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Low pay, factory needs defeat efforts to limit OT

Nike says it's trying to prevent overtime abuse, but workers seek out the extra hours to survive

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DONGGUAN, China -- The assembly worker buying spicy crackers on her lunch break peers nervously around the market before agreeing to discuss conditions at the Golden Prene factory.

She insists on speaking anonymously for fear, she says, of factory retribution. Her story is routine -- a middle-school dropout sending money home to family in distant Henan province -- until she mentions working 104 hours of overtime in March. That's 24 hours above Nike's recommended maximum under its Code of Conduct and 68 hours more than China's legal limit.

Was she required to work that long? The 23-year-old worker, wearing jeans and a blue uniform shirt, shoots the questioner an incredulous glance.

"Everybody would like to work longer hours," she says.

Nike managers say they're trying to crack down on excess overtime throughout the manufacturing network. But the whole system -- from the workers to the factories to the brand-name companies themselves -- seems to conspire against limits set to prevent abuse.

Bag factories hit their peak season in spring, when they rush to make products in time for U.S. back-to-school shoppers. A customer's last-minute design switch or a faulty market forecast can throw a plant into overdrive. So can factory managers who accept orders above a plant's capacity.

However it happens, workers -- aiming to make money as fast as possible -- tend to go along, even at the expense of their health and safety. Verite, an independent monitoring organization, found excessive overtime at more than 93 percent of 142 Chinese factories audited for international brands.

Scott Nova, executive director of the Worker Rights Consortium in Washington, D.C., says, "The main factor driving the willingness of the workers to work those kinds of hours is the fact that wages are so low."

Nova says that if companies such as Nike were serious about improving working conditions, they would pay factories enough to boost wages. Nike officials say the way to drive up wages is to help factories become efficient and productive, increasing profits.

Golden Prene employees routinely work two five-hour shifts each weekday, two hours of which are overtime, as well as 10 hours of overtime every Saturday. That totals 80 hours of overtime a month, an amount equal to Nike's recommended maximum but above the 36-hour limit in Chinese labor law.

Factory manager Charles Shang says the plant gets approval for excess overtime from both Nike and the local government. Nike managers say excess overtime can lower a factory's Code of Conduct compliance score and, combined with other persistent problems, could persuade the company to leave a plant.

The woman buying crackers says she worked 84 hours of overtime in April and 80 hours in May. She doesn't dwell on the disparity between her income and the millions of dollars Nike pays golf star Tiger Woods, whose name graces bags made at the plant.

"Even if it's not fair, what could you do?" she asks. "Even if the boss makes a fortune, what we get will be the same."