



LABOUR CODE 2019

# RESOLUTION OF LABOUR DISPUTES



Two types of labour disputes include:

**01** Individual labour disputes

**02** Collective labour disputes, including:  
+ Rights-based collective labour disputes  
+ Interest-based collective labour disputes

Labour disputes are disputes concerning the rights, obligations or interests that arise among the parties in the process of establishing, implementing or terminating labour relations, disputes among workers' representative organisations, or disputes arising from relations that are directly related to labour relations.

## Individual labour disputes between:



A worker and an employer

A worker and an enterprise or organisation sending the worker to work overseas under contract

Dispatched workers and the hiring party

Authority for resolving individual labour disputes:



The labour mediator

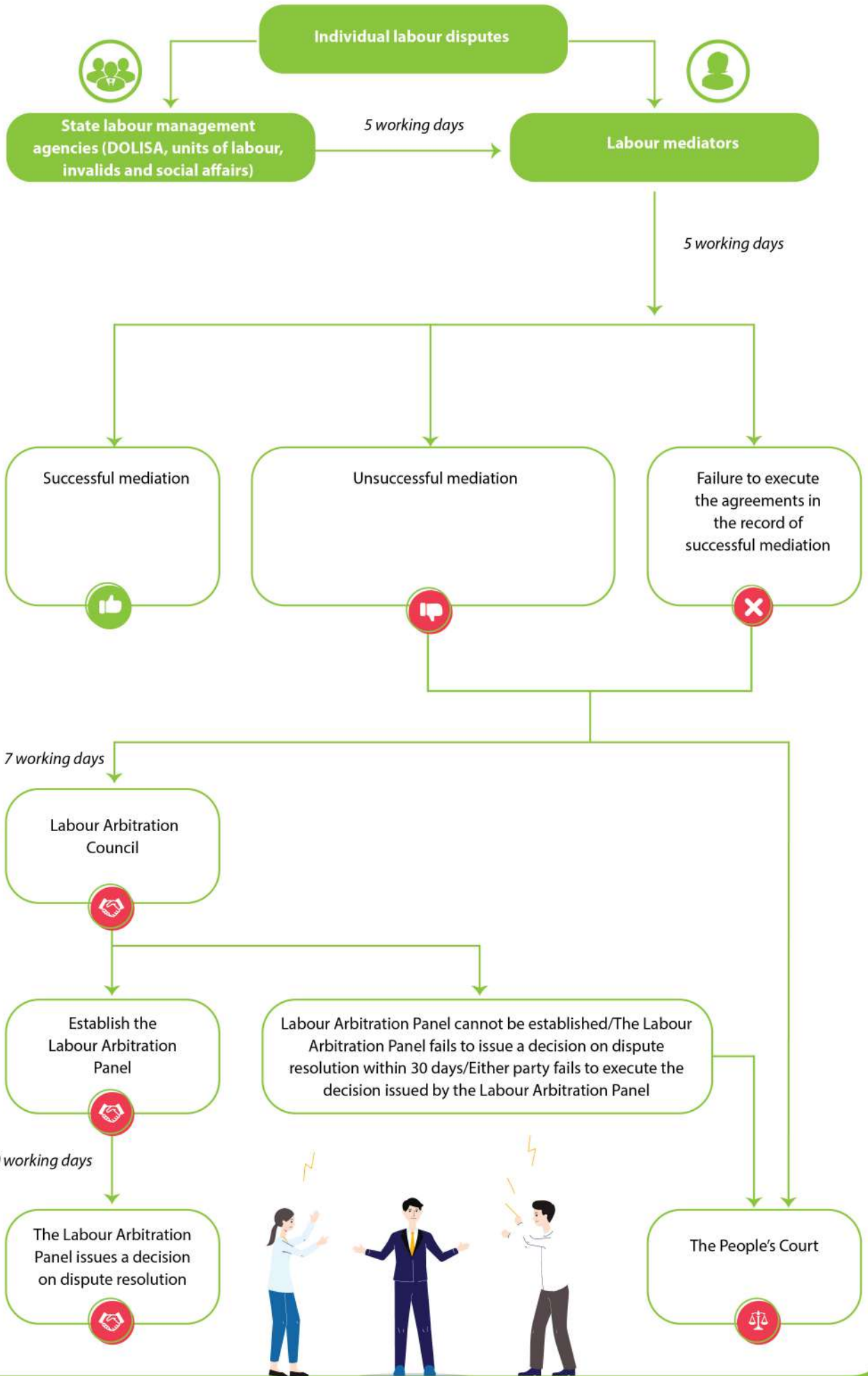


The Labour Arbitration Council



The People's Court

Sequence and procedures for resolving individual labour disputes



# Rights-based collective labour disputes

Rights-based collective labour disputes are disputes between one or more workers' representative organisations and an employer or one or more employers' organisations that arise in the following cases:

A

Differences in the understanding and implementation of the terms and conditions in collective bargaining agreements, internal work regulations or other lawful regulations and agreements.

B

Differences in the understanding and implementation of labour law.

C

When employers are alleged to:

- discriminate against workers or leaders of a workers' representative organization because of their efforts to establish, join or undertake the workers' representative organization activities;
- intervene in or manipulate a workers' representative organization;
- fail to negotiate in good faith.



Authority for resolving individual labour disputes:



The labour mediator



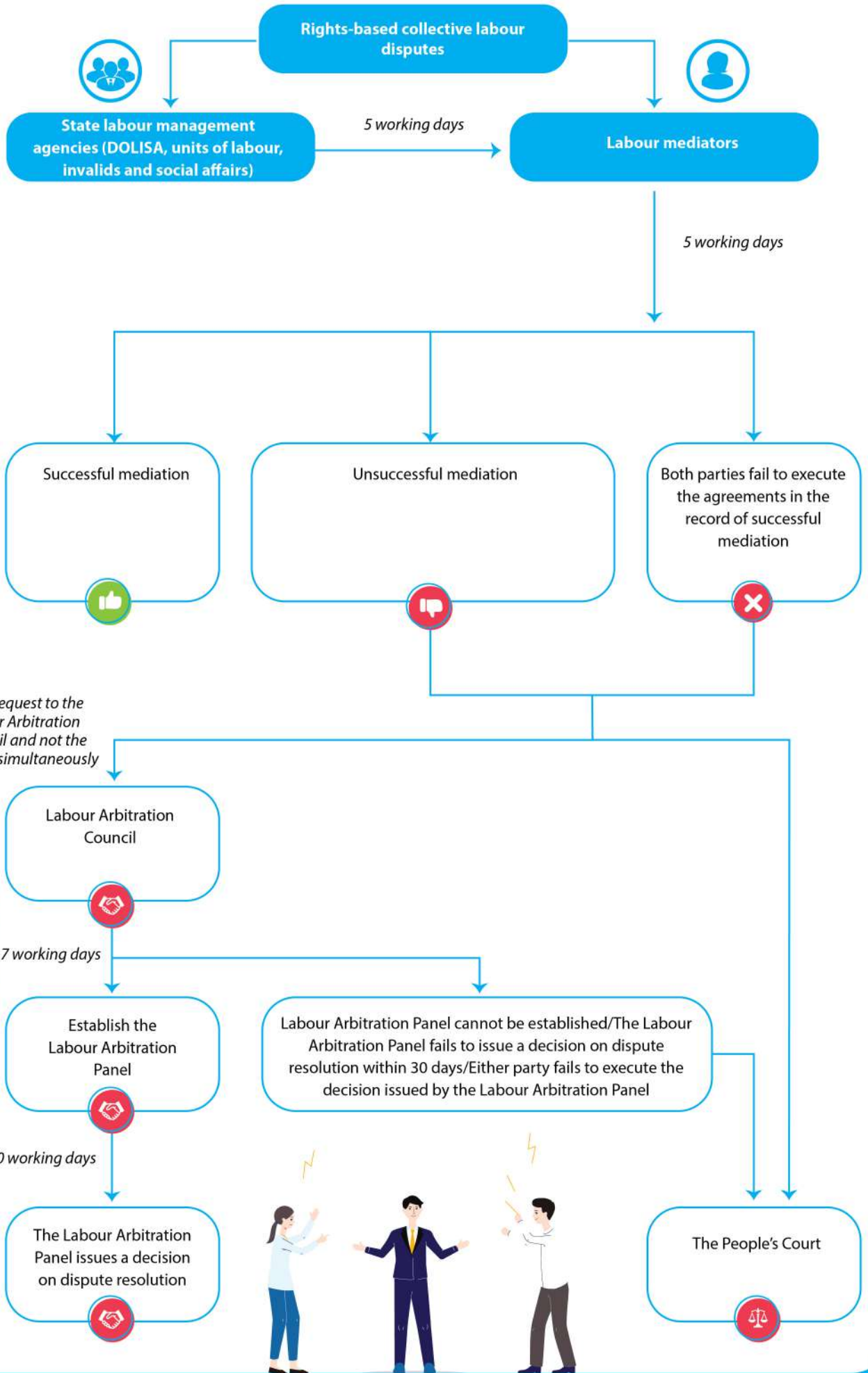
The Labour Arbitration Council



The People's Court



# Sequence and procedures for resolving rights-based collective labour disputes



# Interest-based collective labour disputes include:

A

Labour disputes that arise during collective bargaining processes.

B

When either party rejects collective bargaining or does not undertake bargaining within the time stipulated by the law.



## Authority to resolve interest-based collective labour disputes:

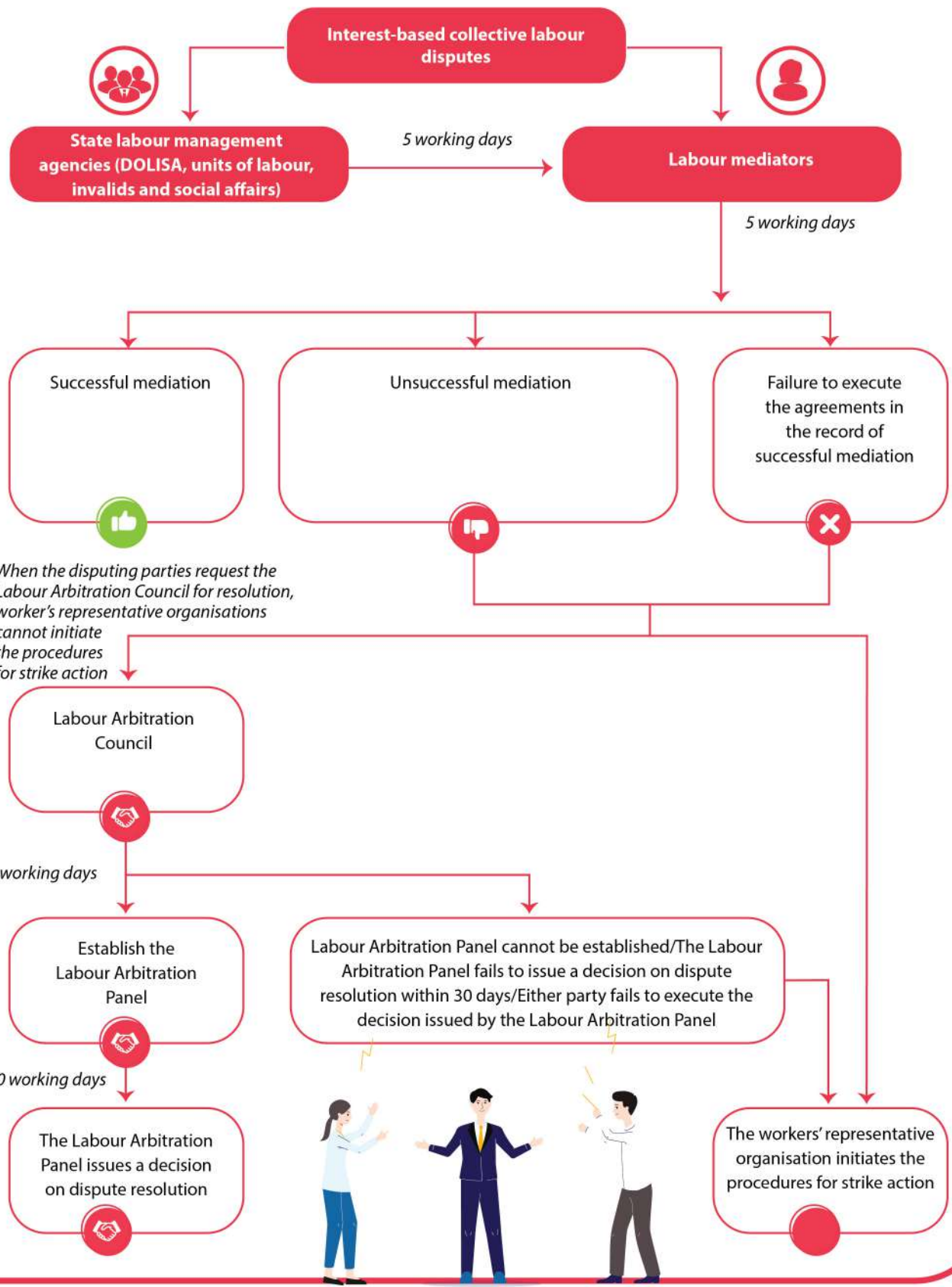


**The labour mediator**



**The Labour Arbitration Council**

# Sequence and procedures for resolving interest-based collective labour disputes



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