

Report Submitted by the Women Workers' Committee of the All-China Federation of Trade Unions (ACFTU)

Attaching great importance to the legitimate rights and interests and the special interests of women workers, the ACFTU Women Workers' Committee (the Committee) has worked to protect female workers' rights and interests, prevent and prohibit workplace sexual harassment, locate problems, and put forward rationalization proposals.

I. Protecting the Rights and Interests of Female Workers.

(1). Promoting and participating in the amendment of relevant policies.

In recent years, the Committee has carried out successive research on the protection of women workers' rights and interests under the two-child policy, the establishment of a gender equality mechanism in enterprises, gender differences in enterprise labor costs, the impacts of unpaid housework on employees' employment and career development, and the implementation of the Special Rules on the Labor Protection of Female Employees (the Special Rules) with a priority to know about the

difficulties and demands of female employees in achieving their rights and interests regarding equal employment, remuneration, maternity protection, and career development. Based on the research, the Committee put forward policy recommendations through multiple channels including submitting proposals and special reports and directly participating in the formulation of relevant national policies. The Committee has promoted and participated in the promulgation and amendment of such laws, regulations, and policies as the Law of the People's Republic of China on the Protection of Rights and Interests of Women, the Employment Promotion Law of the People's Republic of China, the Social Insurance Law of the People's Republic of China, the Law of the People's Republic of China on Population and Family Planning, the Special Rules on the Labor Protection of Female Employees, the Opinions of the General Office of the State Council on Comprehensively Advancing the Combined Implementation of Maternity Insurance and Basic Medical Insurance for Employees, and the Notice on Promoting Women's Equal Employment Through Further Regulating Recruitment Behaviors. By expressing Chinese trade unions' opinions on strengthening the protection of women workers' rights and interests, the Committee has contributed to the improvement of the national laws, regulations, and policies to defend the rights and interests of female employees. The Committee has urged local governments to launch their

measures for implementing the Special Rules. 16 provinces, autonomous regions, and municipalities including Hebei, Shanxi, Liaoning, and Heilongjiang Province have issued regulations or measures to implement the Special Rules, all setting detailed provisions about maternity leave, protection in "four periods" (menstruation, pregnancy, childbirth, and lactation), rooms for female employees to rest and breastfeed, and gynecological diseases and breast disease examinations. For example, Article 4 of the Regulations on the Labor Protection of Women Employees in Heilongjiang Province specifies the responsibilities of employers for providing labor protection to female workers in terms of clarifying the responsible person, establishing a sound system, creating a working environment that complies with national regulations, and providing education and training on mental health while Article 5 stipulates in details the responsibility employers shoulder on preventing and prohibiting sexual harassment. Article 15 of the Measures on the Labor Protection of Women Employees in Shandong Province details matters related to breastfeeding. It is stipulated that breastfeeding time shall not include the necessary round-trip time, and the work quota in breastfeeding time shall be deducted when assessing workers.

(2).Carry out legal publicity activities for women workers

From 2015 to 2023, the ACFTU Women Workers Committee carried out

a series of public awareness activities for women workers through the campaign of “Caring for Women Workers and Making Them Aware of Laws Available” with themes on "promoting the implementation of the Special Provisions and safeguarding the legal rights and special interests of women workers", "strengthening maternity protection and safeguarding the legal rights and special interests of women workers", and "implementing the basic national policy of gender equality and promoting workplace gender equality". The ACFTU Women Workers Committee provides guidance and support for local trade union organizations to carry out legal publicity campaigns by organizing various activities such as holding knowledge contests, publishing a series of books such as the "Guiding Book for Promoting Workplace Gender Equality" and "Guiding Book for Creating a Family Friendly Workplace", setting up a legal knowledge question bank, and launching an online legal knowledge learning center. Women workers' organizations of trade unions at all levels have organized extensive activities such as training courses on legal knowledge, lectures on relevant laws, case studies, and legal consultations, to create a favorable social atmosphere in which the whole society cares about the rights and interests of women workers and promotes workplace gender equality.

The ACFTU Women Workers Committee underlines the effectiveness of

public legal awareness campaigns, and strengthens legal supervision and legal services. It carries out special law enforcement inspection on the rights and interests of women workers, such as maternity leave, in joint actions with the Ministry of Human Resources and Social Security, the National Health Commission and the National Medical Security Bureau, and urges employers and women workers to consciously comply with laws and regulations. The Committee provides legal assistance and other services to women workers in accordance with the law, coordinates and promotes the investigation and handling of violations of the rights and interests of women workers and the implementation of corrective measures, and promotes the implementation of laws and regulations on the protection of the rights and interests of women workers.

(3). Urge employers to establish and improve workplace gender equality systems and mechanisms.

On the basis of surveys and local practices, the ACFTU Women Workers Committee has compiled and published the "Guiding Book for Promoting Workplace Gender Equality" and "Guiding Book for Creating a Family Friendly Workplace", which provide detailed interpretations of relevant laws, regulations and policies, explain the systems and mechanisms that employers should establish and the role that trade unions should play. The Guiding Books provide case study and checklists, in order to promote the

compliance of laws and regulations by employers, and provided assistance and guidance for trade unions to promote gender equality in the workplace and for employees to safeguard their rights and interests in accordance with the law. Meanwhile, the Committee has produced posters, videos, and animated micro-courses to promote the awareness and realization of gender equality in the workplace.

We have worked to carry out the promotion and application of guidance manual, summarize and promote typical cases, encourage employers to establish and improve relevant systems and mechanisms , and incorporate relevant systems and mechanisms into core management systems and practices. Relying on collective negotiation and collective contract system, we worked to promote employers to include such contents as equal employment opportunities, equal career development opportunities, equal pay and treatment, maternity protection, helping employees balance work and family responsibility, preventing and stopping sexual harassment in the workplace into collective contract and special collective contract for female workers' rights and interests, so as to ensure such systems and mechanisms are fully implemented.

(4).Actively promoting employment of female workers

Trade unions at all levels actively carry out a series of service activities for employment and entrepreneurship, taking activities such as “Most

Beautiful Domestic Helper”, “Sunshine Employment Action for College Graduates from Family of Workers in Difficulty” as the carrier to provide free employment skills training in domestic service, paper-cutting, weaving and culture creativity for female workers and other groups, enabling a large number of female migrant workers and transferred workers to master a skill. They actively assist party committees and governments at all levels to promote the employment of female workers, implement the principle of “employment fairness” in all kinds of recruitment activities organized by trade unions, require employers not to set discriminatory conditions such as gender and age, and encourage enterprises to hire female workers.

ii. Efforts to prevent and stop sexual harassment in the workplace

(1).Participate in the formulation and revision of relevant laws and regulations.

Unions have worked to participate in the revision of the law on the Protection of Women rights and interests, put forward trade union claims on the draft revision regarding prevention and suppression of sexual harassment in the workplace, and actively promote the improvement and perfection of national laws on the protection of female workers’ rights and interests.

(2).Conduct special research on sexual harassment in the workplace

The Women Workers Committee has carried out a special study on the prevention and suppression of sexual harassment in the workplace, specially organized to compile the Guidance Manual on Eliminating Sexual Harassment in the Workplace, as well as related wall charts, animation micro-lessons and promotional videos, to interpret in detail the basic concepts and types of sexual harassment in the workplace, explain the systems and mechanisms that employers should establish, analyze and comment on practical cases, with the aim of helping and guiding employers to know and fulfil their legal obligations to prevent and stop sexual harassment, and guiding trade union organizations and workers to take active measures to participate in, and promote and supervise employers to establish and implement a system and mechanism to eliminate sexual harassment.

(3).Promote the establishment of a system and mechanism for eliminating sexual harassment in the workplace by employers. In recent years, through the continuous organization of Women's Legal Publicity Month activities, by distributing the "Guide to Eliminating Sexual Harassment in the Workplace", including relevant laws and regulations on eliminating sexual harassment in the workplace in legal knowledge contests, and promoting employers to include prevention and suppression of sexual harassment in the workplace as a topic for consultation, relevant laws,

regulations and policies have been widely popularized , and systems and mechanisms for eliminating sexual harassment in the workplace have been established and improved.

III. Main problems and relevant suggestions

With the development of economy and society and the advancement of science and technology, women workers' rights protection also faces new problems and challenges. In practice, there are situations where some enterprises do not fully implement relevant provisions on women workers' "four phases" protection. The understanding of society, enterprises and women workers on the scope of work that women workers are prohibited from engaging in has changed. Some provisions on women workers' rights protection are not quite realistic in operation. In view of the problems and challenges faced, we propose the following suggestions: First, systematically revise relevant provisions on women workers' rights protection to appropriately improve protection content and degree; secondly scientifically adjust the scope of work that women workers are prohibited from engaging in; thirdly refine relevant provisions on preventing and suppressing sexual harassment in workplaces by employers; fourthly widely carry out publicity activities on laws, regulations, and policies such as "Special Provisions" for protecting women rights and interest, strengthen labor supervision and

inspection and promote implementation of laws and regulations on labor protection for female employees.