## **Investigation of an Apple Supplier: Chengdu Foxconn Report in 2023**

# China Labor Watch August 2023

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# **Executive Summary**

In November 2020, China Labor Watch (CLW) <u>reported</u> on a protest held by over 1,000 dispatch workers at Foxconn Chengdu. Foxconn's dispatch workers were owed three month's worth of hourly subsidies and bonuses, but Foxconn itself did not actually sign any labor contracts with the workers, effectively shrugging off responsibility. This ignited protests and concerns over labor conditions at Apple's largest Chinese supplier. CLW interviews uncovered a series of labor rights violations, including forced overtime, recruitment discrimination, and sexual harassment.

Foxconn's Chengdu factory is one of Apple's main sourcing sites. Each fall when Apple releases a new line of products, workers labor around the clock to meet impossible production targets. Dispatch workers, or workers who do not directly sign labor contracts with factories but instead are outsourced by labor dispatch companies, make up approximately half of the workforce. The precarious nature of their employment makes them extremely susceptible to abuse. While Apple has gained a reputation for excellent product quality and customer service through its 'AppleCare' and 'Genius Bar' services, its reputation for labor rights is considerably less stellar. Despite Apple's claims of having high standards when it comes to corporate social responsibility, year after year, serious labor rights violations occur on the factory floor.

From June to July 2023, CLW sent an investigator to Foxconn's Chengdu factory to document the working conditions of Apple's global supply chain. CLW's investigation discovered that the problems uncovered in 2020 still exist in the factory. To this day, Foxconn Chengdu enforces a large number of illegal labor practices including the excessive use of dispatch workers, mandatory overtime, workplace bullying and harassment, and recruitment discrimination.

As a leading non-governmental advocacy organization for Chinese worker rights and labor rights, CLW strongly condemns the conditions at Foxconn's Chengdu factory. As Foxconn's client, Apple has failed to fulfill its responsibility to create a safe and fair working environment. CLW demands that Foxconn Chengdu and Apple respond publicly, correct the illegal practices, and compensate the exploited workers who were harmed in the production of Apple products.

Key findings from the investigation:

1. The recruitment process discriminates against workers based on ethnicity, religion, and gender, as well as against workers who display negative emotions.

Foxconn's recruitment process discriminates against applicants on the basis of race. A hiring intermediary stated blatantly that ethnic minorities would not be accepted, meanwhile Foxconn's official WeChat account stated that the quota for ethnic minorities was already filled. Confirming findings from previous reports, the investigation showed repeated barring of applicants from the Uighur, Tibetan, Yi, and Hui ethnic minority groups.

Pregnant female workers are also implicitly rejected during the recruitment process. If women are pregnant, they are not allowed, according to the factory's policy, to take an X-ray that is required during their physical exam. Women who fail to complete the physical exam are not allowed to work at the factory. This, in effect, is an indirect rejection of pregnant workers.

Recruits also take a psychological test with test questions that screen for negative emotions. Those who display some range of negative emotions are persuaded to leave.

The above acts directly violate Article 12 of <u>China's Labor Law</u>, which states that "Laborers, regardless of their ethnic group, race, sex, or religious belief, shall not be discriminated against in employment."

2. The factory exceeds the legal limit on the number of dispatch and hourly workers allowed to work at the factory. Labor disputes in regards to deception or arrears of rewards and bonuses are commonplace. In recent years, the factory has also illegally recruited vocational school students.

Chengdu Foxconn employs a large number of dispatch workers, with the percentage reaching up to 50%. Dispatch workers have a higher likelihood of being assigned higher-intensity assembly line and night shift positions. Given the temporary nature of their position, they serve as flexible contractors and are often given the most difficult tasks. It's also challenging for dispatch workers to apply for transfers, effectively trapping them in these unfair and grueling positions.

During the off-season when there is lower demand, dispatch workers get fewer working hours. They have disputes with the factory over promised bonuses and rewards. In 2020, CLW reported on the protest of nearly 1,000 Foxconn dispatch workers. Labor dispatch companies owed workers 3 months worth of hourly subsidies and rewards, yet Foxconn did not sign the labor contract containing these promises, essentially shrugging off the responsibility and causing mass confusion. This excessive use of dispatch workers violates Article 4 of <a href="China's Interim">China's Interim</a>
<a href="Provisions on Labor Dispatch">Provisions on Labor Dispatch</a>, which specifies that "An employer shall strictly control the number of dispatch workers employed which shall not exceed 10% of the total number of its workers."

Foxconn has also illegally recruited vocational school students. Students were found interning at Foxconn Chengdu towards the end of 2022 where they were given the same work arrangements as regular and dispatch workers, including overtime and night shifts. Students were threatened by instructors that they would not graduate if they did not complete their internships, essentially trapping them in these positions. This violates China's 'Provision on the Administration of Internships for Vocational School Students,' a law which forbids companies from arranging forced labor internships.

# 3. Forced overtime is common, meal breaks are inconsistent, and breaks are not guaranteed.

Employees work up to 65 hours during the off-season and 87 hours during the peak season when demand is high. This far exceeds the 36-hour monthly overtime limit imposed by Article 41 of China's Labor Law.

Foxconn Chengdu marks any worker who does not partake in required overtime as being absent. If their total absences exceed 16 hours in a single month, the worker's hourly subsidies are forfeited. In order to obtain these subsidies, dispatch workers are essentially forced to do overtime.

Workers stated that the longest continuous working period typically lasts 14 days, followed by a one day break. Especially during the pandemic, factory management strictly enforced COVID

restrictions which required workers to work, eat, and live in the factory. As a result, workers were assigned shifts for half a month straight without stopping.

During factory training, workers were promised one hour for each meal break. In reality, they are allowed one hour for lunch and only 40 minutes for dinner.

# 4. Dispatch workers must forfeit their right to insurance before they are allowed to sign their labor contracts.

Although labor contracts state that social insurance will be purchased, in practice neither the dispatch company nor Foxconn purchases social insurance for dispatch workers or interns. They also do not pay required housing provident funds.

During the hiring process, the dispatch company staff requires workers to sign a 'Commitment letter to voluntarily give up social insurance.' The dispatch company then issues the worker their labor contract. What this means, in practice, is that workers are forced to forfeit their right to social insurance. The act of forcing workers to sign this letter is illegal according to Chinese law.<sup>1</sup> Employers are also legally obligated to purchase social insurance and a housing fund for their workers per Chinese Labor Law, Labor Contract Law, Social Insurance Law, and Regulation on the Administration of Housing Provident Fund.

## 5. Workplace bullying, punishment, and sexual harassment are widespread.

Workplace bullying and punishment are common management tactics. If workers are even 10 seconds late, they are criticized by their line leader. It is common for workers to be verbally reprimanded, abused, or fired. This toxic managerial behavior constitutes a ritualized form of abuse that harms workers' psychological health and well-being on a daily basis.

Female workers in particular are frequently verbally harassed. Sexual harassment occurs both online in WeChat groups and in-person on the factory floor. The factory does not enforce restrictions or punishments for these forms of harassment and its woefully inadequate sexual harassment training acts more as a client-facing display than an effective act of prevention.

## 6. Workers lack labor rights organizations that actually represent their needs.

<sup>&</sup>lt;sup>1</sup> See Article 72 of the Labor Law of the People's Republic of China, available at <a href="https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/37357/108026/">https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/37357/108026/</a>

Foxconn Chengdu has a labor union, but workers are not made aware of its existence when hired. Many workers spend their entire time at the factory unaware of the union, rarely knowing anyone who has used its services. Workers are given a card containing numbers to the labor rights advocacy hotline when hired, but they are often not utilized as they provide little actual protections. In effect, there are no true labor rights organizations or resources present at the factory.

## 7. Other violations of laws and regulations in the factory.

Foxconn Chengdu is suspected of numerous violations of the Labor Law and Labor Contract Law, including the following:

- Safety training is less than three hours, far less than the minimum 24 hours required by the law.
- There is a lack of paid sick leave, annual leave, maternity leave, and marriage leave for dispatch workers.
- Entertainment and fitness facility operating hours overlap with actual working hours, making them useless to workers.
- Workers have no allotted time for rest, entertainment, or relaxation.
- The factory does not have a health and safety committee.
- There are no first aid kits on the factory shop floors and in the dormitories.

#### **Overview of Findings**

- 1. Discrimination during the recruitment process based on ethnicity, gender, and religion. The factory actively does not recruit Uyghur, Tibetan, Yi, and Hui workers. The factory also does not recruit pregnant women.
- 2. Discrimination during the recruitment process against those who display some range of negative emotions.
- 3. An excessive use of dispatch workers, total number accounting for 50% of the overall workforce.
- 4. A higher proportion of dispatch workers assigned to high labor intensity and night shift positions without the ability to change positions. During the off-season, dispatch workers work fewer hours than regular workers.

- 5. Labor disputes occur as a result of dispatch companies defaulting on promised hourly subsidies and rewards. This has previously triggered protests by nearly 1,000 dispatch workers.
- 6. Illegal recruitment of vocational school students. Students were interning at Foxconn Chengdu towards the end of 2020. Schools trap students by threatening to withhold their diplomas if they do not complete their internships.
- 7. Only three hours of safety training, far less than the minimum 24 hours required by law.
- 8. Forced forfeit of dispatch workers' right to insurance.
- 9. Excessive overtime. Workers are expected to work up to 65 hours during the low season and 87 hours during the peak season, far exceeding China's 36 hour per month overtime limit.
- 10. Forced overtime hours. The factory marks workers who are not present for overtime as absent. If absences exceed 16 hours in a single month, workers do not receive hourly subsidies.
- 11. Work lengths of up to half a month without a break during the pandemic.
- 12. Inconsistent meal times. Workers are allowed one hour for lunch and 40 minutes for dinner, which is inconsistent with the factory training's promise of one hour per meal break.
- 13. No paid leave for dispatch workers and lack of sick leave for regular workers.
- 14. Workplace bullying and punishment. The factory punishes workers if they are even the slightest bit late, leave early, or are absent.
- 15. Verbal sexual harassment in WeChat groups and on the factory floor. Sexual harassment training is woefully inadequate and unprofessional.
- 16. Restrictions on bathroom and water breaks. Line leaders can give workers permission to take short breaks of just five minutes only after the workers have been granted permission.
- 17. Unused entertainment and fitness facilities. Opening hours overlap with working hours, and workers are allotted no leisure time to make use of facilities.
- 18. No health or safety committee in the factory, and no first aid kits in factory workshops or dormitories.
- 19. Lack of actual worker representation. There is a labor union, but workers have never heard of it, let alone asked it for help.



The location of Foxconn Chengdu: Chengdu Hi-tech Pilot Free Trade Zone

# **Company Overview**

### **Background**

Chengdu Foxconn Park is a global production base of Foxconn Group. Foxconn's Chengdu plant belongs to the Hon Hai B Group, which was established in 2010 and is one of Apple's top 200 supply chain manufacturers. The Foxconn Chengdu factory is divided into three business groups: iDSBG, Yecheng and Hongzhun. These departments are engaged in the manufacture of phones, tablets, and laptops. Of them, Hongzhun business group focuses on the research and development of precision molds, fiber-optic communication products, 3C product mechanisms, and automation equipment. iDSBG is engaged in the design, manufacture, and assembly of tablet computers, desktop computers, and laptops. Yecheng Technology produces game consoles, laptops, LCD TVs, optical drives, digital cameras, projectors, cooling systems, LED lighting, new interface materials, magnesium R&D, aluminum alloy products, printed circuit boards, and other products.

#### **Address**

160 meters northwest of the intersection of Hezuo Road and Tianying Road, Pidu District

#### Main customers and products

Apple is the main client. Products include the iPad, iPhone, Apple Watch, iMac computers, and other Apple products.

#### Staff

*Total number of workers:* 78,000 - 1,20,000

Number of regular workers: Approximately 40,000 to 50,000

Number of dispatch workers: According to most agencies, approximately 40,000 to 50,000

workers. Some agencies state there could be more than 50,000 workers.

Proportion of dispatch workers to the total number of workers: Approximately 50%

Number of workers interviewed by the investigator: 24

Department of interviewees: Assembly Department

Ratio of male to female respondents: 7:17

Proportion of regular workers to dispatch and intern workers that were interviewed: 14:10

*Interview format:* In-person





Foxconn factory area

# **Full Report**

#### 1. Recruitment and resignation

Foxconn recruiting is typically entrusted to labor dispatch companies. These companies have multiple locations near factory premises, making it easy for prospective workers to walk in and apply for a job. Searching for "Chengdu Foxconn" on WeChat yields plenty of results for labor dispatch companies, intermediaries, and their contact information. Companies will post recruitment information on websites such as 58.com, China's largest online classifieds marketplace. Foxconn can also recruit workers through its public WeChat account, Foxconn Chengdu Recruitment.

The factory employs a large number of dispatch workers. The proportion varies greatly depending on the department. In the precision component assembly department, dispatch workers make up more than 30% of the workforce. In other departments, dispatch workers make up more than 60% of the workforce. Overall, the average proportion of dispatch workers across the entire plant is 50%. Dispatch workers are hired by outside companies through individual brokers specifically tasked with providing such employees, not through Foxconn. While regular workers have a better chance of applying for job transfers, dispatch workers are more likely to stay on the assembly line. Since dispatch workers are often recruited by short-staffed departments, they are more likely to work undesired posts such as tiring night-shift positions. Companies that provide dispatch workers for Foxconn include Hong Jinzhi, Yuheqiao, Shaoran, Qinghui Baichuan, Xinbang, Baohang, Xin Hanrui, Huachuang, Tepda, Huahui, Hongjun-Huitianhao, Chutian Huizhong, Daiyou Zhuowei, Junying, and Zhiyong.

Employees recruited by Foxconn must be at least 18 years old, and those between the ages of 18-22 must provide a non-student certificate in order to be considered for employment. The factory does not recruit children or underage workers. The factory is suspected of ethnic discrimination during recruitment cycles, mainly targeting Hui and Uyghurs. The intermediary agency involved in recruiting stated that it would not accept ethnic minorities, and Foxconn's official WeChat public number stated that "the quota (for ethnic minorities) has been filled." Previous reports indicate that Foxconn restricted the recruitment of four major ethnic minority groups: the Uyghur, Tibetan, Yi, and Hui.

The intermediary agency states that applicants should not write about their academic qualifications above the high school level. In practice, the education part of the form is left blank, and applicants are never asked about their educational background.

Interviewees also undergo a psychological test. During the test, the intermediary agency warns recruits, "Do not choose [the answer] 'I won't confide in anyone [about my problems],' otherwise recruiters may think you're not mentally healthy and will reject you." The psychological test includes questions about sexual distress, the applicant's ability to communicate with others, and whether or not they are receptive to emotional support when encountering difficulties.

Foxconn previously recruited vocational school students. At the end of last year, some vocational students did internships at Chengdu Foxconn. These students were threatened by teachers that they would not receive their diploma if they did not complete the internship. No vocational students were observed at the factory during the spring and summer of this year, likely because the factory does not yet need additional sources of labor to supplement their workforce. However, that does not mean that Foxconn will not continue to recruit students for internships, especially during peak production seasons such as the summer.

There are no fees, deposits, or withholding of worker documents during the onboarding process. The physical exam is paid for by the worker (50 yuan). If the worker successfully passes the physical exam and works for one month, the fee is refunded alongside their second month salary. If the worker fails the physical exam, they cannot work and must pay at their own expense. Some interviewees stated that intermediaries arranged for them to take up long day shift positions<sup>2</sup>, but after entering the factory, found that posts were randomly assigned. The factory provides work clothes, gloves, tweezers, and other equipment free of charge.

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<sup>&</sup>lt;sup>2</sup> Unlike the two-shift system where a worker needs to do one month of day shifts and one month of night shifts for the next month, workers who work long day shifts do not need to take night shifts.



Foxconn emphasizes that no fee is charged for recruitment. Physical exam fees will be reimbursed on the first pay day.



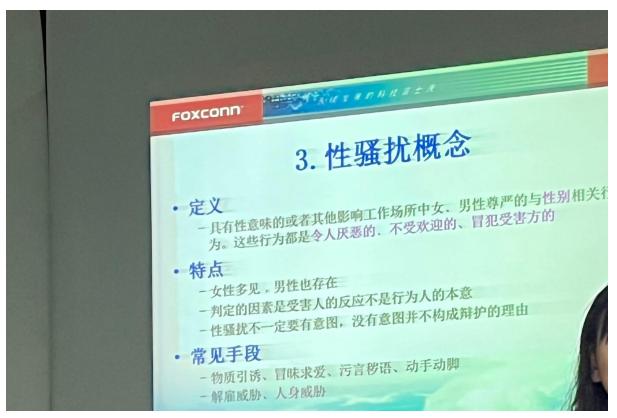
Recruitment and training center at Foxconn Chengdu

### Entry process and training

On the morning of the second day, the day after the interview and physical exam, workers sign labor contracts or labor dispatch contracts, depending on how they were hired. In the afternoon, the factory conducts training. Dispatch workers need to sign the onboarding form for new dispatch employees, a commitment letter consenting to their opt-out of social insurance, a technical job interview worksheet, and three copies of their ID cards. Regular workers sign a three-year contract directly on the employment software. The factory pays social security for regular workers.

Onboarding includes two hours of production safety training and one hour of administrative training, making a total of three hours. There are about 200 people in one classroom. Dispatch workers from different labor dispatch companies such as Daiyu Zhuowei and Hong Jinzhi take the same training classes. During the training, the safety instructor mentions that self-harm and suicide are not included in the definition of work-related injuries. The instructor also emphasizes that workers should have a "sense of ownership" and should not refer to the workplace as a "sweatshop" to the general public.

Salary, rewards, punishment, behavioral norms, and codes of conduct are covered. Employees are told to not work for more than 60 hours a week or for over 5 hours a day continuously. Workers are informed that those who receive the 3x holiday rate will not obtain hourly subsidies. Sexual harassment was briefly discussed, during which an irrelevant example of, "beautiful women cheating men for their money online," was provided. Certain slides during the sexual harassment training were skipped entirely. Training time is paid. Workers are divided into departments, assigned a work card, and clocked out at the end of the day. There is no operational training. Instead, experienced employees teach new employees operations the very next day.



Training slide on the definition of sexual harassment

Regular workers have a three-month probationary period. If a regular worker resigns during the probationary period, they need to submit their resignation one week in advance. During the contract period, regular workers must submit their resignation notice one month in advance. Dispatch workers are contracted for a three-month period. Afterwards, they must leave or apply to become a regular worker. Dispatch workers must submit their resignation letter three days in advance, but it may take a week before the factory allows them to leave.

Workers are paid if they go through typical resignation procedures. To resign, workers must obtain a resignation form, confirm the date of separation, and have their line leader sign the form. Afterwards, they obtain their salary on the seventh date of the month following their resignation. Workers can choose to self-quit through absenteeism. After three days of absence, workers receive a notice that they need to complete the resignation process. If they do not complete the process, previous wages will not be paid.

#### **Dispatch worker bonuses**

Bonus schemes are commonplace. To attract workers and entice them to stay, intermediaries promise dispatch workers high bonuses that will be delivered only after appropriate attendance and working day requirements have been met. Before signing the contract, both Foxconn and

labor dispatch companies stress that bonuses are not related to Foxconn in any way. Only hourly subsidies are actually acknowledged and written into the contract.

When being hired, applicants are asked if they were promised a bonus. If the applicant confirms that there were, they will not be hired. So even when an individual broker promises workers a bonus, this practice allows both the dispatch company and Foxconn to shake off any responsibility.

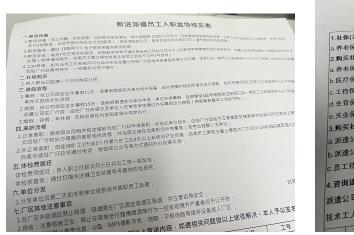


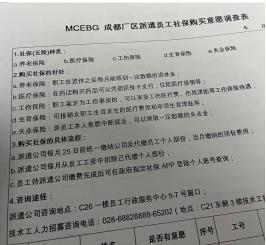
Before assigning workers to departments, Foxconn issues workers a reminder that any bonus related disputes have no connection to Foxconn. With no one to keep outside brokers accountable, workers are likely to encounter bad-faith intermediaries who lure workers with high bonuses but later fail to provide the payment. Oftentimes, workers begin working at the factory only to discover that their intermediary agent has deleted their WeChat account. Unable to locate the intermediary, they therefore cannot obtain their promised bonus.

Bonus schemes differ between intermediary agencies, with two main schemes occurring most often. One promises workers a lump sum stipend of 2,000 yuan per person after 45 days of employment. (The labor dispatch company and the intermediary may even take a portion out of this payment.) The other method pays the worker according to their hourly salary, for example

providing them 26 yuan per hour. The worker receives the first portion of salary calculated at the same rate as regular worker salaries. Then, at a later date an extra hourly subsidy is paid.

During the off-season, hourly wages and bonuses are low. Bonuses for 45 days of employment typically range from 500 to 1,200 yuan.

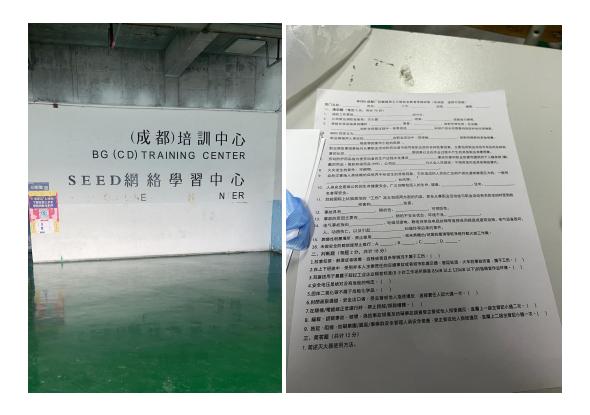




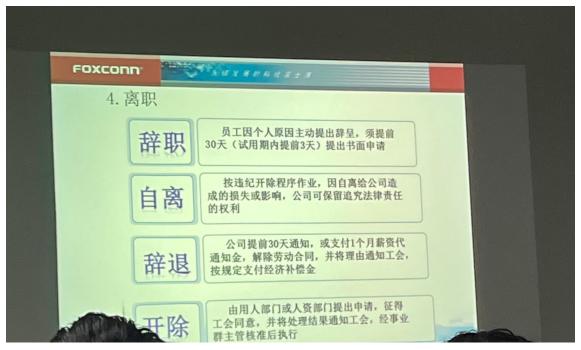
New employee onboarding form and the opt-out of social security commitment letter

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| 七、本协议一经签订,如与双方任何口头或书面约定有冲突,最终以本协议的规定之时。<br>本协议一经签订不予修改,须双方签字确认,自双方签署之日起生效,双方仅存在稳岗奖励协议关系,无任何劳动关系。<br>本协议一经签订不予修改,须双方签字确认,自双方签署之日起生效,双方仅存在稳岗奖励协议关系,无任何劳动关系。  |    |
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| 以下无正文  |    |
| 域 性 <i>自 你</i> 7.方签字:  |    |

Hourly subsidy agreement



Workers are trained at this training center. After the training, they are required to take an exam. Instructors provide the answers and workers simply copy them onto their answer sheet.



Resignation and termination of work

| D 书录研习机              | 大力、生加性   |
|----------------------|--|
| 一. 自离/正常离职薪资发放时间:    | 1-10 号办理手续 17 号发薪  |
|                      | 11-20 号办理手续 27 号发薪   |
|                      | 21-31 号办理手续 7 号发薪  |
| 二. 离职手续办理流程:         |  |
| 1.D04-1F 南一门总务仓库退还静  | 电装备(鞋,帽,衣)   |
| 2.C27-1F 一卡通窗口退厂牌    |  |
| 3.C26-1F 员工行政服务中心交回部 | 离职交接清单并领取离职证明  |
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Resignation process

#### 2. Employment contract

Dispatch worker labor contracts are signed on the second day following the interview. Workers retain a copy of the labor contract and a labor dispatch commitment letter. The labor dispatch company reminds workers that they must complete the opt-out of social security commitment letter before joining. Once this is signed, the labor dispatch commitment letter and labor contract are issued. After all forms are completed, dispatch company staff record a video reading the dispatch commitment letter. This letter mentions the benefits of social insurance, an inclusion which is not granted to dispatch workers.

Dispatch workers are contracted for a three-month period. After this period, they no longer receive the hourly subsidy (approximately 3 yuan per hour). Workers can then decide to apply to be a regular employee or leave the company. The labor contract for regular workers is signed directly on the employment software provided by the factory after the interview. It includes five social insurances and one housing fund. The probationary period for regular workers is three months.

## Dispatch worker labor contract and implementation

- 1) Work location and salary: The location is Chengdu. The salary is the standard Chengdu minimum wage of 2,100 yuan. The hourly subsidy is three yuan per hour if the worker has been employed for 30 days and has not been absent for more than 16 hours. Although the contract outlines monthly payment, wages are typically calculated on an hourly basis.
- **2) Working hours, rest, and annual leave:** The contract stipulates eight hours of work per day, 40 hours of work per week, and at least one day off per week. If overtime is required, it should be paid according to law. The contract states that Party B enjoys the rights of rest, vacation and holidays as stipulated by the state. In practice, workers work 10-10.5 hours per day and 65 hours per week. Dispatch workers who are paid on an hourly basis are entitled to overtime pay.
- 3) Social insurance and welfare benefits: The contract stipulates that the labor dispatch company must purchase social insurance for the workers. However, neither the dispatch company nor Foxconn purchase social insurance for dispatch workers and interns. They also do not contribute to the housing provident fund.
- **4) Labor protection, working conditions and occupational hazard protection:** According to the contract, the company will provide equipment that meets safety standards in accordance with regulations in order to ensure Party B's safety and health. In practice, the factory issues anti-static uniforms, gloves, hats, non-metallic belts, and tape to wrap hands for specific positions. Women dispatch workers do not have paid maternity leave.<sup>3</sup>

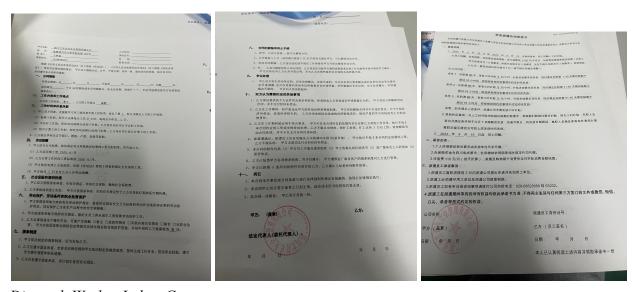
According to interviews and pay stubs, regular workers are paid on a monthly basis. Their monthly base salary is 2,100 yuan during the three-month probationary period and 2,300 yuan after the probationary period. They are entitled to overtime pay and benefits. The factory purchases social insurance and provides housing funds for regular workers. For example, a worker can have a monthly salary of 5,825.13 yuan, social insurance premiums of 423.38 yuan, and a housing fund of 105 yuan.

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<sup>&</sup>lt;sup>3</sup> Female employees in China are legally entitled to paid maternity leave.



Labor contract signing site



Dispatch Worker Labor Contract

#### 3. Working hours

Foxconn workers generally work 6 days a week, 10.5 hours a day (about 2.5 hours of overtime), and 26 days a month. The average overtime hours for both regular and peak seasons is about 2.5 hours. During the off-season, workers can rest four days a month with an average total overtime of 65 hours per month. During peak demand, workers rest only two days a month and the total overtime per month can reach up to 87 hours. When demand is low and there are fewer shifts available, the factory prioritizes regular workers for overtime, making their wages relatively high compared to dispatch workers. Dispatch workers do not receive hourly subsidies if they are absent from work for over 16 hours a month. These penalties apply to all assigned shifts, including both normal working hours and overtime.

January and September are typically the year's peak seasons. Most holiday workers have left by this time, and the hourly subsidy for dispatch workers is typically higher. This year, the peak season was not as busy. As a result, the largest period of overtime work occurred last year in September. During the pandemic when Chengdu locked down, Foxconn promised high subsidies (an hourly subsidy and a factory living subsidy of up to 150 yuan per day) for workers to live in the dorms and commute, or to live on the floor of the factory for close to half a month.

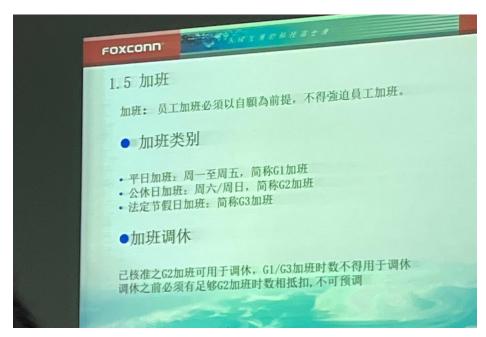
Foxconn overtime is divided into three categories. GI overtime/weekdays (1.5x salary), G2 overtime/weekends (2x salary), and G3 overtime/statutory holidays (3x salary). Only G2 overtime hours can be used for days off. The factory records working hours via facial recognition punch cards. Punching in is required when going to and coming from work. Working hours can be viewed in an app called 'E-Road.' Recordkeeping errors can be appealed by workers through their team leader.

Most workers reported at least one day off for every 14 days of work, but total working days can vary depending on conditions. Last year when Chengdu experienced a citywide lockdown, workers had to eat, live, and continue to work in the factory for half a month. Additionally, despite the high temperatures of last summer some workers worked continuously for over 30 days. Employees who work two shifts receive 24 hours of rest when changing shifts. This occurs about once a month.

Each shift, workers are allowed an hour of rest after lunch (11:50 a.m. - 12:50 p.m.) and 40 minutes in the evening (5:50 p.m. - 6:30 p.m.). The night shift meal break is similar to the day shift meal break. Meal breaks are not included in working hours. The break hours are inconsistent with what was promised in the training as workers were told that they would have at least one hour per meal break. Workers are barely guaranteed 10 hours of rest per day. They work fixed 12-hour shifts (including meal breaks) and commute back and forth for an hour. With 11 hours left in the day, they still need time to take a shower, clean up after themselves, etc.

Though there is a 10-minute break at 3:00 a.m.and 3:00 p.m., the assembly line does not stop and taking a break is near impossible as it would cause materials to pile up. If a worker is late to work for more than ten seconds, they are criticized by the line leader during the daily meeting.

Production lines are set up with output targets. For example, one production line can state that 2,500 Apple back covers must be made in one shift. Without equipment malfunctions, production goals are met. Generally, for about half of the week the goal can be completed ahead of schedule and workers can rest before punching out. If the output goal hasn't been met, workers can leave at 8:30 p.m., but the team leader must write a report. Due to the two-shift work arrangement, it is rare to start work early and finish late.



Specific provisions on overtime (training course)

#### 4. Labor remuneration and benefits

Wages are paid on the seventh of every month. Dispatch workers are paid directly by the factory and hourly subsidies are paid alongside the monthly salaries. During the factory training, it was pointed out that Foxconn now distributes wages for all dispatch workers under their escrow instead of transferring salaries to labor dispatch companies to avoid disputes.

The average monthly salary of regular workers is 3,500 - 4,000 yuan. The average monthly salary of dispatch workers is 3,000 - 3,500 yuan. Several interviewees stated that with a subsidy of only three yuan per hour, less overtime work, and no social security, dispatch workers earned even less.

The basic starting salary is 2,100 yuan. After becoming a regular worker, salaries can increase to 2,300 yuan. Food expenses are 400 yuan a month and are deducted from wages. Rent is 110 yuan. Regular workers receive an additional full-attendance bonus of 400 yuan, five social insurances, and one housing fund. Insurance (both social and business) are only available for regular workers. The hourly wage of regular workers is 13 yuan.

Dispatch workers are paid 12 yuan per hour. If the employee has been employed for 30 days and absent from work for no more than 16 hours, there is an additional hourly subsidy of three yuan per hour. Workers are paid overtime regardless of their status as regular or dispatch workers. Overtime pay is 1.5x on weekdays, 2x on weekends, and 3x on holidays.

On the fifth of every month, workers can check their pay slips on E-Road. The payslip lists a breakdown of payable and deducted wages. It includes the number of days worked, normal wages, weekday overtime wages, statutory holiday overtime wages, weekend overtime wages, leave deductions, and housing and food deductions. Pay slips of regular workers include social security and housing provident fund contributions. Social security deductions are 423 yuan and provident fund contributions are 105 yuan. Workers indicated that they received the accurate amount of wages as listed on pay slips and attendance records were consistent.

Regular workers are entitled to 70% of wages while on sick leave. The process requires workers to provide a hospital invoice and a doctor-signed medical treatment form with an official hospital seal from a tertiary hospital. Workers can ask for personal leave first, fill out a diagnosis form, and then apply for the leave to be recognized as sick leave. Longtime employees stated that it is getting increasingly difficult to ask for leave. For example, a worker applied for sick leave with a diagnosis certificate, but was not approved. Each assembly line leader can only approve a maximum personal leave of two days per employee. Only one person can ask for leave per day. Dispatch workers, however, are not able to take sick leave at all.

Regular workers are entitled to paid annual leave starting the second year of their service. If they worked over one year but less than ten years, they can receive five days of leave. If they worked ten to twenty years, they can receive ten days of leave. If they worked more than twenty years, they can receive fifteen days of leave. Accumulated seniority outside the factory can also be used to account for annual leave as long as the relevant documents proving seniority are provided. Regular workers are also entitled to marriage leave and maternity leave. Marriage leave is 21 days and requires hospital certificates, charge slips, and compliance with the maternity policy. It is required to apply one week in advance with a copy of the marriage certificate. Maternity leave needs to be applied to the supervisor within three months of pregnancy alongside a marriage certificate, birth certificate, ultrasound, and compliance with national and local family planning policies. Dispatch workers are not entitled to any forms of leave.

| 正常工作天数             |   |   |    |      | 天 |
|--------------------|---|---|----|------|---|
| 标准 正常工作时间工资        |   |   |    | 1641 | 元 |
| 薪资 考核岗位津贴(适用员级)    |   |   |    | /    | 元 |
| 职务津贴(适用员级)         |   |   |    | /    | 元 |
| 地区津贴               |   |   |    | 1    | 元 |
| 人才津贴               |   |   |    | 1    | 元 |
| 夜班津贴               |   |   |    | /    | 元 |
| 岗位津贴               |   |   |    | 1    | 元 |
| 高低温津贴              |   |   |    | /    | 元 |
| 技术津贴               |   |   |    | 1    | 元 |
| 平时加班时数/工资          | 2 |   | 小时 | 5.   | 元 |
| 法定节假日上班时数/工资(原G3)  |   | 1 | 小时 | 1    | 元 |
| 休息日上班未补休时数/工资(原G2) | 1 |   | 小时 | 4    | 元 |
| 补项1/补项2            |   | / | 元  | 1    | 元 |
| 补项3/钟点费            |   | 1 | 元  | 1    | 元 |
| 体检费                |   |   |    | 50   | 元 |
| 签约奖金/提案改善奖金        |   | 1 | 元  | 1    | 元 |
| 责任制奖金              |   |   |    | 1    | 元 |
| 推荐奖金               |   |   |    | /    | 元 |
| 出勤奖金               |   |   |    |      | 元 |
| 奖金1/奖金2            |   | 1 | 元  | 63   | 元 |
| 返费/小时差价            |   |   |    |      | 元 |
| 保险赔付款              |   |   |    | /    | 元 |
| 旷工天数/减项            |   | 1 | 天  | 1    | 元 |
| 事假天数/减项            |   | 1 | 天  | 1    | 元 |
| 病假天数/减项            |   | 1 | 天  | 1    | 元 |
| 医疗期天数/减项           |   | 1 | 天  | 1    | 元 |
| 迟到/早退时数/减项         |   | 1 | 分钟 | _ /  | 元 |
| 应付总额               |   |   |    | 27   | 元 |

| 应付  | 总额             |   |   | 2. | 元 |
|-----|----------------|---|---|----|---|
| 减项  | 1/减项2          | / | 元 | 1  | 元 |
| 伙食  | 费消费代扣          |   |   | 2  | 元 |
| 社保  | (含医保)代缴款       |   |   | 1  | 元 |
| 住房  | 公积金代缴款         |   |   | /  | 元 |
| 住宿  | 水电/物业费代扣       |   |   | /  | 元 |
| 费用  | 住宿费代扣          |   |   | 9  | 元 |
| 个人  | 听得税代扣          |   |   | 1  | 元 |
| 累计  | 专项扣除 (仅计算个税)   |   |   | /  | 元 |
| 累计个 | 人养老金扣除 (仅计算个税) |   |   | /  | 元 |
| 富金  | 富消费代扣合计        |   |   | 1  | 元 |
| 实发  | 薪资             |   |   | 23 | 元 |
| 应发  | 奖金/员工分红现金      | 1 | 元 | 1  | 元 |
| 奖金  | 缺勤扣款/其他减项      | / | 元 | 1  | 元 |
| 奖金  | 脱/奖金税后扣款       | 1 | 元 | 1  | 元 |
| 实发  | 奖金             |   |   | /  | 元 |
| 备注  | 1              |   |   |    |   |

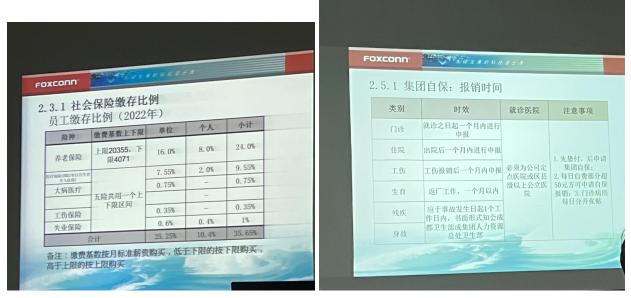
\*说明:标准薪资=正常工作时间工资+考核岗位津贴;加班费计算基数=正常工作时间工资+考核岗位津贴+职务津贴+地区津贴;时薪=加班费计算基数/21.75/8;平时加班工资/小时=时薪\*1.5;休息日上班未补休工资/小时=时薪\*2;法定节假日上班工资/小时=时薪\*3

查询如有异常,请联系部门助理处理。

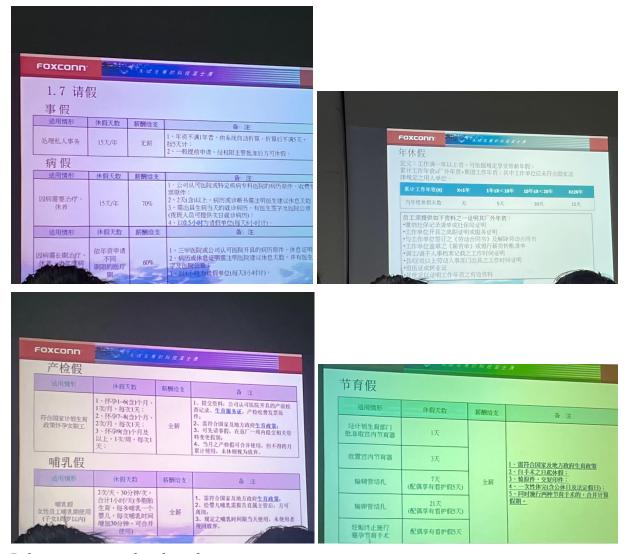
Payroll for dispatch Workers

| 正常工作天数                        |   |     | 21 5  | 天 |
|-------------------------------|---|-----|-------|---|
| 标准 正常工作时间工资                   |   |     | 2     | 元 |
| 薪资 考核岗位津贴(适用员级)               |   |     | 1     | 元 |
| 职务津贴(适用员级)                    |   |     | 1     | 元 |
| 地区津贴                          |   |     | 1     | 元 |
| 人才津贴                          |   |     | 1     | 元 |
| 夜班津贴                          |   |     | _/    | 元 |
| 岗位津贴                          |   |     | 1 1   | 元 |
| 高低温津贴                         |   |     | 1     | 元 |
| 技术津贴                          |   |     | 1     | 元 |
| 平时加班时数/工资                     | 2 | 小时  | 52    | 元 |
| 法定节假日上班时数/工资(原G3)             |   | 小时  |       | 元 |
| 休息日上班未补休时数/工资(原G2)            | 4 | 小时  | 965 2 | 元 |
| 补项1/补项2                       | • | 元   | 1     | 元 |
| 补项3/钟点费                       | 1 | 元   | 1     | 元 |
| 体检费                           |   |     | 1     | 元 |
| 签约奖金/提案改善奖金                   | 1 | 元   | 1     | 元 |
| 责任制奖金                         |   |     | 1     | 元 |
| 推荐奖金                          |   |     | 1     | 元 |
| 出勤奖金                          |   |     | -1    | 元 |
| 奖金1/奖金2                       | 1 | 元   | n     | 元 |
| 返费/小时差价                       |   |     | •     | 元 |
| 保险赔付款                         |   |     | 1     | 元 |
| 旷工天数/减项                       | 1 | 天   | 1     | 元 |
| 事假天数/减项                       | 1 | 天   | 1     | 元 |
| 病假天数/减项                       | 7 | 天   | 1     | 元 |
| 医疗期天数/减项                      | 1 | 天   | 1     | 元 |
| 迟到/早退时数/减项                    | 1 | 分钟  | 1     | 元 |
| 应付总额                          |   |     | 46    | 元 |
| 减项1/减项2                       | 7 | 元   |       | 元 |
| 伙食费消费代扣                       |   | ,,, | 1     | 元 |
| 社保(含医保)代缴款                    |   |     | 423 3 | 元 |
| 住房公积金代缴款                      |   |     |       | 元 |
| 住宿 水电/物业费代扣                   |   |     |       | 元 |
| 费用 住宿费代扣                      |   |     | 110   | 元 |
| 个人所得税代扣                       |   |     | 1     | 元 |
| 累计专项扣除(仅计算个税)                 |   |     | 1     | 元 |
| 累计个人养老金扣除(仅计算个税)              |   |     | 1     | 元 |
| 富金富消费代扣合计                     |   |     | 1     | 元 |
| 实发薪资                          |   |     | 3 4   | 元 |
| 应发奖金/员工分红现金                   | 1 | 元   | -     | 元 |
| 定及关至/贝工//11·00<br>奖金缺勤扣款/其他减项 | 1 | 元   | ,     | 元 |
| 奖金税/奖金税后扣款                    | 1 | 元   | 1     | 元 |
| 实发奖金                          | 1 | 76  | 1     | 元 |

Payroll for regular workers



Social security for regular workers. No social security is provided for dispatch workers.



Relevant vacation details and process

#### 5. Food and accommodation

Living accommodations are provided. Monthly charges for rent and utilities total 110 yuan. This is deducted according to the number of days of accommodation. At the cafeteria, 400 yuan is loaded onto the worker's card for meals and is also deducted from the worker's salary. Workers can only spend 20 yuan a day on their cafeteria card. If a worker wants to exceed the daily limit, they must pay using an independent payment service app (e.g. WeChat or Alipay). In Yecheng, workers can top up 600 yuan per month and spend up to 30 yuan per day.

Workers can choose to not eat or live at the factory. Their salaries will not be deducted and they do not receive accommodation subsidies. Workers typically can only eat at Foxconn during the workday as there is no time to eat outside factory grounds.

There are four to five cafeterias in each factory area. Cafeterias have a variety of choices, including noodles, bread, and stir-fry. A meal of two meat dishes and one vegetarian dish costs 10-12 yuan. The cafeteria has transparent dividers for eating, which were added during the pandemic. Workers take their plate to the recycling area when they are finished.

The worker's dormitory is located in an apartment complex with an elevator. It is about half an hour walk away from the factory, or a little over two km. Each eight-person dorm contains two squat toilets, two desks, showers, lockers, and a balcony. There are gyms, snack bars, and supermarkets nearby. The dorm does not provide sheets or comforters, so workers need to buy their own. The hygiene in the dorm is satisfactory, but there is no air conditioning, which can become an issue during hot summers. The dorm has 24-hour access to hot water.



Cafeteria



**Dormitories** 

Each factory area contains a fitness facility, but there is a large overlap between operating and working hours, so workers do not have time to enjoy the facilities.

## 6. Occupational safety and labor protection

The factory did not have any environmental health and safety committee and employees are only trained briefly on these topics before starting. Labor safety supplies are provided and issued once a week. Supplies include tweezers, gloves, and dust suits. Gloves can be changed every day, and other pieces of equipment can be changed once a week. Protective gear such as tweezers and gloves are often in high demand and short supply. When supplies run out, workers must ask the team leader to borrow extra supplies.

Except for a few days this past year when electricity was limited, the workshop is air-conditioned. Hygienic standards are good and team leaders required workers to clean their workspace during and before the end of work. The pathways are clear and there are clearly marked safety exit signs. The workshop that the investigator analyzed was not exposed to toxic substances and no odor was observed. However, the environment of other workshops are worse, including a polishing workshop that exposes workers to a high risk of developing pneumoconiosis. This factory had occupational disease subsidies and was known to issue N95 masks regularly. Ventilation equipment was installed and its machinery and the equipment was

well-inspected. There was written documentation indicating that regular inspections of equipment by specialized personnel occur.

The factory provides free medical checkups for in-service workers once a year. Workers exposed to hazardous materials have the same work schedule as other workers. The factory provides them with protective gear and subsidies. According to longtime employees in the investigator's workshop, the equipment used was relatively safe and there were no workplace accidents. Hazardous waste is sealed and labeled. Fire extinguishers are everywhere, and fire safety awareness flyers litter factory grounds. Smoking is prohibited indoors. There is a separate area for smoking under each building. No first aid kits were seen in factory workshops or dormitories.

### 7. Fire protection

Emergency exits are clearly marked, well lit, and not blocked by any clutter. Emergency exits are closed on a daily basis and staff can only use the regular security check door. Dorm exits are on either side of the hallway, which function as both day to day exits and emergency exits. The hallways are open, unlocked, and marked with safe passage signs. The factory holds fire drills twice a year in the dorms. There are a large number of hydrants and fire extinguishers. Fire extinguishers are new, have gas, and are marked as having been inspected.



Fire extinguishers

#### 8. Rewards and penalties

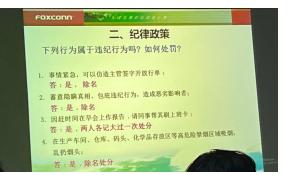
The factory has punitive measures, most of which are related to being late, leaving early, and being absent. If a worker is late by less than 15 minutes, they are warned once every three times. If they are late 15 minutes to an hour, they are given a direct warning. If they are late between one to two hours, then they are warned twice.

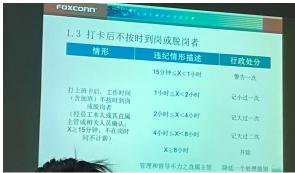
If workers are late or leave earlier than 15 minutes, they will not be paid for that time. If the worker is absent from work for three consecutive days or four days within three months, including those who have been absent from work for a total of 32 hours within three months, they will be fired. Those who attend work normally but fail to swipe their card will be given a warning after the fifth time within a month. After punching the card, if a worker fails to arrive at work on time or is absent from their work for 15 minutes~one hour, they will be given a warning. If the worker is gone from one to two hours, a minor demerit will be recorded. If the worker is gone from four to eight hours, two major demerits will be recorded. If the worker is gone for more than eight hours, they are fired. Immediate supervisors with poor management skills are lowered by one processing level.

If a worker forges a supervisor's signature, intentionally conceals the truth, harbors disciplinary action, is a bad influence, or smokes in the non-smoking area, they will be dismissed. If they ask their colleague to swipe in their card for them, they will be given a major demerit.

Workers are free to enter and exit the dorm after work. Their ability to access the restroom and drink water depends on their department and line manager. Some workers must ask their manager, who then determines the length and number of times they can use the restroom. Most workers are not allowed to use the restroom for more than five minutes. If workers are in a position where they're not required to be in the assembly line, they can use the restroom at will.







Foxconn Punishment Regulations (Training slides)

#### 9. Other

Dispatch workers choose Foxconn because the wages are relatively high compared to other factories. For them, "Wherever the price of work is high, is where we will go." There aren't many factories that offer equal pay for regular workers, and many have age restrictions. This makes Foxconn relatively acceptable compared to other factories and workers choose Foxconn because the job is simple. Regular workers receive five insurances and one housing provident fund. Most interviewees over 40 who settled in the neighborhood stated that while they could work anywhere, social security was an important consideration in choosing work.

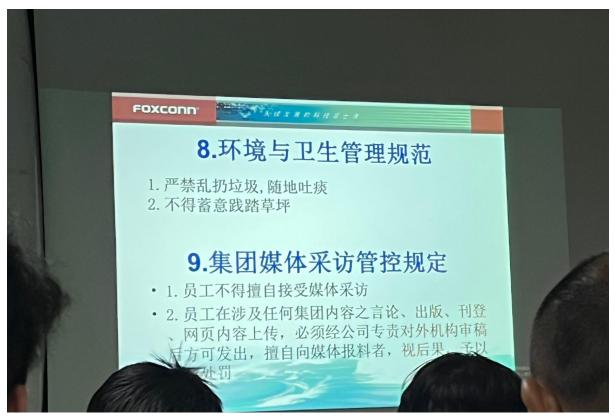
Workers feel that Foxconn wages are low, especially this year as the Chinese economy is suffering. It is also difficult to obtain wage increases. They feel that 5,500 yuan a month would be more reasonable. Most interviewees hoped for more overtime, but due to low demand, overtime hours have decreased. Workers feel it is not possible to support themselves on their current wages and rely on overtime to make a living. Local living standards are not cheap; a combination of rent, food, and transportation can cost at least 2,000 yuan a month.

Some dispatch workers were never able to find their intermediary after beginning work and as a result they did not receive their bonus.

It is common for workers to be verbally reprimanded, abused, and even fired for a variety of reasons, including working too slowly, dozing off, having poor quality work, being distracted, talking, having bad posture, and sitting improperly.

Most workers felt that the environment was safe, but not satisfactory. Departments are dirty and often noisy. It is difficult to get promoted, and climbing the ladder depends more on connections than length of service. Flexibility also depends on the team leaders managing the assembly line.

There is a labor union, but the union is not used by workers to seek help. It mainly sends to workers holiday regards and condolences at occasions of hospitalization and funerals. Most workers stated that they never heard of the labor union, and some did not even know what a labor union was.



"9. Workers are prohibited from receiving interviews from the media or publishing information related to the factory without going through the factory's internal evaluation process."

Workers are not searched when they enter or leave the factory, but are checked when they enter the workshop. They are not allowed to carry iron.

The investigator was not able to obtain any information regarding third-party auditors. Workers did not have any information about them either.

# **Investigator's Diary**

**Day 1:** When I got off the bus, an intermediary came up to speak with me. He told me that August is the peak season for work, and that during this time, the hourly subsidy can reach 13 yuan per hour. At the time, I could earn 7,000 to 8,000 yuan a month. That number is less than 5,000 yuan. The intermediary told me that Foxconn has more than 100,000 people. Another manager who handles the Internet in the dorms said that there are only 70,000 to 80,000 people now, and that 80% of job hunters choose to be dispatch workers at Foxconn.

**Day 2:** On the first day of work, I was assigned to the assembly workshop. Workers here said that this year the factory's efficiency was really bad. They rested for 4 days during the Qingming festival holiday (and therefore needed to make up for this with a Saturday G2 shift). Work ended at 8 o'clock and everyone waited until 8:30 to clock out on time. There were two toilets and a tea room in the workshop. There was a line of white glue between the wall and the door of the toilet. People wrote phrases in tiny characters there: "I like you," "Resign! Resign", "I'm so tired of being reprimanded every day," "I feel that I live without any self-esteem."

Day 4: The labor on the assembly line was really unreasonable and inhumane. To my front and back were machines. The whole assembly line was about 50/50 between machines and people; machines probably made up a bit more of the assembly line. At the workshop entrance, they tally the number of people who arrive, including regular and dispatch workers. My assembly line section had 20 people, and of this, 20% were dispatch workers (our workshop had more regular workers). But the screen in the workshop showed that there were only 5% dispatch workers. I couldn't take my eyes off the assembly line for even a minute. I only earned minimum wage, so it was really hard to bear the intensity. There was so much verbal sexual harassment in the workers' group chat I joined...

**Day 7:** After work, I went to my dorm and talked with my roommate Liu, another dispatch worker in the dormitory. I hadn't seen her before. She said that her agent promised her 26 yuan an hour. She signed a separate contract with her agent but later felt that she would not be able to get it. Beside her there were many workers, fellow examples of being cheated by agents. She said that there were a lot of dispatch workers in her workshop, approximately half. Almost all of them started around the same time she did. They were to pick materials, a relatively simple task.

**Day 9:** I ended the evening shift at 5:30 am as there weren't that many orders, and only regular workers were allowed to work overtime. All of us dispatch workers got off work early. Some workers said that the factory might not let you work overtime if you applied for resignation. Dispatch workers who miss more than 16 hours of work within 30 days don't get hourly subsidies, and sick leave and personal leave are considered absences. Starting today, iDSBG and Yechengdu are full. Only Hongzhun is hiring, and they don't want summer workers.

**Day 11:** I met a man. He said that the factory is not doing well and limits overtime hours to about 20-30 hours a month. He worked for ten years with a basic salary of 2,300. He said that the salary is not enough for basic living expenses, it is difficult to get promoted, and even after getting promoted, the salary only increases by 100. He also mentioned a notorious "boss" of the assembly line. Everyone working at the workshop knows that promotions depend heavily on this boss. Each year, several promotion quotas are allocated to different departments. The boss will sell the quotas and won't let you transfer to a different department.

**Day 13:** A new boy came in today. He was only 18 years old. He said that some workers in District A were interns from vocational schools. He worked as a dispatch worker in District A last year, as well as in some other electronics factories in Chengdu. He said that at some factories, the younger workers were considered to be better, and that only Foxconn (Chengdu) offered equal pay for equal work.

**Day 15:** Today I went to apply for resignation at the counter of my labor dispatch agency. I told the staff that I wanted to resign. She was very aggressive and said that she would have to check how long I had worked. She then said that I needed to provide a notice one week in advance, and as a result, I had to work normally this week. I told her that I would self-quit. After leaving, I would receive a text message after three days of absence. After that, I could apply through the normal resignation process and leave the dormitory.