



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《中华人民共和国劳动法》规定：

Labour Law of the People's Republic of China stipulates:

“劳动者有权依法参加和组织工会。工会代表和维护劳动者的合法权益，依法独立自主地开展活动。” Labourers shall have the right to participate in and organize trade unions in accordance with the law. Trade unions shall represent and safeguard the legitimate rights and interests of labourers, and independently conduct their activities in accordance with the law.

《中华人民共和国劳动合同法》规定：

Labour Contract Law of the People's Republic of China stipulates:

“被派遣劳动者有权在劳务派遣单位或所用工单位依法参加或组织工会，维护自身的合法权益。” The dispatched workers are entitled to joining the trade union or organizing such unions in the labour agencies or employers, in order to safeguard their lawful rights and interests.





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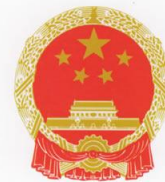


《中华人民共和国公司法》规定：

Company Law of the People's Republic of China stipulates:

“公司职工依照《工会法》组织工会，开展工会活动，维护职工合法权益。公司应当为本公司工会提供必要的活动条件。”

The workers of a company shall organize a labor union, which shall conduct union activities and safeguard the lawful rights and interests of the workers in accordance with the law. The Company shall provide the necessary conditions for its labor union to conduct its activities



中华人民共和国 公司法

Company Law of
the People's Republic of China

(中英对照)
(Chinese-English)

法律出版社
Law Press China



中华人民共和国 外资企业法

法律出版社

《中华人民共和国外资企业法》规定： Foreign-funded Enterprises Law of the People's Republic of China stipulates:

*“外资企业的职工依法建立工会组织，开展工会活动，维护职工的合法权益。外资企业应当为本企业工会提供必要的活动条件。”

Workers and staff of enterprises with foreign capital may organize trade unions in accordance with the law, in order to conduct trade union activities and protect their lawful rights and interests. The enterprises shall provide the necessary conditions for the activities of the trade unions in their respective enterprises.



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二、确定正确的工作方针 Guidelines

中国工会十三大、十四大提出： The 13th and 14th
Congresses of Chinese Trade Unions laid out the following guidelines:

“哪里有职工，哪里就必须有工会组织” Trade unions must be organized wherever workers exist.

“最广泛地把职工组织到工会中来”

To unionize as many workers as possible

“最充分发挥工会作用”

To bring into full play the role of trade unions





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“组织起来、切实维权” Organize to safeguard rights

“组织起来、切实维权”的工作方针，要求各级工会不断扩大工会组织覆盖面，增强工会凝聚力

This guideline requires the unions at various levels to expand the coverage of union organizations and increase their cohesion.





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“两个普遍”

Two Priorities of
Universalization

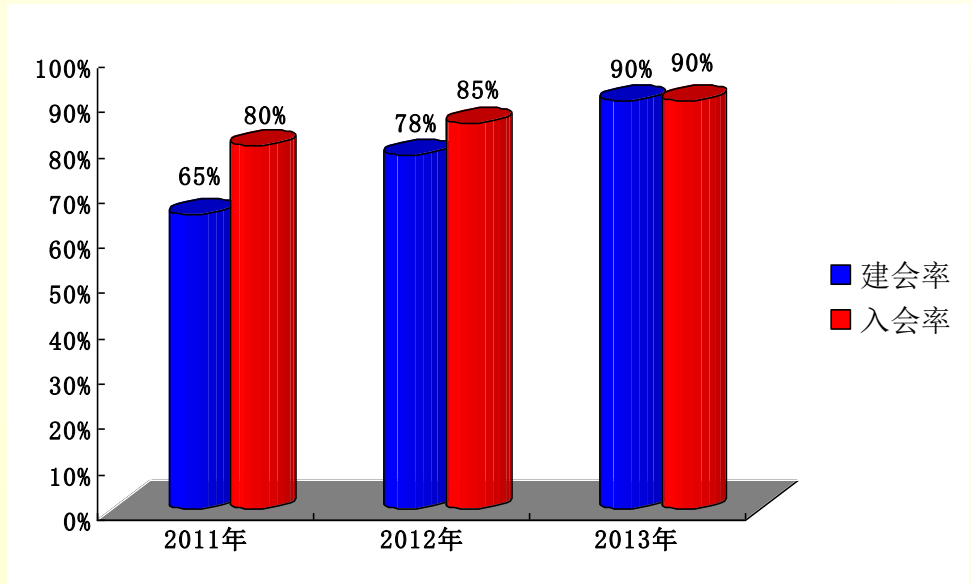
“依法推动企业普遍建立工会组织” Universal
organizing of trade unions at the enterprise level in accordance with
law

“依法推动企业普遍开展工资集体协商”
Universal collective consultation within the enterprises in accordance
with law



企业普遍建会工作三年规划

Three-year Plan of Universal organizing of trade unions at the enterprise level



2011年底，企业法人建会率65%，职工入会率80%
The End of 2011 saw 65% of enterprise union density and 80% of enterprise union membership.
2012年底，企业法人建会率78%，职工入会率85%
By the End of 2012, those two numbers were 78% and 85% respectively.
2013年底，企业法人建会率90%，职工入会率90%
By the End of 2013, 90% and 90% respectively.



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三、发挥组织体制优势，突破建会难点

突破沃尔玛 (Wal-Mart) 公司建会 Making the breakthroughs to unionize Wal-Mart in China





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时任全总副主席徐德明为沃尔玛晋江店工会揭牌



全总召开专门会议推动各地沃尔玛建会



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北京沃尔玛百货有限公司宣武门 工会成立大会



沃尔玛 成都市交大路分店 SM 广场分店 集体合同签字仪式



沃尔玛无锡红星路分店集体合同签订仪式





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沃尔玛深国投百货有限公司湖景分店工会委员会成立暨第一次会员代表大会



沃尔玛深国投百货有限公司布吉大芬分店工会成立暨第一次会员大会



沃尔玛云南集大店会员选举工会主席



沃尔玛南京新街口店 第一届一次职工代表大会





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世界500强等跨国公司在华投资企业工会主席培训班





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四、转变建会思路和方式 Changing Ways of Thinking in Organizing Unions

坚持把工人作为建会的主体 Workers are the catalyst in the process of organizing.





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建立区域性行业性基层工会联合会 To set up the grassroots federations of trade unions at regional and sector level



2009年, 时任全总副主席、书记处第一书记孙春兰出席阳泉会议

全国工会基层组织建设暨县级工会工作会议





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全总副主席段敦厚观摩上海普陀区八大行业工会联合会

全国工会组建暨发挥作用工作会议

普陀现场观摩会



广州开发区、萝岗区餐饮行业工会联合会第一次代表大会

乔司镇服装行业工会成立大会



开远市汽车协会工会联合会第一次代表大会



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聘用社会化工会工作者 Part-time Unionists Hired



截至2012年底，全国聘用社会化工会工作者3.36万人，全总2012年度专门投入5800多万元，实现了社会化聘用专职工会工作者工资分级负担全覆盖。By the end of 2012, 33600 part-time unionists had been hired across China, with 58mil. Yuan of special funds allocated as their wages, which were jointly financed by unions at various levels.





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镇工会职工培训中心挂牌成立



通化房产段兼职工会主席培训班





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多种方式组织农民工入会 Multiple ways have been adopted to organize migrant rural workers.



截至2012年底，中国工会已发展农民工会员累计共1.05亿人。By the end of 2012, a total of 105mil. rural migrant workers had been organized in China.

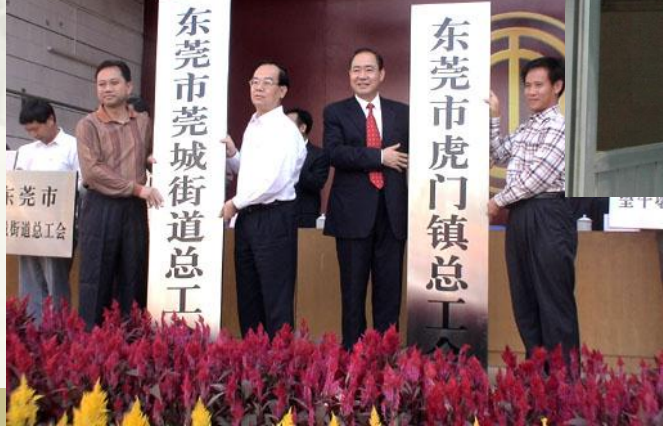


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六、健全工会组织网络 Building a perfect network of union organizations

工会组织领导体制向乡镇(街道)延伸 Chinese trade unions have extended their reach to township.





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全国总工会
ACFTU

省（市、区）总工会
**Provincial Federation
of Trade Unions**

市（地）总工会
**Municipal Federation
of Trade Unions**

县（区）总工会
**County-level Federation
of Trade Unions**

企业工会
**Trade Unions
at enterprises level**

“小三级”工会组织网络
Three-tiered network of union
organizations at the
grassroots level

乡镇（街道）工会
Unions at township level

村（社区）工会
**Unions at village or
community level**

企业工会
Unions at enterprise level



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闵行区吴泾镇总工会成立暨第一次代表大会



车站路南社区第一届工会联合会成立大会



安亭镇联西村工会联合会成立暨工会第一次代表大会



村级工会——永川市何埂镇石笋山村工会成立





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七、推动组建工作和发挥作用良性互动 To bring into full play the role of the unionized organization

《进一步加强基层工会工作的决定》 **Decisions on Further Strengthening the Work of Grassroots Unions**

《企业工会工作条例》 **Regulations on the Work of Enterprise Unions**





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工会组建工作面临的困难和考验

Difficulties and Challenges in Union Organizing

1. 职工参加工会的权利意识不强 Weak awareness among workers of their right to joining unions
2. 大量小型非公有制企业职工数量少、流动性强 The nature of small number and strong fluid of workers faced by many small-sized non-public enterprises.





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谢谢大家！

Thank you!