

Working conditions according to Brazilian and Chinese labor laws: A systematic review

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conditions.

Abstract— This study aims to analyze working conditions according to Brazilian and Chinese labor laws. A systematic literature review was made through the Methodi Ordinatio method, researching papers in Emerald, PubMed, SciELO, Science Direct, Scopus and Web of Science databases in terms of the corporate code of conduct, labor legislation, working conditions, labor laws, Brazil and China descriptors, considering 94 papers for the final analysis, within which 42 are related to Brazilian working conditions and 52 to Chinese ones. Regarding Brazil, the studies highlight job insecurity and, consequently, point the flexibilization of labor laws. The informal employment is one of the concerns in the studies related to Chinese working conditions. In both countries there are gaps when it comes to working conditions and future researches can investigate the cohesion lack between the formal law and the applied one.

I. INTRODUCTION

Economic and working practices have skyrocketed in global scenario with the advances in territorial limits of production, products distribution and marketing and the new market competition increase (Pirota & Pirota, 2002). Although the labor right standardizes the laws to regulate labor relationships and insures appropriate conditions, guaranteeing improvements (Andrade & Moraes, 2017), the legal standards theoretically established are not always exactly executed in practice (Deakin et al., 2014).

Labor, Social or Industrial legislations, among other denominations, constitute a legal system mediated by institutions, values, rules and principles regarding employees, employers and companies, aiming the awareness of the obligations from the labor relationships for both parts (Cassar, 2011). Despite the historical

evolution of the labor laws looking for a fair regulation, the laws generate expensive costs and difficult the employers and workers relationships. (Pirota & Pirota, 2002).

The economy growth in the beginning of the 2000s in Brazil was higher than in the 1990s, supporting an optimistic aspect between government and companies, which considered the country a new world power hiding its real reasons (Perondi, 2017). However, discusses about financial market and labor relationships in the country are surrounded by old and new questions about the work history and social protection, which are consequences of the way how the country stimulated the productive process of the activities and the way the changes motivated by the economic opening have redirected the discussion about business and labor relationships (Baltar & Krein, 2013).

Inspired in the Mussolini's *Carla Del Lavoro* created in Italy, in 1943 the Consolidation of Labor Laws (CLT) was sanctioned by President Getúlio Vargas in order to unify the already existent labor law in the country. But only in the 1980s the CLT underwent significant changes, such as the unemployment insurance (created in 1986); 44 work hours; 6 work hours for specific functions; maternity leave extension to 120 days; vacation bonus, overtime regulation among others (Oliveira, 2012).

However, any law projects (PL, Brazilian abbreviation) are in process in the national congress, aiming to deregulate employment relationships, as the law project number 5483/01, which modifies the article 618 from CTL, affirming that working conditions signed in collective agreement must outweigh the disposed in law, with the principle of not going against the Federal Constitution of 1988 (CF/88) and the work security and health regulations (Pirota & Pirota, 2002). Thus, the change allows more flexibility in hiring, having companies and employee free adaptation to the real global economy and internationalization of production (Baltar & Krein, 2013).

In a general way, the CF/88 has the human dignity and the work as democratic foundations, allowing the citizen social inclusion through the occupation, excelling society-esteem and providing life dignity (Andrade & Moraes, 2017). However, work politics in the country is usually used to avoid conflicts and keep the order (Oliveira, 2012). For the most industrial societies, the collective agreement has become one of the main ways to deal with strike and labor disorders, albeit each country has different agreements (Kuruvilla & Zhang, 2016). Nevertheless, the labor rules grant need to be carefully analyzed without jeopardizing labor rights and guarantees (Andrade & Moraes, 2017).

In 1978, the Chinese economic reform started in Orient, generating many transformations in the national job market. Before considered planned, with job roles defined by central councils, the Chinese economy gradually began improving management and labor benefits during the 1980s and 1990s, innovating with the insertion of new labor laws (Akee et al., 2018). In this regard, in 1994, the Labor Law was created to regulate the work relationships in the economic transition at that national moment. Completing this transition in 2007, the Labor Law instituted the "New Labor Contract Act" (Zhuang & Ngok, 2014).

In 2008, the Chinese government established this new legislation accompanied by conditions to labor protection, reflecting in the government acknowledgement for the population's hopes (Gallagher et al., 2015). However, there are many faults in the legal and formal means used to

enforce the Chinese labor legislation, highlighting legislation deficiencies, ineffective labor inspections and limitations from the smallest trade unions to guarantee laws execution (Cooney, 2007). Therefore, the labor turbulence in the country has been skyrocketing in recent years because the newspapers play the role of reporting strikes, letting evident how the labor power to bargain was consolidated through positive conditions in job market, which consequently protect the cooperators (Kuruvilla & Zhang, 2016).

The Chinese behavior regarding groups bargaining is different from the Western ones in relevant aspects: in Brazil, the worker has right and freedom to choose many unions for association; in China, all workers need to associate themselves in the All-China Federation of Trade Unions (Kuruvilla & Zhang, 2016). Although the Chinese Trade Union Law supports the workers to raise and get into trade unions - and it is due to the interest of small trade unions to carry out the maintenance in the trade union system -, the very own system does not establish a free collective bargaining that conveys the workers' desires (Deakin et al., 2014).

Taking into account all the applications of the new labor contract act, the Chinese labor laws have become strict regarding to other nations, even though dissatisfaction in work environment are usually judged, undergoing obligatory judgement and mostly finishing in civil courts (Gallagher et al., 2015).

In this way, the gap between the formal law and that in action can be more significant in developing markets scenarios, where the legal entities are mostly less developed (Deakin et al., 2014). During years the standards and regulations have been improved, with specific legislations to regulate labor activities, establishing minimum working conditions for the workers be able to engage to their employers with dignity (Pirota & Pirota, 2002).

Therefore, as the human develops his potential and promotes the efficiency in a country, the improvement of other conditions that increases productivity becomes relevant to examine (Dannemann, 2017). Thus, bringing to the center of the discussion the working conditions and labor laws that regulate employer and workers relationship both in Brazil and in China is essential. According to Brazilian Institute of Geography and Statistics (IBGE) until 2015 the number of workers in private and domestic sectors in Brazil covered 51.7 million of people (16.1%) and about 8 million of workers are dissatisfied or less satisfied with their working conditions, compared to ones arranged with their employers (IBGE, 2017).

Considering the scenario presented, this paper aims to analyze the working conditions, according to Brazilian and Chinese labor laws. To achieve the general objective, comparing the countries realities through a systematic literature review as specific objective was highlighted.

II. METHODOLOGY

To accomplish the analysis of working conditions proposed, according to Brazilian and Chinese labor laws, a systematic review was made and the Emerald, PubMed, SciELO, Science Direct, Scopus and Web Of Science databases were used as sources of information related to the theme (Lizot, Trojan & Afonso, 2021). To ensure that all the found articles were studied and impartially and strictly analyzed, the criterion presented in Table 1 were used (in the appendix).

In order to obtain the relevant papers, which highlight the theme, the Methodi Ordinatio methodology was adopted, composed by nine stages. The methodological stages, as the definitions used to this research are described in Figure 1.

There was not temporal limit in the articles research and, taking into account the study is comparativeness, the found articles are divided in two groups: Brazil and China. To select the relevant articles in each group, through the InOrdinatio, the median calculated in each group was used, since the amount of article per country is different.

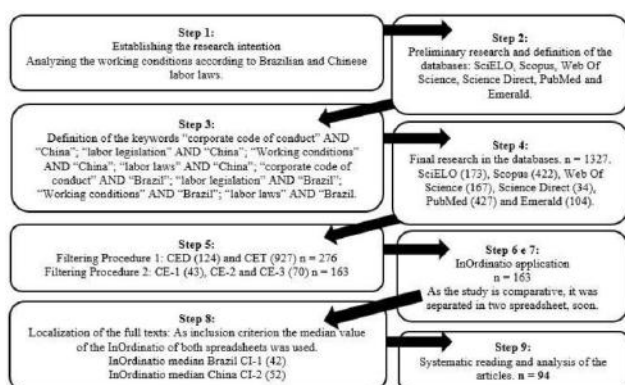


Fig. 1 – Flowchart of the Systematic Review Method from the Methodi Ordinatio.

As displayed in the Figure 1, after the application of all the nine methodology stages, the 94 articles that participate in the study were obtained. In the next sessions the results will be presented, based on the systematic analysis of the articles.

III. RESULTS AND DISCUSSIONS

In this session the analysis of the data gathered from the databases is presented, highlighting subjects as the amount of publications per year, birth country of the first author, the most quoted keywords, journals with Journal Citation Reports (JCR), area and subareas of the publications.

Facts were shown about working conditions analyzed based on a systematic reading of the articles, highlighting subjects as labor rights, job insecurity, flexibilization of labor laws, informal work, trade union among others.

Statistic measure of the data

After researching, selecting and arranging the studies collected through the databases and the methodology quoted in the previous chapter, 94 articles were obtained as shown in Figure 2.

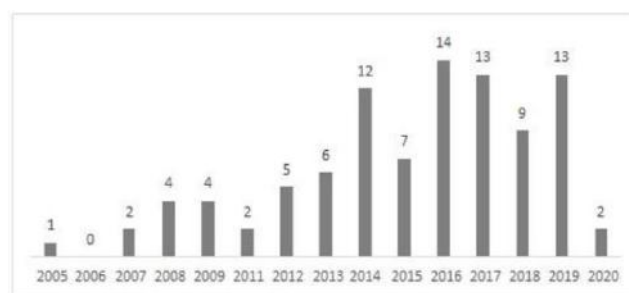


Fig. 2 – Publication year of the paper

The articles in this sample are between a period from 2005 to 2020, highlighting the years 2014, 2016, 2017 and 2019, in which productions about this theme increased considerably, however, the other years did not follow linearity. Between 2014 and 2019 there is the higher amount of publications with 72,34% (68 articles) and the rest is distributed between the other years. In the Figure 3, the data related to the filiation country of the first author are presented.

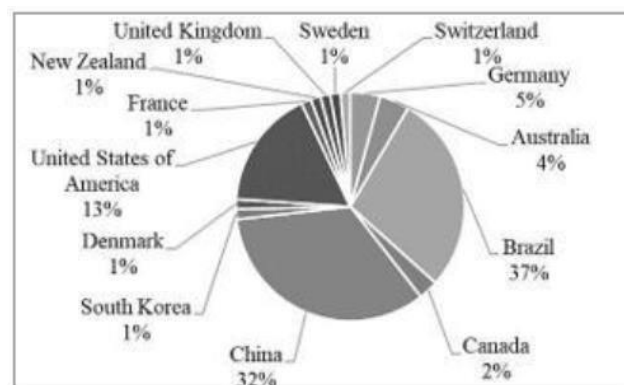


Fig. 3 – Filiation country of the first author

As the theme is related to Brazil and China, most of the researchers are from the respective countries, of which 37% (39 authors) are from Brazilian and 32% (34 authors) are Chinese among the 94 first authors from each article. Forward to the publications from China, the researchers are represented by 18 different universities, of which the Sun Yat-Sen - China University counts with four articles and the Renmin China University are with three works from different researchers. Regarding to publications from Brazil, the researchers are represented by 17 universities, of which five articles is the higher representativeness from São Paulo University. The USA, it is relevant to point, gathers 13% of the articles and, with less representativeness, still another ten countries have interest about the theme.

The interest in this theme by other authors, beyond Brazilian and Chinese ones, is justified because in the whole society the protection of labor rights represents a theme in growth, sparking interest of academics, trade unions, NGOs and layers in the rules and standards, enforcing pressure on the government aiming better conditions (Chen, 2007). In the Figure 4, results related to the keywords from each document analyzed are found.

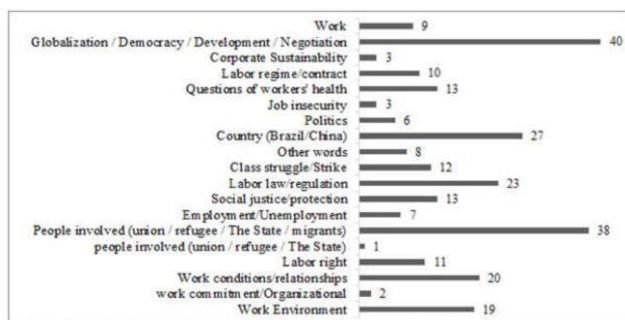


Fig. 4 – Results related to the keywords from each document analyzed

There are 265 keywords in all the 94 articles, considering that one word can appear more than once in each work. The highest representativeness is by economy terms (globalization, negotiation, improvement) and terms related to people and/or involved organizations (government, migrants, refugees, trade unions and workers). Regarding the keywords in this research in its exact terms: working conditions corresponds to 8% of the keywords and labor laws to 9% of the results found, but close terms like labor regime and rights need to be considered directly related to.

Based on the keyword analysis, it is clear that the researches widely approach situations of Brazilian and Chinese workers, regarding to their laws and rights. Yet, the workers' health can be highlighted, as well the class

struggle. In the Figure 5 there are the journals published in the theme with (JCR).

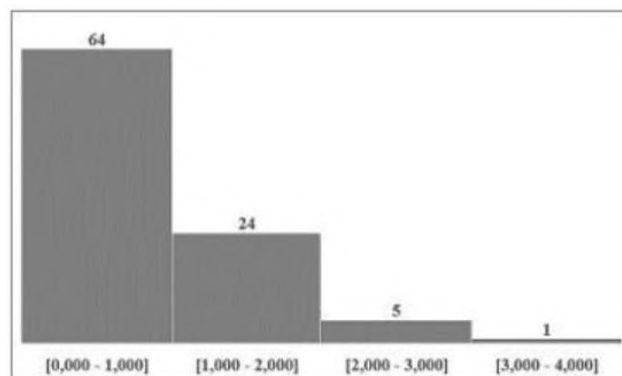


Fig. 5 – Journals published in the theme with JCR

Regarding to the journals, there are more articles in journals with $JCR < 1$, basing on the JCR 2018, the last available until the moment of the research. In this way, a low impact factor can be highlighted, with 68,84% of the journals published in the theme - becoming necessary a higher emphasis in this area researches to investigate for more researchers and the theme more published in journals often quoted. To conclude this section, in the Figure 6 and 7 there are publications areas and subareas.

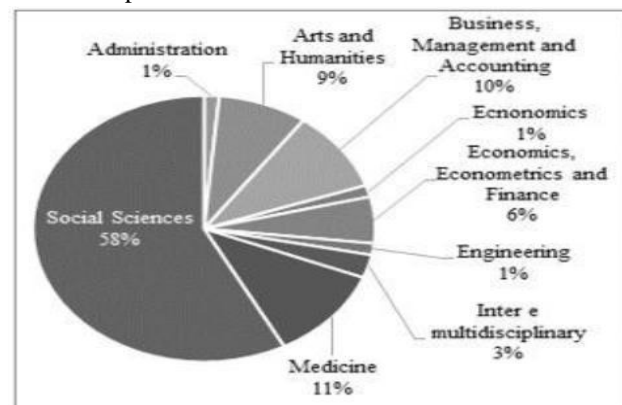


Fig. 6 – Publications area

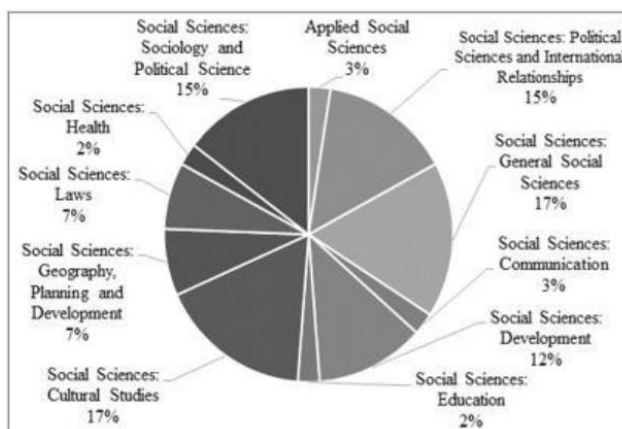


Fig. 7 – Publications subareas

The higher number of publications can be emphasize being in the social science field and in the cultural studies and general social science subareas (Figure 6 and 7). Also, the medicine area is relevant, for there are 11% of the publications in it, followed by business, management and accounts (10%) and arts and human science (9%).

The areas and subareas with asterisk were not enrolled at Scopus platform, therefore these are obtained by the scopes of the journals and the other are collected directly from the platform.

Working conditions in a capitalist economy

The Labor Rights in Brazil represent standards of consolidation and protection for job and confers one of the main public politics of the country, providing an effective social inclusion, human beings dignity and improvement in the social-economic conditions (Rocha, 2017). According to the CF/88, the emphasis given to work is possible to notice, not only in dignity principles, but also in its social value (Andrade & Moraes, 2017). So that, it brings as one of its principles, presents in the Art. 1º line IV “the social values of the work and of the free enterprise” (Brasil, 1988, p. 1).

About the excessive cost that the regulatory process can generate to companies, Almeida and Poole (2013) affirm that the CF/88 put high labor costs to employers and mention some changes: (i) the labor payroll input has increased from 18% to 20%; (ii) the penalty to fire without good cause have increased of 10% to 40% from the total contributions for the Time of Service Guarantee Fund (FGTS); (iii) and ending the contract, the worker obtains the right of earning until two hours a day to find a new job.

Therefore, benefits for the workers are also related, as: (i) the maximum period to work in a week has decreased from 48 to 44 hours; (ii) the overtime premium wage has increased from 30% to 50% of the regular wage; (iii) the maximum hours for a unique work shift has decreased from eight to six hours; (iv) the maternity leave has increased from three to four months (Almeida & Poole, 2013).

Enforcing, the Federal Constitution (Brasil, 1988) contemplates other labor rights in urban or rural means, in the Art. 7º, as following: (i) protected working relationship; (ii) unemployment insurance; (iii) FGTS; (iv) minimum wage; (v) minimum wage for each specific professional area; (vi) impossibility of reducing the wage; (vii) wage assurance, never lower than the minimum wage; (viii) Christmas bonus salary; (ix) payment for night shift higher than for the daytime one; (x) salary protection in way of law; (xi) profit share (xii) dependency allowances; (xiii) regular working hours not higher than eight hours a day and 44 hours a week; (xiv) six work hours for

uninterrupted relay shift works; (xv) weekly remunerated rest; (xvi) remunerated outstanding service; (xvii) remunerated annual vacation; (xviii) maternity leave; (xix) paternity leave; (xx) women job market protection; (xxi) prior noticed proportional to length of service; (xxii) work hazardous decrease; (xxiii) hazardous-duty pay; (xxiv) retirement; (xxv) free daycare and preschool attending from birth to five years old; (xxvi) acknowledgement of the collective work conventions and agreements; (xxvii) labor protection from automation; (xxviii) hazardous insurance; (xxix) action, regarding credits resulting from work relationships, limitation period of five years to urban and rural workers, until the limit of two years after the termination of work contract; (xxx) prohibition of differences in wages, function exercise and hiring criterion by sex, age, race or marital status; (xxxi) prohibition of any discrimination to disabled workers in wages or hiring criterion; (xxxii) prohibition of distinction between manufacturing, technical and intellectual work and between the respective professionals; (xxxiii) prohibition of night or hazardous work to under 18 years old and any work to under 16 years old, except in the trainee condition, after 14 years old; (xxxiv) rights equality between worker with permanent employment relationship and that who is not bound.

In contrast, Biavaschi (2016) comments the existence of an aspect that insists in changing rules imposed by the CLT, based on the justify of becoming the country more competitive and productive. Yet, according Pirota and Pirota (2002), this is a project to relax the legislation, carrying over the coverage from the law to conventions and collective agreements, with the claim that employers and workers can understand which working conditions are more relevant.

Regarding this context, Araújo (2013) affirms that occurs a job insecurity, generated by the capitalism development and sharpened by the workers fragility in front of the capital. In emerging capitalist nations as Brazil, the impacts to the economic and social system are different and the precariousness process affects the most sectors, contributing to the working conditions damage, loss of rights, retention of guarantees and benefits, becoming the workers situation vulnerable. Still about the worker vulnerability, Perondi (2017) highlights the worker's trend of bargaining the conditions of your own precariousness, making possible the existence of countless work contracts in only one institution.

Two changes are proposed following these market transformations: the flexibilization of labor regime (work hours, salaries, functional mobility) and the CLT deregulation (Costa, 2005). Yet, this adaptation of the companies to a global economy, has provoked negative

reflections in the working conditions, for instance, the practice named as outsourcing, which becomes poor the workers circumstances in many ways: generating workers classes less organized; increasing the positions turnover; making the worker provides workforce to companies with scarce resources (Pirotta & Pirotta, 2002). Thus, the flexibilization process in economic crisis times, reflects in the worker for, under the adequacies, the companies can adapt itself in the production, job and employees' working conditions (Andrade & Moraes, 2017).

In Brazil, it is possible to notice that the legislation is detailed, but the employers can fire their employees with any difficult and, where there is high turnover, the wages can vary benefiting the companies, not even infringing the law (Baltar and Krein, 2013). These wages are the basis of the majority Brazilian population and are reference to other remunerations, even though it is defined by economic and social control politics from the government (Costa, 2005).

Ending, Rocha (2017) highlights the difficulty during the Labor Right achievement and it cannot be object of changes, which can affect the Brazilian worker for represents the hope of people who struggle for daily survival.

Working conditions in a socialist economy

The rate of economic growth of the Chinese Gross Domestic Product on average, in the last 30 years, was 8,3%, the highest in the world in this period (Herrera & Zhiming, 2018). But, although the high economic growth rate, its labor protection laws are considered inefficient for the rest of the world, having one of the difficulties the change of a socialist work system in a job market globally functional, for the industrial relationships were affected in this expanding process, increasing tension between workers and employers, causing labor dispute and collective turmoil (Cui et al., 2013).

Cooke (2011) affirms that in the last years, there have been many changes in Chinese laws and regulations, these marked by five moments, highlighted in Table 2 (in the appendix).

The Constitution of the People's Republic of China (China, 1982, p. 12), establish in its Art. 42, that "the citizens of the People's Republic of China have the right and obligation to work", then, the Labor Law (1994) establishes the following rights: (i) right to work and to choose the occupation; (ii) right to remuneration; (iii) right to rest and vacation; (iv) health protection and social security; (v) right of trade unions participation and organization; (vi) rights equally to women; (vii) minimum age to work of 16 years old; (viii) prior notice, in case of firing without good cause; (ix) work not more than eight

hours daily and not more than 44 hours a week, in average; (x) at least one day off a week; (xi) not exceed one overtime hour a day, except when previously agreed with trade unions and workers, not exceeding three hours a day and without damaging the worker's health; (xii) overtime remuneration; (xiii) remunerated vacation; (xiv) minimum wage according to the determined by each province, into the legal rules; (xv) maternity leave; (xvi) retirement.

In 2008, the Chinese government has answered to the turmoil and concern about the working conditions in the country announcing the Chinese Labor Contract Act (Chung, 2015). This law aims to improve the labor contracts system and become the rights and obligations of both parts more specifics. This has been the more relevant restructuring since 1994 (Cui et al., 2013).

According to Lan et al. (2015), the recent Chinese Labor Contract Act has been contributing to the new work orientation in the country, for there were, at the same moment of the law's announcement and any other alterations, an indication of change in the country's attitude. The trend will be that low cost of purchases and productions to exportation will not guide the Chinese economic growth anymore, moreover, the new laws and regulations afforded mechanisms to balance the hiring, enabling workers to press for fairer wages and contractual stability. Supporting this idea, Wang et al., (2009) define that the new labor law is a fragment of a governmental scheme, which aims to weaken the social dispute and changing the Chinese growth track, furthermore the success of this strategy is far from certain.

Chung (2015) comments that the Labor Contract Act allows the workers use legal means to claim, increasing the number of penalties to the companies which infringe the established rules. For instance, the Law articles 10 to 82 set a double wage penalty whether the contract is not signed within the period of one month and the articles 46 and 47 establish that the workers can openly termin their contracts and still get the firing compensation whether the employer have been getting infringements.

Gallagher et al. (2015) also comment two aspects from the new law, the contractual arrangements regulations and the severance pay. The new law determines that the worker who concludes two contracts or ten years in the company, must have your agreement suspended and be compensated by good cause, what did not occur, for the companies have used the termination of the contract as excuse to not pay compensations.

The Labor Contract Act still highlights other items as: (i) maximum probationary period of six month; (ii) writing notice 30 days before terminating a contract by not extension; (iii) severance pay by termination equally to

one month to each worked year (if the period worked is less than 6 months, the payment must be of half month); (iv) double compensation by firing without good cause (Gallagher et al., 2015). In a nutshell, the Chinese legislation changes in 2008 have increased the punishment chances by illegal work practices and the contracts are made according the legislation for the companies concern in not being punished, (Chung, 2015).

The informal contract is another evident concern in the studies related to the Chinese working conditions. According to Cooke (2011), this practice quickly increases and even with the new laws' introduction, this kind of work affects fired workers and migrants from rural districts. This class is defined as workers without work safety, without benefits and law deprotected, attracting economist of development for the informal economy has become the biggest non-rural class in the country (Huang, 2009).

Generally, the non-full-time, temporary or seasonal work have gotten into the informal work, hence, less than 20% of the workers from small and medium-sized enterprises have labor agreement with the employer (Cooke, 2011). This work system has become the workers susceptible to illegalities, as payment lack, making them to take part into collective acts (Estados Unidos, 2017).

In a society where the collective voice is rare, Friedman (2014) argues that the turnover and lack of labor are natural for companies, since the workers' only choice is to quit their jobs, for likely their protest is restricted to one workplace. Yu (2008) highlights that another important question concerning the working conditions is the inhuman work practices, which in some enterprises as the Reebok, were stopped. These practices are related to child labor, unhealthy working conditions, excessive work hours, inappropriate wages or punishments to workers. Nevertheless, Sandoval (2013) reinforces that still there is the labor realized by young migrant, exposed to health hazards and an exhaustive routine. In other words, whether the Chinese Labor Law is analyzed like is presented in paper, the labor exploitation by the government is difficult to be observed (Cooney, 2007).

Comparing the labor right in Brazil and China

Brazil past clearly has been shaping its economic profile and labor relationships. In 1940, an audacious industrializations plan has started, market by the year 1943, when the Consolidation of Labor Laws was enacted and, indirectly, organized the Brazilian work system and presented many worker rights and obligations (Coslovsky, 2017). In China, after the edition of regulations and rules, laws were created, and its functions established, however, still there are several critical to the labor right Chinese,

since the collective rights as strike are not provided (Luo, 2017).

In the Table 3, a comparison was made of some labor rights from the Brazilian (B) and Chinese (C) constitutions and its regulations and rules, aiming to highlight individual features (in the appendix).

Chen (2007) comments that different from oriental countries, in the western industrialized countries, the evolution of labor rights was an answer from the labor class to the power installed by the employers in the capitalist model and went up from the civil and political rights beforehand existents. Thus, Corrêa and Ferreira (2011) emphasize the relevance of companies create methods to provide clear standards and organized tasks, aiming to reduce the work overload and contribute to a higher staff satisfaction, decreasing the impact that any conditions cause.

IV. CONCLUSION

This study has aimed to analyze the working conditions in Brazil and in China according to their labor laws. In this way in Brazil case, the outsourcing, is concluded, affects the working conditions of its workers who prioritize simple and short-term work contracts to not run out income, but which removes their incomes. The country still suffers with inappropriate working conditions is also noticed, for there is low supervision from regulatory bodies and a strong attempt to relax the laws, with excuses that make evident the companies' strength.

In the same way, the Chinese legislation affects the working conditions of its workers, making them suffer sanctions if they not obey rules and regulations. In China, there is low supervision of both formal and informal work, as in Brazil, being a concern from the government as from the own consumers. There is a legislation chinese improvement in the last year is also noticed, even if in a little some aspects, but regarding the labor right, still there are obscure relationships.

In both countries there are many gaps regarding the working conditions and future researches may deeply investigate aspects as labor inspection, formal and informal work hours related to the cohesion lack between the formal law and the applied one.

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APPENDIX

Table 1 - Inclusion and exclusion criterion

E/I	Criterion	Criterion Description
Exclusion	Duplicate (Exclusion Criterion by Duplicated)	The duplicated articles were excluded.
	Theme (Exclusion Criterion by Theme)	After reading the title, keywords and abstract, the articles that do not meet this paper theme were excluded.
	Application (Exclusion Criterion)	The articles that were not referred to Brazil or China.
	Study objective (Exclusion Criterion)	The articles that do not bring an approach related to Brazilian and Chinese working conditions.
	Study objective (Exclusion Criterion)	The articles that do not bring an approach related to Brazilian and Chinese labor laws.
Inclusion	Sample Inclusion Criterion	The median value of the <i>InOrdinatio</i> ≥ 53 was used as an inclusion criterion to articles about Brazil.
	Sample Inclusion Criterion	The median value of the <i>InOrdinatio</i> ≥ 61 was used as an inclusion criterion to articles about China.

Table 2 - Changes in the Chinese legislative and labor laws

1994/ Launch of the Labor Law in China	Formulated aiming to insure the workers' rights and genuine interests (Moftec, 1994).
2000/ Regulation about the Job Market Management	Among other regulations, it guarantees a higher security to workers' rights (Cooke, 2011).
2004/ Extraordinary Regulation of Labor and Social Security Minister	It defines that labor and social security authorities are responsible for defining and adjusting the minimum wage standard (Cooke,

	2011).
2007/ Contracts Law (LCT) and the Regulation about Employment Services and Management (RESM) which were in force in 2008.	One of the principles is creating a stronger relationship between companies and employees, describing the employment contracts standards in a clearer way (Cooke, 2011).
2008/ Employment Contracts Law	Law elaborated aiming to improve the Chinese employment contract system and to make clear what are the rights and obligations of both parts, worker and employer (Cui et al., 2013).

Table 3 - Brazilian (B) and Chinese (C) labor rights

BENEFITS	COUNTRY	CHARACTERISTICS
Minimum Wage	B	It was fixed in law, nationally unified and capable to meet the basic vital needs (in 2020 fixed in R\$ 1045,00).
	C	There is a minimum wage system guaranteed. The specific standards of the minimum wage are determined by popular governments of the provinces, independent regions or counties.
Minimum wage for each specific professional area	B	Proportional to the work extension and difficulty.
	C	The wages are gradually increased based on the economic development. The government must exercise macro control on the total payroll.
Salary Protection	B	Its fraudulence is considered crime.
	C	It must neither be diverted nor be late without reason.
Impossibility of reducing the wage	B	It is prohibited, except if disposed in convention or collective agreement.
	C	Do not provided
Service time guarantee fund	B	It protects the worker in case of firing without good cause.
	C	Do not provided
Unemployment insurance	B	In case of involuntary unemployment, 80% of the worker's medium wage is provided.
	C	There is a social insurance to workers in conditions as old age, illness, work-related injuries, unemployment and childbirth, different from the unemployment in Brazil.
Christmas bonus salary	B	It is calculated based on the full remuneration or on the retirement payment.
	C	Do not provided
Profit share	B	Benefit is not related to the remuneration.
	C	Do not provided
Weekly Rest	B	It is remunerated and preferred on Sundays.
	C	At least one day off a week.
Remunerated Vacation	B	It is annual and remunerated with, at least, one-third more than the normal wage.
	C	Workers who worked one year consecutive or more have the right of remunerated annual vacation.
Minimum age to work	B	16 years old in a registered job, except in cases provided by law.
	C	No employer unit can employ people under 16 years old. Institutions of literature and art, physical culture and art and special crafts that employ minors, must undergo by exam formalities and endorsement according to relevant provisions of the State and guarantee their obligatory right of education.
Retirement	B	It is a right given to men who prove 35 years of contribution and women who

		prove 30 years of contribution.
	C	There is a social insurance to elderly people, but in much smaller values than a retirement pension and it has variance according to each province.
Maternity leave	B	Without job or salary damage, for 120 days;
	C	The women have, at least, 90 days of maternity leave for the birth.
Paternity leave	B	Five consecutive days, except in federal public services and companies which take part into the Citizen Company, where the period is 20 consecutive days.
	C	Do not provided
Work hours	B	Not higher than eight hours daily and 44 hours a week, but it is authorized to compensate hours and reducing the work hours, supported by collective agreement or convention.
	C	Do not work more than eight hours a day and not more than 44 hours a week, in average.
Overtime	B	Overtime is allowed not exceeding two, by individual agreement, collective convention or work agreement. The overtime compensation must be, at least, 50% higher than the normal hour of work.
	C	After consulting the trade unions and the workers it is allowed, but not exceeding one hour; whether this expansion is necessary by special reasons, guaranteeing the workers' health, the time cannot overpass three hours a day. However, the total expansion in a month must not exceed 36 hours. The compensations must be, at least, 150% higher than the normal hour.
Termination of contract	B	Prior notice proportional to length of service, being at least of 30 days, according to law.
	C	The contract can be terminated, since there is the prior notice of 30 days, when the employer ends the contract or when the workers request the termination.
Test period agreement	B	The test period agreement cannot exceed 90 days.
	C	The limit is agreed when the contract is signed, since it does not exceed six month and it must respect interests of both parts.
Compensation by firing without good cause	B	It is the right to vacation, Christmas bonus salary and other benefits established in law related to the incomplete period.
	C	Do not provided
Salary equality to men and women	B	Prohibition of differences in wages, function exercise and hiring criterion by sex, age, race or marital status.
	C	The women will have the same rights of the men, without discrimination of gender, age, race or marital status.
Right to strike	B	The workers can decide about the opportunity of going on strike and about the interests that must be defended through this.
	C	Do not provided