

Shattered Dreams:

*17 Year Old Worker Mutilated by Machine
While Working in Unsafe Conditions*

China Labor Watch
Follow-up Investigation

April 2009

Tel: 212.247.2212

P.O. Box 4134, Grand Central Station, New York, N.Y. 10163-4134

Email: qiang@chinalaborwatch.org; greg@chinalaborwatch.org

Website: www.chinalaborwatch.org

I.	Summary.....	2
II.	Factory Background.....	2
III.	Factory Recruitment.....	3
IV.	Labor Contracts.....	3
V.	Working Hours and Wages.....	3
VI.	Rewards and Benefits.....	4
VII.	Worker Safety.....	4
VIII.	Living Accommodations.....	5
IX.	Quitting Procedures.....	5
X.	Surrounding Area.....	5
XI.	Dedication.....	6
XII.	Appendix 1: Translation of Nandu Daily 4/9/09 newspaper article.....	6
XIII.	Appendix 2: Links to other articles on Liu Pan's death.....	8

I. Summary

Qing Ming Festival is a traditional Chinese holiday on which the living give honor to those who passed before them. For 17 year old Liu Pan, this year's festival was no ordinary celebration of the dead: it was the last day of his life. The following day, Liu Pan's body was to be **mutilated by a paper crushing machine** on which he had worked for the past two years of his young life. So too died Liu Pan's youthful dreams of escape from Yiuwah factory and living a better life.

China Labor Watch investigates the situation at Yiuwah, and Liu Pan's death reveals systematic violations of labor rights, including other **underage** and even **child laborers** working in **unsafe** conditions.

Yiuwah Factory supplies goods to **Disney, Coca Cola** and **Ma Sha** company for international distribution throughout **America, Europe** and **Southeast Asia**.

The report reveals that:

- Underage and child labor are widespread at the factory, with workers as young as 13 being hired in busy seasons.
- Labor contracts are haphazard, and many workers do not sign.
- Wages are low at only \$113/month with required overtime on most Saturdays and holidays.
- Paid vacation is extremely limited and even maternity leave is denied.
- No training is provided to workers and the factory has no handbook explaining occupational hazards.
- Many factory machines are old and outdated, and injuries are not uncommon.
- Dormitory conditions are poor, normally 6-8 but up to 14 workers share a single room in the busy season.

II. Factory Background

Factory products:

Yiuwah Stationary Factory specializes in color printing and binding, and produces greeting cards, packaging, bags, notebooks, address books, paper gift boxes, stationary, books and publications, calendars, posters, business cards, picture frames, portrait books, and POLY handicrafts. It is a medium-sized, Hong Kong-invested factory.

International Customers:

The main customers of Yiuwah include Disney, Coca Cola and Ma Sha. Its products are distributed and sold in the United States, Canada, Germany, Belgium, Australia, Japan and elsewhere throughout Europe, America and Southeast Asia.

Factory Information:

Factory Location: Dongguan City, Wang Niu Dun Chi Jiao Village, Nanchang Road

Factory telephone: 0769-88854823
Fax: 0769-88854823
Web site: <http://www.yiuwah.com.hk>
E-mail: yiuwah@yiuwah.com.hk

III. Factory Recruitment

All that is necessary for hire is a valid ID card. No health inspection is required. No training is provided and workers are directly put onto the factory floor. There is no age limit, and the workers' ages range from 13 or 14 to over 40. Workers told us that there are many children under 16 working at the factory (when orders are high, even 13 year olds will be hired).

The deceased Liu Pan was 17 when he was killed in a work-related injury this year. When he entered the factory in December 2006, he would have been only 14 or 15 years old.

Workers in the area state that Yiuwah has the most relaxed restrictions for entry of any factory in the area, and label it an "easy entry" factory.

IV. Labor Contracts

When entering the factory, workers only sometimes sign a labor contract. The contract is for one year with a 3 month probationary period. The reason some workers do not sign a contract is that they fear if they want to leave the factory during the period of the contract they will be unable to as it would violate the contract terms. The factory collects all signed contracts and tells workers who have misgivings about the contract that it doesn't matter the contract is bogus and all they need to do is sign.

Thus for both parties, the labor contract is not taken seriously. The workers don't understand the contract and have doubts about signing. The factory understands the contract but fails to use it properly to inform workers about the terms of their employment.

V. Working hours and wages

The average worker is given two days of rest a month. Office workers are given one day of rest a week. Every day there are two 8 hour work shifts. Daytime shifts run 8 am-noon and 1:30-5:30 pm with an hour and a half for lunch break. Night shifts run from 8:30 pm-5 am with a break from 11:30-midnight.

The factory is called "easy entry" and it can also be called "poorly paying". Base salary for average workers is only \$113/month. Skilled workers only make \$147/month. Every

day workers work 2 hours overtime during the off season and up to 4 hours during peak season. Workers are required to work overtime on Saturdays and holidays, and regardless of the reason for overtime hours, workers are only paid at a rate of \$0.71/hour.

Wages are issued to workers at the end of every month. Accompanying the wages is a salary statement that most workers throw away after verifying there are no problems. The payment system is clear and basically has no problems.

VI. Rewards and Benefits

The factory management is relatively less strict, there are few administrative penalties and workers often enjoy around \$7 bonuses at the end of the year.

In addition to lacking health exams or training, there is no internal factory handbook providing relevant information about the factory to workers.

Paid vacation is limited at the factory and workers are denied rest on national holidays as well as for women's issues (like pregnancy leave). Workers are only able to ask for time off, and the factory's rule is "no work, no pay." Because factory hiring practices are relaxed and management is liberal, many workers will quit and return. Some workers had accumulated four or five years in this way.

Presently the factory will help workers to buy social insurance, however many workers have not bought it because they do not know the factory changed its original policy under which it did not provide this assistance.

All workers have two sets of factory uniforms, each costing around \$3.

VII. Worker Safety

This report originates from a tragedy of worker safety: the death of Liu Pan. Liu Pan was on the B machinery line of skilled workers. Because the machines are old and outdated they often lead to worker injury. In the case of casualties, the factory will pay \$23,529 in addition to providing \$7,353 in insurance- a total of \$30,882.

Our investigator had the opportunity to speak at length with a worker who was out of the factory on injury leave. This worker, from Sichuan, explained that the pressure from the machine would often lead to worker injuries and that the



Picture 1: Fallen fire extinguishers. Poor safety conditions at the factory include malfunctioning machines, including one that led to Liu Pan's death

extreme temperatures from the machine had scalded four fingers of his left hand. The hospital paid all medical expenses for the worker, offered a year of paid injury leave, hired two workers to take care of the man for half a year. The injured worker was given his base salary and the workers taking care of him were given base salary and overtime. All three workers were also given salary statements.

VIII. Living Accommodations

The factory's dormitory conditions are poor. The total costs for accommodation are not high; housing is free and utilities are less than \$2/month. In each room there are 8 upper and lower bunks, 16 beds in total. Each room houses 6-8 workers normally and up to 14 workers in the busy season. There are two large fans with iron protective grids and for basic safety ventilation should be unobstructed. There are laundry and restroom facilities. The men's dorm is located outside the factory along its edges.

Although there is a security room, our investigator had no problem entering to take pictures. The women's dormitory is inside the factory compound and closed to outsiders. Finally, the office personnel dormitory is located 500 meters from the factory.

This dormitory is set up in an apartment style with a bathroom and kitchen for every several rooms. Both workers and office personnel express that their rooms do not accommodate married couples, although some of the office personnel apartments could accommodate married couples.



The cost per month for use of the canteen is around \$18. Regardless of whether workers eat there or not, this is a flat rate that cannot be returned to the worker if they sometimes choose to eat elsewhere.

IX. Quitting Procedures

The procedures for quitting work at the factory are not difficult. Workers must provide the factory one month notice and will receive both termination payment and their wages in full. The interviewed workers had not experienced any probationary period and so could not speak to any difficulties quitting during the probationary period.

X. Surrounding Area

Many workers in the factory live and eat in the in the surrounding area, where accommodations are both cheap and convenient. Housing may be rented at around \$15/month, allowing workers to wash, cook and live together. Across the street is a factory that serves vegetarian food at \$0.60/serving and meat at \$0.88-\$1.47/serving, and

servings are generous. Many workers pay on a monthly or 3 month pay system, and buy a fixed number of meals at these intervals from the restaurant owner at around \$30/month.

Many workers required to work overtime at night will buy boxed meals or food from street stands during their break for under \$0.60.

Across from the factory there are both long and short term rooms available for rent at a rate of \$30/month. Table tennis is also available. Men working at factories in the area (and especially from Yiuwah) can often be found playing table tennis from 11 pm- 1am, paying \$0.30/hour for the table. Players often bet around \$1 on a game. People also play mahjong in the area, gamble, and sometimes rent a room to play through the night.

XII. Dedication

This report was conducted in the memory of Liu Pan. In the investigation, we learned that his mother, father and grandmother were coming to terms with the incident, had taken the compensation money and returned to Sichuan. After Liu Pan's tragic death, his sister also left the factory.

The area around the factory is still bustling, noisy and seemingly carefree...

XII. Appendix 1: Translation of Nandu Daily 4/9 newspaper article

Available at: http://epaper.nddaily.com/I/html/2009-04/09/content_754074.htm

Machine Crushes 17 Year-Old's Dreams
Sichuan Teenager Dreamed of Happy Life

Deceased: Liu Pan

Sex: Male

Hometown: Qu County, Sichuan Province

Identity: Stationary factory skilled worker

Reason for death: Crushed by machine at work

On the night of April 6, a netizen's message said "This young life only last 17 years, its tragic fate determined by a malfunctioning machine. He has lost forever the chance to strive forward and enjoy his future and his dreams." This is the truth. On that morning, young Liu Pan who had come to work from



Qu County of Sichuan, fell into a machine. After that point, there was no longer any possibility that he would realize his heart's dreams.

One boy, one machine

Liu Pan's working records were written clearly. He entered Wang Niu Dun Chi Jiao Village Yaohua Stationary factory in December 2006. Also at that time Liu Pan began his work on the B machine which would later malfunction. Like thousands of other factory workers in Dongguan, he would wake up in the early morning to go the factory floor and leave at night. He occasionally had complaints about his work, which he would silently cope with. Every day, Liu Pan would use the B machine to crush yellow paperboard, the same machine that would one day crush his dreams.

Liu Pan's older sister states that their parents were always strict with their son. "Like when Liu Pan fell in love, when our father found out he forced Liu Pan to abandon it." Liu Pan would often voice his complaints to his sister. "He said it to me so many times: it didn't matter how low our salaries were here, we would certainly find our way to a better place. He would also say that he wanted to study automobiles." As Liu Yan recalls the fond memories, tears fall across her smiling face.

A split second, a human life

Liu Pan's dreams had not yet been realized when they were suddenly stopped. On the morning of April 6, Liu Pan went to work on the same familiar machine, like any other day. A few days before, he had noticed the machine acting strangely, but thought little of it. Suddenly, Liu Pan discovered a section of paper clogging the machine. He stopped the machine and put in his hand to pull the paper out. Unexpectedly, the machine began to accelerate rapidly, like the mouth of a fearsome monster, dragging his entire body inside.

Upon seeing what had happened, Liu Pan's fellow workers immediately pressed the button to stop the machine and grabbed Liu Pan out of it, but it was already too late. Upon hearing the news, Liu Pan's parents rushed to the factory, and knelt to the ground without rising, unable to believe that the twisted face before them belonged to their son.

After Liu Pan was gone, the B machine was quickly repaired, and Liu Pan's empty position was quickly filled. Gradually people will forget the budding life that came to so sudden an end. What is harder to grasp are what dreams this 17 year-old was dreaming during his two years working in the factory.

By Wang Jia
Photograph by Liang Qing

XII. Appendix 2: Links to other articles on Liu Pan's death

The following Chinese language articles also highlight the incident:

http://epaper.nddaily.com/I/html/2009-04/09/content_754074.htm

<http://www.ngocn.org/?uid-136-action-viewspace-itemid-43279>

<http://www.douban.com/group/topic/5983191/>

<http://www.ngocn.org/?uid-136-action-viewspace-itemid-43279>