

# Letters to Walmart on the “Flexible Working Hour Scheduling” and Trade Union Rights

Saturday 3 September 2016, by [BRS \(USA\)](#), [YOU Tianyu](#) (Date first published: 15 August 2016).

**Letter to Walmart China, by The Brotherhood of Railroad Signalman (BRS)**

***This is the letter sent by The Brotherhood of Railroad Signalman (BRS) to CEO of Walmart China, regarding to support Chinese Walmart workers’ demand on end its “Flexible Working Hour Scheduling”.***

August 15, 2016

Mr. Dirk Van den Berghe

President and CEO

Walmart China

Dear Sir:

The Brotherhood of Railroad Signalman (BRS) Local 16 decided at its July meeting in Orlando, Florida (USA) to support the Chinese Walmart workers’ necessary and justifiable demands for justice and dignity. Firstly, Walmart China should end its “Flexible Working Hour Scheduling”. The intimidation and coercion of Chinese Walmart workers to sign “consent” forms for flexible hours should also cease. Chinese Walmart workers need full time work and a living wage to help secure a decent standard of living. It is common knowledge that US Walmart workers who work part-time have poverty level wages---they are demanding full-time work and a minimum of \$15 an hour.

Secondly, Walmart China should comply with the five point memo agreed to by Walmart China and All-China Federation of Trade Unions (ACFTU). Further, Walmart China must cease harassment and intimidation of labor activists and stop meddling in union elections. The BRS believes that Chinese Walmart workers deserve respect. They need full time work, genuine benefits, and a livable wage. The BRS also believes that Walmart China should adhere to its four core beliefs, including “Act with integrity”, and meet the Chinese Walmart workers’ reasonable demands.

Respectfully yours,

Randall Lee Bolesta

Randall Lee Bolesta

President BRS Local 16

cc: C. Douglas McMillon President and CEO Walmart

\* <http://globalmon.org.hk/content/letter-walmart-china-brotherhood-railroad-signalman-brs>

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## **A Letter to the Headquarters of Walmart**

Wednesday, August 10, 2016

Dear Mr. Doug McMillon,

I am Tianyu You who have worked at Xiangmi Lake Walmart store (No.1059) in Shenzhen, Guangdong, China since 9 years ago, and known something of the four beliefs of "Respect for the individual", "Service to the customer", "Strive for excellence", "Act with integrity" in China. However, many my colleagues and I believe the Walmart says one thing, but does another, especially you do not care about "Respect for the individual" and "Act with integrity". Recently, I am diagnosed with major depressive disorder and Anxiety disorders because of this terrible corporate culture.

According to the Chinese law, four beliefs of Walmart, the opinions of Mr. Scott Price who is Chief Administration Officer of Walmart International from interview in July 14, 2016 and the issues on electoral fraud of trade union in Walmart China, I ask following questions of Mr. Doug McMillon, and look forward to your response. These are our common aspirations of over one hundred thousand employees in Walmart China.

### **1. The question about that Walmart imposed the new "Comprehensive Working Hour System" in China**

1) Mr. Scott Price in an interview said: the new "Comprehensive Working Hour System" for Chinese employees will make the working hour are more flexible, that is good for the development of employees.

Maybe, the sound is true, but most Walmart employees do not want to accept the new scheduling system. And based on "Article 35 of Labor Contract Law of the People's Republic of China", we have the rights to resist to the action, which Walmart amends the contract unilaterally. "Respect for the individual" is one of Walmart's beliefs, however, we believe that you did not comply with it in the process, which Walmart impose the new work hours scheduling system for Chinese employees by kinds of contemptible means.

In addition, the new work hours scheduling system is not so good as your think. Base on the information that we know, the Jie long, a manager of No. 3402 Walmart store told to Yingfeng Yuan: I will have the right to make you work 11 hours a day when the new "Comprehensive Working Hour System" carry out. Now, Yuan is on the sick leave because this commutation produces her mental illness.

2). Mr. Scott Price said: with new flexible scheduling system, the employees can accept or not of their own free will, we will not coerce.

Thus, I want to ask a question of Mr. Doug McMillon and Mr. Scott Price. Why Mr. Scott Price, as a high manager, did not comply with your belief of "Respect for the individual" when you carry out the new work hour scheduling system. You can ask most employees in Walmart, whether they can make a decoction of their own free will?

Walmart enforce the new work hour scheduling system by cheating, coercing, restricting the personal liberty, taking the pictures of female employees in the restroom and many shameful actions (we have the record material for evidence).

This is what you call as “the employees can accept or not of their own free will” and “we will not coerce”? This opinion will suffice to show that Mr. Scott Price is a person who violates the corporate culture of Walmart.

3) Mr. Scott Price said: some former Walmart employees tried to stir up trouble spread the rumour. And 95% of employees already accepted the new system after coordinating.

Do you think that only the “rumour some of former Walmart employees” made lots of employees of Walmart against the new system and called a strike? So hasty conclusion, does he take all the employees for a fool? Thus, I hope the management of Walmart can seriously check yourself.

And then, Mr. Doug McMillon, do you know what Walmart “coordinate” in China? On the one hand, Walmart alleged that employees would not carry out the new “Comprehensive Working Hour System”, or they can make a decoction of their own free will, on the other hand, you threatened employees to accept the new system by face to face interview. For the employees who do not accept it, the management will find fault with them in the work with kinds of retaliations!

## **2. The question about electoral fraud of trade union in Walmart**

Walmart has already completely violated the “Five-Point Memorandum” that is entered into on August 2006 by and between All-China Federation of Trade Unions and Walmart in China.

First of all, it is common that the stores of Walmart have the issue on electoral fraud of trade union. For example, in the lead of Liya Zhang who is the mechanic of meat department at No. 1059 store of Walmart, some activists of trade union and I began running for the present and committees of trade union on August, 2015. We received large amounts of other employees assistance, however, the management of Walmart did not allow other employees to support us by kinds of contemptible means because they want to go on with controlling the union trade. Ridiculous, the management of Walmart that a foreign company running down us as “hostile foreign forces” or “foreman union trade” and persuade other employees not to be blinded by us. Later, Walmart fired the Liya Zhang and threatened me by retaliation to make me be mentally ill. Now, I am on a sick leave, and there are other female colleagues who have same terrible experience with me.

I also reported the issues to management of headquarters of Walmart in China, but they were all sorts of sophistry in an attempt to deny the object fact.

Secondly, according the third point of “Five-Point Memorandum”, higher-level management personnel and their relatives were to be barred from becoming union members such as present, vice-present and committees. In fact, many trade unions of Walmart stores against this rule in China.

The following is the part of Walmart’s trade unions that against the third point of “Five-Point Memorandum”:

- The present of trade union at No.2352 store in Bazhong, Sichuan, China is Gangyi He who is the vice general manager of Non-Food Department;
- The present of trade union at No.1018 store in Wuhu, Anhui, China is Jing Ren who is HR manager;

- The present of trade union at No. 1085 store in Changshu, Jiangsu, China is Wei Wang who is the vice general manager of Fresh Food Department and Food Market Department ;
- The present of trade union at No.6505 store in Shenzhen, China is Bingchao Chai who is the manager of General Manager Office;
- The committee of trade union at No. 3402 store in Shenzhen, China is Zhiyong Zeng who is the vice general manager;
- The present of trade union at No.2069 store in Chongqing, China is Rui Yang who is the HR manager.

As mentioned above, we have first-hand evidence, and look forward to your response.

At last, we hope that Mr. Doug McMillon can ask Walmart to keep the letter of the Chinese law, carry out your own corporate culture, and stop the action on imposing new “Comprehensive Working Hour System” and controlling the trade union in China. At the same, based on the rules of Walmart, the management of those involved in the process of imposing the new system have should be severely punished.

\* <http://www.chinalaborwatch.org/newscast/610>

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