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Impact of Chinese Multinationals on Global Labor Conditions and European Strategies

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Nathalie Homlong
University College Volda, Norway

Elisabeth Springler
University of Applied Sciences BFI Vienna

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Abstract

Labor-intensive production has been the main driving force for China's economic development in recent years. At the same time labor conditions in Chinese factories were closely watched as an increasing number of violations were reported. Areas of violation cover among others long working hours, unpaid or poorly paid labor and child labor. These problems also led to an increasing number of strikes but also to a high number of suicides (see among others Chan / Pun 2010 and China Labor Watch 2015).

While foreign direct investment (FDI) from industrialized economies had encouraged the development of the China's economy, China invested strongly in other economies in recent years. Therefore, it has to be asked whether Chinese FDI also lead to an "export" of bad labor conditions. Potential effects for Europe are in the centre of the discussion as European Economies are seeking for FDI inflows since the global financial slump of 2008/2009.

Based on the theoretical distinction of varieties of capitalism, which are applied to emerging economies in this paper and the characteristics of Chinese multinational enterprises the role of the state and the characteristics of the institutional setting e.g. Chinese wage bargaining structure are explained. Furthermore, experiences from former expansionary phases of Chinese enterprises are compared with the situation in Europe.

1. Introduction

Labor-intensive manufacturing has played a decisive role in China's economic development over recent decades. However, poor labor conditions in China's factories has repeatedly been the subject of international attention. Concerns such as long working hours, underage workers, unpaid work and poor workers' housing have been raised. These and other issues have led to riots and mass suicides at some factories (see e.g. Chan/Pun 2010 and China Labor Watch 2015). Foreign direct investments from industrialized nations were a driving force in the development of the Chinese economy, but China itself has in the last years increasingly made investments abroad. This raises the question of whether China has been 'exporting' poor labor conditions via its investments in other countries.

To investigate this question, this chapter will focus on the labor practices of Chinese companies in selected African and European countries. Furthermore, regulatory frameworks in Europe are evaluated. The theoretical foundations for the analysis are the modes of capitalism in emerging markets and the characteristics of Chinese Multinationals are investigated by distinguishing Southern and Northern Multinationals.

2. Stylized facts about Chinese OFDI in Europe

In the last decades, China has increasingly become an investor abroad in its own right. China's share of global outward foreign direct investment (OFDI) flows was only 1% in 2005, but reached 11% in 2016 (Hanemann/Huotari 2017: 4). Chinese OFDI was initially mainly directed at Asian and African countries (Homlong/Springler 2017: 29). Since around 2008, Chinese OFDI to in the European Union has increased strongly however, and since 2014 the value of Chinese OFDI to the EU exceeds that of FDI by EU countries to China. While FDI by EU countries to China has been declining slightly since 2012, FDI by China to Europe has experienced dramatic growth (Hanemann/Huotari 2017). In 2010 Chinese FDI to Europe totaled only EUR 1.6 billion, but by 2016 the value had reached EUR 35 billion (Seaman et al. 2017: 9). Among the reasons for the strong increase of OFDI by China to Europe are the slowing down of economic growth in China and as a result of that, the search for new destinations by Chinese investors, a need for technology and established brands, and a strategy of global diversification (Hanemann/Huotari 2017: 5).

The geographical distribution of Chinese OFDI in Europe is far from even. The UK, Germany and France are the major destinations for Chinese OFDI. Apart from this concentration on the (economic) core regions, the remaining pattern is less clear: in Eastern Europe e.g. Hungary has received substantial FDI from China, while most other Eastern European countries have received little Chinese FDI. Austria is among the countries in Western Europe that have so far attracted relatively little Chinese investment (Ma/Overbeek 2015; Hanemann/Huotari 2017). In terms of value, the lion's share of 86% of Chinese investment in Europe was made via mergers and acquisitions (figures for 2014). However, the majority of transactions were greenfield investments, which are on average less capital intensive than M&A deals (Rhodium Group 2015: 8).

3. Economic development strategies and the structure of Chinese multinationals

The increase in OFDI as presented above is clearly linked to shifts in China's development strategy, which are partly driven by the global financial crisis of 2008/2009, and the structural paradoxes of the Chinese development path.

China, like India and Brazil, had to develop strategies to cope with the slump in aggregate demand by European and other highly developed economies in the course of the financial crises, which had served mainly as export markets before and had a strong impact on the economic development path of these large emerging markets. In the center of the discussion were the position of the state and the meaning of liberalization and privatization for further development (Schmalz/Ebenau 2014: 44ff). China responded to the slump in financial markets, which also resulted in a downturn of the national export oriented growth model, with a strong investment program at national and provincial levels. While this led to a partly recovery of economic growth figures, the national inflation rate rose as well and led to a further distortion of the national wage level. While economic profits could be restored, the competition between national and provincial levels of authorities in reducing labor rights and social benefits also seems to be rooted in this recovery program (for more details on labor rights see Liu/Kuruville 2017). The slow development (in overall macroeconomic indicators) in the Euro Area, accompanied by the Euro Crisis of the following years, manifested the necessity of infrastructural and investment programs by the Chinese state. All in all the crisis of 2008/2009 made the existing structural problems, the strong dependence on external demand, the focus on low labor costs in production and the strong authoritarian state intervention at national and provincial levels of the Chinese economy (Ten Brink 2014: 122ff) and more severe. In the following, these factors led to internal conflicts and the necessity to focus on new development paths. This also pushed China towards a more open OFDI strategy.

Exactly this combination of state intervention and the need to reshape the existing development strategy is the crucial characteristic of the Chinese form of capitalism, which in turn also shapes the design and behavior of its multinational companies (EMNEs).

In general research into the characteristics of multinational enterprises from emerging markets (EMNEs) started in the late 1970s. To start with, EMNEs were perceived as smaller and geographically distant, but nonetheless similar to multinational enterprises (MNEs) from industrialized countries. However, the perception of EMNEs changed in the early 2000s. This was in line with the emerging trend that EMNEs started increasingly to conduct investments in developed countries (Yildiz/Fey 2011: 305-306). Standard approaches, which mostly focus on Dunning's OLI paradigm, do not have explanatory value to determine the impact of FDI on emerging economies, as structural shifts and institutional determinants are not considered – e.g. the impact of ownership and the role of the state (see Jäger/Springler 2015; Homlong/Springler 2017). Conversely to standard approaches, which purely focus on the entrepreneurial level, the term state capitalism implies a tense relation between liberalized markets and authoritarian state guidance at the political level; the term was therefore was reshaped in the course of time (Nölke 2014a: 2ff).

The first period of defining state capitalism was at the end of the 19th century, when the emphasis was on protecting economies. Especially Germany and the US aimed to protect their economies against the British, while Britain's focus was on maintaining power and economic development via the subordination of other economies. The role of trade tariffs as instruments for protectionism, and trade as the area where economic development should come from diminished after the Great Depression and WWII. State capitalism was

redefined as comprehensive state intervention to protect national companies. While this period ended mainly with the dynamics of neoliberalism and financialization in the 1980s and 1990s, that also changed the role of the state and industrial policies within almost all Western Economies. These developments also opened the floor for a distinctive analysis of different “*varieties of capitalism*”, which are still in place when institutional structures are discussed at the meso level. Within Eurozone member states it is difficult to distinguish different forms of capitalism – also referred to as “Varieties of capitalism” – as many economic policy measures are decided on EU level and have to be applied in the various member states – e.g. fiscal austerity measures and regulatory the rules of financial markets and the banking sector.

When Soskice and Hall (2004: 43-76) presented their classification of economies into liberal market economies and coordinated market economies, they covered the characteristics of institutional settings, social welfare systems, the role of culture, and informal rules in their analysis. Combinations (= “varieties of capitalism”) of liberal markets with stronger financial sectors and weaker state involvement in industry and the social sector are potentials for growth and development as well as modes of stronger state intervention, coordinated wage bargaining policies, less focus on financial markets and stronger welfare states.

More recently, especially with the rise of so called BRIC States, a discussion of the reconfiguration of the classification has begun. Studies show that these economies, also joined into the terminology “States of the Global South”, differ widely in terms of the variety of capitalism they adhere to and therefore cannot be classified under one specific approach. Buhr and Frankenberger (2014) showed this within a cluster analysis comparing economies of the so-called Global South and Global North using 16 variables, which aim to shed light on the levels of classification presented by Soskice and Hall. Buhr and Frankenberger (2014: 80ff) concluded that the economies of the Global South are not shaped according to one specific structure of capitalism. Also within these economies varieties of so-called *incorporated capitalism* can be distinguished. These structures differ substantially in terms of the organizational and structural set-up of the institutional frame, which includes, for example, the way of cooptation of members. Overall structures might vary from patrimonial to bureaucratic, mechanisms of distribution might vary from paternalistic with a high degree of corruption to strong public welfare systems (for more details see Buhr/Frankenberger 2014: Tab. 4). Despite these differences, these economies have one feature in common; the state as a central capitalist actor which plays a direct role in fostering growth and supports specific sectors financially and via industrial policies. These *dominant developmental states* (Allen/Allen 2015: 86) do not aim to create a competitive economic environment for all companies and therefore also discourage the establishment of trade unions as well as employers’ representations as this is seen as conflicting with the power of the state. Building on this discussion the definition of state capitalism as Nölke (2014a: 3) introduces it, can be used for the analysis of this paper. It focuses on the “*formal and informal cooperative relationship between various public authorities and individual companies*”, rather than on the protection of specific national industries. Important pillars of this new version of state capitalism are therefore: *foreign competition* (the term refers to the ability of multinational companies to compete on international markets and the existence of liberalized markets), *know-how* (the term refers to the structure of the national educational system as well as the transfer of innovation) and FDI (see Hsueh 2011 in Nölke 2014a: 4).

As mentioned above, compared to developed economies the state takes an active role in industrial policy – a role which was given up by industrialized economies, even within the version of coordinated market capitalism. While this more active role is advocated for by various economists, authoritarian states like China promote

prosperity despite suppressing individual freedom. In her scenario of innovation and growth, Mariana Mazzucato (2013) highlighted the importance of an entrepreneurial state for the Eurozone, which contrasts with the current neoliberal approach with respect to the role of the state.

This means that building on the critique of Buhr/Frankenberger (2014) towards classifications of the economies of the Global South as specific new varieties of capitalism, this paper aims to contrast the specific situation of China with types of European capitalist structures. Aspects of development economies are combined with the specifics of the state determined authoritarian structure of Chinese institutions (Nölke 2014b: 79). In this case, the state “*takes on developmental functions and gets closely involved in promoting and coordinating market based economic activities to achieve catch-up*” (Ozawa 2014: 35). These specific institutional and structural features also shape the development of EMNEs in spite of the broad classification into northern multinational enterprises (NMNEs) and southern multinational enterprises (SMNEs). There are five key institutional features of SMNEs according to Nölke (2013: 53ff):

1. *Investment finance*: In comparison to European economies and NMNEs, SMNEs are less dependent on the functioning of international financial markets. As liberal and coordinated industrialized economies face a shift towards neoliberalism and financialisation (see also Wöhl/Springler 2019), which incorporates stronger participation of international companies on global financial markets, the financial structure of Chinese multinational companies relies more heavily on the banking sector. As mentioned above, state support is also given.
2. *Corporate governance*: The underlying ownership structures are strongly related to the way multinational companies are financed (see also Jäger/Springler 2015). Many multinational companies in China are under direct or indirect control of the state. This state dependence in turn also leads to strong informal networks between the state and the company. As discussed above, this interdependence leads to various forms of *incorporated capitalism*.

Apart from questions of power and finance, the following three institutional features of Chinese capitalism are important in terms of the impact of FDI inflows from EMNEs on European labor market conditions and standards (see Nölke 2013: 55f):

3. *Selective implementation of social rights*: While strict labor laws exist in China, a strong differentiation between the formal and informal sector of the labor market leads in many cases to a lack of *enforcement* of this legal framework. Again, the strong interrelation between the state and companies serves as an argument why the state refrains from enforcing the rules more rigidly.
4. *Education and training*: The aim of education, especially of tertiary education, is to provide sufficient labor for national companies. The educational structure is used to provide specialized knowledge for the sectors favored by the state. This also allows for a competitive advantage in labor costs over industrialized economies with respect to highly educated and especially skilled labor. This goes in line with the fact that trade unions and employer representations are rather suppressed in incorporated capitalist structures in countries such as in China.

Liu/Kuruville (2017) argue that economic development has also changed the labor relations. As Chinese workers raise their voice and strike days increase, also unionization has increased and the state's willingness to establish collective bargaining. However, enforcement of labor legislation is still weak, and wage bargaining processes and especially trade union elections are *formalistic* and not *fully democratic* (Liu/Kuruville 2017: 187, following Chan and Hui). As union activists were also arrested, the further evolution of Chinese labor conditions are uncertain. Comparing the Chinese economy with other authoritarian economies and their evolution towards higher industrialization, Liu (2014: 118f) describes two potential scenarios for labor relations. In both cases a positive relation between an improvement in labor relations and the democratization process is assumed. While the first scenario focuses on the impact of the rise of an independent labor movement out of the current unrest in the labor market, and its impact for fostering the process of democratization of the economy, the second scenario turns the causal argumentation around and focuses on the impact of the political democratization process on the labor movement in China. Both scenarios seem to be unlikely according to Liu (2014), when taking the specific situation of Chinese state capitalism into account. In view of this, a scenario somewhere between maintaining the status quo of an authoritarian labor regime, improvement of the current regime with stronger enforcement of labor law, and the start of major structural reforms in response to increasing labor protests seems to be more likely, under the precondition of an ongoing political democratization process.

5. *Innovation transfer*: The relation between companies and the state also has an impact on the acquisition of innovative technology. In this case it has to be noted that FDI inflows to Europe are often made via mergers and acquisitions with European companies.

On the one hand Chinese industrial policies aim to encourage Chinese companies to compete on international markets. On the other hand Europe and other industrialized economies liberalized national markets, encouraged liberalization and gradually decreased state intervention via industrial policies.

This results in power asymmetries in case of mergers and acquisitions, as explained by Mazzucato (2013). The current paradigm in Western industrialized economies of reducing state power and moving towards strong liberal societies leads to unequal power relations with these companies which have recently begun competing on global markets.

Facing these developments, the question arises of whether the structure of southern multinationals undermines well-established workers' rights. Have there been any example cases of potential threats to these rights due to FDI inflows?

4. Experiences with Chinese OFDI

As mentioned earlier, Africa has been one of the target destinations for Chinese OFDI for a number of years. For the purposes of this paper, experiences in African countries can therefore give some indication of Chinese labor practices abroad. An analysis of labor practices by Chinese investors in ten African countries (Baah/Jauch 2009: 66-69) revealed some common trends. Among these was the absence of employment contracts, which made the enforcement of labor laws difficult. Wage levels were typically set by managers at wage levels that tended to be the lowest within the industry, sometimes below minimum wage. Local staff often

did not receive benefits such as pensions and healthcare, while Chinese staff working at the same location did. Annual leave and sick leave were frequently denied, in conflict with local labor laws. Trade union membership could result in workers losing their jobs, and according to this study collective bargaining was uncommon.

An important question is whether these examples in Africa are relevant to Europe. A study into the case of the company Foxconn in the Czech Republic shows clear similarities to those in Africa. Foxconn, a Taiwanese company that employs about 90% of its one million workers at production sites in China, opened factories in the Czech Republic in 2000 and 2007. In a study conducted in 2012, workers reported considerably lower wages than usual in the region. About 40% of the workers only had temporary work contracts, with rates of pay about a third less than workers employed on regular work contracts. Temporary workers could not join trade unions. While trade unions are generally weak in the Czech Republic, recruitment of workers at Foxconn was hindered by the fact that union members were not allowed to inform other workers in the factory about the work of the trade union (Andrijasevic/Sacchetto 2014).

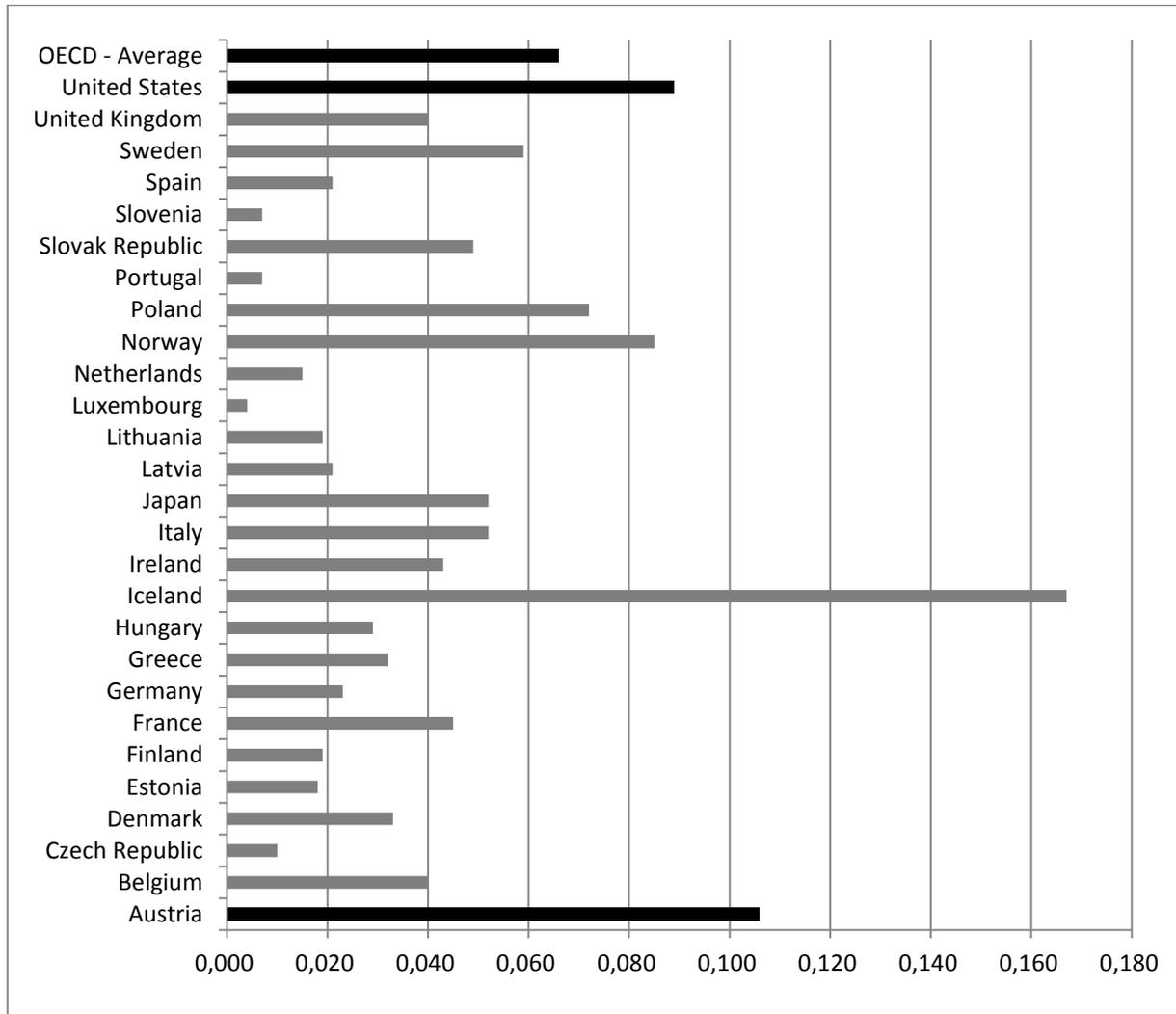
Another analysis of labor conditions at a subsidiary of Foxconn in Hungary shows that this Czech case is not an isolated example. According to a study from 2011, wages at the Hungarian subsidiary were especially low and the use of temporary workers was widespread. The study also included subsidiaries in Hungary of Samsung (from South Korea), Flextronics (Singapore), as well as Nokia (Finland). Interestingly, some problematic labor conditions and practices were also identified at Nokia (long shifts and proportion of temporary workers in relation to the total workforce). When it comes to worker representation in trade unions and works councils, Foxconn was the only one of the four companies where these were not in place. According to a survey of workers, this was due to pessimism about what worker representation could achieve (Schipper 2016).

When looking at examples in Germany, it is worth noting that the motivation for Chinese OFDI differed from those in the Czech Republic and in Hungary. While access to the EU market and 'made in the EU' products at low labor costs seemed to be the major motives in the Czech Republic and Hungary (see also the analysis by Dreger et al. 2017), in Germany quality of the work and research and development was the primary concern (Böckler Impuls 2017). Furthermore, in Central and Eastern Europe greenfield investments dominated, while in Europe's core economies (Germany, UK and France) the acquisition of existing companies played a bigger role (Drahokoupil 2017: 9). In Germany, which was ranked as no. 1 in terms of Chinese FDI inflows to Europe in 2016, studies report positive experiences. In German companies that were bought by Chinese companies, management was often left to German managers. Typically, the business location was not changed, and employment levels were maintained. While Chinese investors were often unfamiliar with employee participation models, existing works councils (*Betriebsräte*) continued to exist. In companies with wage agreements, these were not altered by the Chinese investors (Hans Böckler Stiftung 2017). In contrast to these positive reports are the cases of two companies (Ledvance and Kuka) in Germany from 2017, where there were job cuts in Germany after Chinese takeovers of German companies (Danhong 2018).

5. Features of regulation of ODFI in Europe

How restrictive are European economies in respect to FDI inflows? Figure 1 presents the results from the OECD's overall FDI restrictiveness index for the year 2017.

Figure 1: FDI restrictiveness index 2017



Source: OECD Statistics (2017); authors' presentation

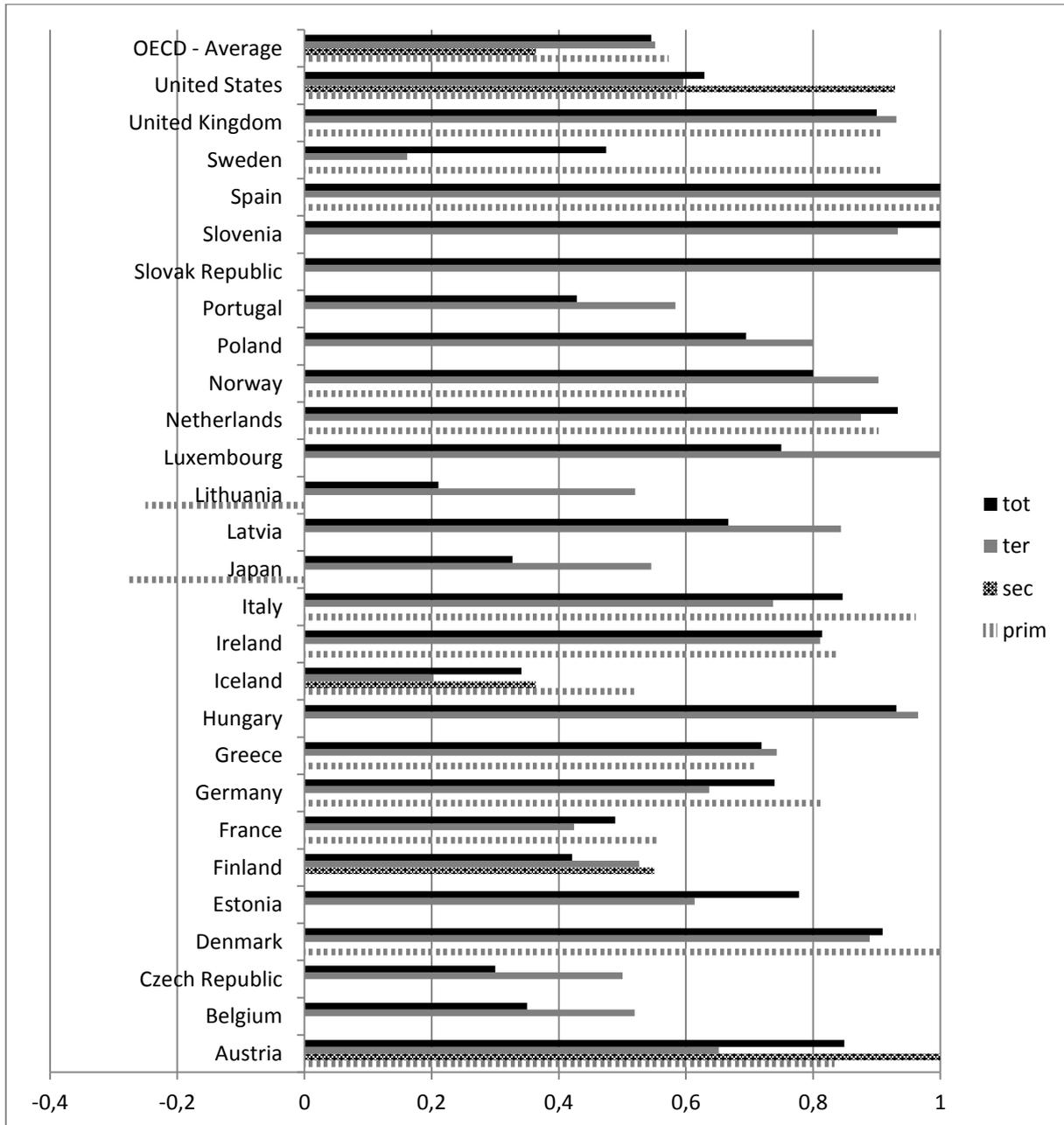
Except for minor changes, the rankings in the overall restrictiveness index have not changed since the global financial and economic crisis, despite the increase in FDI inflows during this period. Compared to the United States, other OECD economies generally exhibit lower FDI restrictiveness, which means that they have lower protection schemes for their national standards in terms of equity and foreign personnel in case of FDI inflows. In this respect, European economies show even lower degrees of restrictiveness than the OECD average, with the exceptions of Norway, Iceland and Austria. Unlike all other European Union member states, Austria exhibits a higher degree of FDI restrictiveness compared to the OECD average and US standards.

Taking a closer look at the situation in Austria, it can be seen that the reason for the comparatively high degree of restrictiveness is a result of equity protection, especially in the primary sector (OECD Statistics 2017). Figure

2 presents the impact of equity restrictiveness on total FDI restrictiveness in different sectors of the economy. 1 indicates a 100% impact of equity restrictiveness. The results show that in economies with overall higher degrees of restrictiveness presented in figure 1, equity restrictiveness is the most significant aspect of FDI restrictiveness. In Austria, around 84% of the FDI restrictiveness is a result of restrictions on equity. In the case of the secondary sector, restrictions in all economies presented can be traced back to equity restrictiveness. In the primary sector it accounts for around 83% and in service industries for around 65%. Japan and Lithuania are the only countries revealing a different picture in the primary sector, where restrictions on foreign personnel are more important than equity restrictiveness.

It can be concluded that the input factor labor shows a lower overall protection level compared to capital (equity).

Figure 2: Impact of equity restrictiveness of total FDI restrictiveness



Source: OECD Statistics 2017; authors' presentation and calculations

Apart from these data, which shows that in general OECD countries and especially European economies aim to foster the inflow of FDI, have in total a lower FDI restrictiveness level and seem to be especially indifferent in setting up higher restrictions for the input factor labor, negotiations on EU level with China as well as bilateral trade agreements start to focus recently on labor conditions and matters of social security.

In 2013 the European Commission clearly stated that positive economic effects of a European Union trade agreement with China as opposed to bilateral trade agreements with individual European Union member states can be assumed. So far discussions have mainly focused on investors' rights and property rights (see European Commission 2013: Table 6.15). Negotiations between the EU and China are currently in a 19th round, the major focus is on investor protection and there have been comparatively minor results in relation to labor protections.

Especially since 2017, the question of sustainability of FDI has been discussed more intensively in the ongoing negotiations. The fact that Europe currently has one of the most open investment regimes in the world is openly addressed in a staff working paper accompanying the EU proposal to establish a framework for screening FDI inflows into Europe (European Commission 2017a). The proposal, which at the end of 2018 reached political agreement in the European Parliament, Council and Commission, focuses on the impact of FDI inflows from companies with strong ties to their national governments or state owned enterprises. Investments in strategic assets as well as in critical infrastructure in Europe are the main target of a potential screening mechanism (European Commission 2017b: Article 4). Although this proposal is not part of the trade agreement with China, the links are obvious, as Chinese OFDI in Europe, especially in infrastructure and network infrastructure, is increasing. While the set-up of the proposed framework aims to protect against the loss of national sovereignty due to FDI inflows, the impact on labor conditions is not explicitly addressed. Sustainability of FDI is therefore currently not viewed as social sustainability in terms of labor conditions, but only in the context of economic sustainability.

6. Summary and outlook

In Europe the financial and economic crisis led to a slump in private investment and diminished governments' room for maneuver in terms of public sector investment due to strict fiscal rules on public sector deficits. The increase in OFDI therefore serves as an important alternative way of raising capital for long term investments and increasing confidence in the production sector. Apart from shifting liquidity (capital) from industrialized to emerging markets; the increase in OFDI has also led to a shift in hegemonic power in international relations. China and its multinational companies gained hegemonic power.

Based on the theoretical discussion of varieties of capitalism, differences between multinational companies from industrialized economies and economies from the so-called global south can be detected. As the theoretical analysis shows, the structure of capitalism also includes the interrelations between the institutional settings in the labor market and the approach to enforcing the underlying regulatory rules. Although China has taken major steps to improve labor conditions, the enforcement of the regulatory setting is still weak. When investigating examples from other economies with strong OFDI from China as case studies to help predict the impact such investment might have on European labor conditions, the results are mixed. In less developed economies on the African continent, labor conditions were weak. Experiences in some EU member states of such as Hungary and the Czech Republic indicate high levels of temporary work and low wages. When it comes to the question of the reach and impact of trade unions, the specific national institutional structure has to be taken into account. In so doing, it is not possible to make a direct link between trade union suppression and Chinese OFDI.

It has to be pointed out that the European Union currently has a very open investment regime towards the input factor labor by international comparison. Although in the last years the European Union has been aiming to put a European trade agreement with China in place, negotiations have so far focused on investor and property rights, and labor conditions have not been addressed in detail. This leads to the conclusion that despite the fact that some European Union member states have strong institutional settings to ensure the enforcement of labor regulations, others have less coordinated structures, and might therefore be in danger to lower standards/enforcement of standards to attract OFDI in the future.

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