

Analysis of Temporary Works' Interest Protection by Negotiation

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Abstract: According to some experts, temporary workers are becoming less willing to speak out when they have made a loss as previously they were. Nonetheless, when their benefits are being infringed, temporary workers will bargain with the employer to safeguard their own interests. However, there is no unified explanation for the reasons behind the formation and solutions. Therefore, this paper collects data on temporary workers employed by some companies and analyzes the correlation between the data and the case of "temporary workers employed by Meituan Takeaway" to investigate the topic of how temporary workers should negotiate with companies to protect their own interests. The study found that there are two reasons why temporary workers are not valued by the company, including the low skill level of temporary workers and the high risk of quitting; the company hires temporary workers not only because it can save human resources costs, but also shows higher motivation for temporary workers. The company should insist on "equal pay for equal work", which is beneficial to the development of the company and establish a good corporate image. In view of the above findings, this paper proposes that the company should actively cooperate with the negotiation process and the temporary workers should use such negotiation skills to communicate with the company.

Keywords: temporary workers, business negotiation, company

1. Introduction

The lack of protection for the interests of temporary workers has become a hot social issue of concern to many companies and employees. With the rapid development of the economy, many companies need more and more human resources, and "hiring temporary workers" has become the choice of more and more companies. According to the New York Times, the number of temporary workers at Google has exceeded that of full-time employees [1]. This is not only because hiring low-wage temporary workers can save the company's employment cost, but also because hiring temporary workers can meet the company's manpower shortage in the short term. However, the negative effects of this practice cannot be ignored, as the more temporary workers a company hires, the less the temporary workers are valued, and even their basic benefits are hardly protected. As reported by the New York Times, temporary workers are treated much less favourably than regular employees in terms of pay and benefits [1]. Nowadays, most of the studies on "temporary workers" are superficial and few of them can dig deeper into the problem. For example, why are temporary workers not valued? How should the temporary workers give full play to their advantages? And

what methods and techniques can be used by temporary workers in negotiating with companies? The research and discussion on these issues are very meaningful to remedy the problem that the interests of temporary workers are not protected, which is not only helpful to protect the interests of temporary workers, but also can regulate the management of temporary workers by the company.

In this study, we analyze the reasons for the lack of protection of temporary workers' interests by taking the case of "Meituan Takeaway", which recruits a large number of outsourced riders (i.e., temporary workers), and show how this problem will benefit the company and have a positive impact if it is improved. The study attempts to put the social hot issues that many companies and employees are concerned about under the test of objective case data.

This study refines the problem of temporary workers in general. Firstly, from the perspective that companies do not pay attention to temporary workers, we analyze some disadvantages of temporary workers, such as low education level and low working experience, which make them less capable of working than full-time employees. Secondly, the argument of how the temporary workers can find and develop their own advantages is presented, and a series of benefits such as saving time and money in recruiting employees, alleviating the shortage of manpower, and possibly acquiring new skills that the company lacks at present are explained. Then, it expresses that the practice of "equal pay for equal work" can not only protect the interests of temporary workers and motivate them to work, but also establish a good corporate image and contribute to the development of the company, so the company should do equal pay for equal work. Finally, it is suggested that the company should treat the temporary workers with correct position and attitude to protect the interests of temporary workers; if the temporary workers want to negotiate with the company, they should actively cooperate with the negotiation, negotiate with the temporary workers and try their best to reach an agreement. And for the temporary workers in the negotiation with the company, a series of suggestions are made to clarify their interests and concession bottom line, maintain certain negotiation confidence, and adopt bluffing strategy when necessary.

2. Meituan's Temporary Workers Recruiting

Meituan Takeaway, a platform for online and offline commerce, was created using the O2O paradigm and formally debuted in Beijing in November 2013 [2]. Its goal is to streamline the flow of information, money, logistics, and trade. Meituan was founded by Wang Xing in 2011 when the "Hundred Group War" broke out in the Chinese internet sector. Meituan has expertly applied the learning school method, seeking out cues from the successful or unsuccessful strategies of other organizations to direct the company's strategy based on the roadmap of previous advances. Meituan has concentrated its efforts on the food and beverage industry among them, and its takeout business, known as "Meituan Takeaway", is the company's flagship venture. As a result of the takeout business strategy, Meituan must constantly.

Meituan Takeaway has evolved throughout the years to satisfy the demands of more customers by becoming more comprehensive and diverse in addition to offering delivery services. In addition, Meituan Takeaway has enhanced the quality of its services for a wider range of customers by offering branded commercial users and assuring the product's safety and quality. Meituan Takeaway's turnover represents 56% of its overall turnover in terms of yearly income in 2019, playing a critical role in its commercial ecology [3].

With the development of the takeout sector, Meituan has built up a number of incentive mechanisms to lure more riders to work in their own firm. The corporation has also put up a grading system to promote the notion of "more work for more compensation, less work for less income". Hence, there were around 5 million Meituan delivery riders nationally as of October 2022. A Meituan representative, however, stated in an interview that "all 10 million riders are outsourced and only have 3 yuan/day commercial insurance," which highlights the importance of the rider

recruitment issue: riders are primarily directly controlled by outsourcing companies due to a lack of a more responsible and effective human resource management strategy [4].

3. Temporary Workers Being Crucial for Companies

3.1. Why Temporary Workers Would Be Not Valued?

There has been an increase in the use of temporary employees globally during the past 20 years [5]. To balance the imbalance between increasing workloads and shrinking staff numbers, many companies are using "temporary workers" as a way to relieve staffing pressures. There are even more temporary workers than regular employees. But the fact is that many companies do not value the existence of temporary workers. From the company's point of view, first of all, because of the lack of skills and low level of professional quality, temporary workers are less efficient than regular employees. Also, it has long been claimed in the quality management literature from a skill and knowledge viewpoint that having employees with a relatively high level of abilities is crucial to achieving long-lasting progress and standards in quality [5]. Whereas the use of temporary workers leads to a reduction in the development and presence of specific knowledge and skills within the company, which leads to a reduction in quality performance and emphasizes that the company cannot rely on process capabilities to reduce the negative impact of temporary workers on quality performance. Further, the business is of the opinion that temporary employees are highly unstable and may put pressure on hiring. Temporary employees often have lower skill levels, are engaged for a certain period of time, and have less firm-specific expertise (particularly in manufacturing industries). We thus hypothesize that these traits are influencing quality performance [5]. In contrast, temporary workers have difficulty in obtaining fair competition and opportunities for promotion and salary increase, and their upward mobility in the establishment is severely restricted, resulting in their career planning not being long-term, and thus the phenomenon of relatively high mobility is not conducive to company development. Therefore, the reason why companies do not value temporary workers is that temporary workers may be affected by job uncertainty and are perceived to have a lower status in the company structure and their commitment level will be lower.

3.2. Advantages of Temporary Workers: Companies are Willing to Hire Them

Today, many companies hire temporary workers. A document obtained by the New York Times shows that as of March 2019, Google had 102,000 regular employees worldwide, while the number of temporary and contract workers was 121,000. In other words, Google now employs more temporary and contract workers than full-time employees [1]. So why does the company hire temporary workers? First of all, there is no doubt that there is less to pay to temporary workers, in other words, temporary workers are paid low wages. In Silicon Valley, Google appears to be the standard due to the company's high percentage of contract and casual employees [1]. Since temporary workers work in the company for a shorter period of time, the company does not need to pay extra personnel management costs and effort for temporary workers, which can effectively save costs for the company. Secondly, companies have the flexibility to adjust the number and type of workers according to the needs of orders or seasons. Using temporary workers gives you the flexibility to respond to busy and slow periods in your company as a way to reduce human resource management and system costs. Hiring temporary workers can also improve your company's pay structure, allowing you to recruit and train more employees at a lower cost. Hiring temporary workers can also improve the company's salary structure, enabling the company to recruit and train more employees at a lower cost. Additionally, compared to regular employees, temporary workers tended to be happier with their salaries and the variety of jobs they could choose from. Additionally, temporary employees were more receptive to accepting alternative employment possibilities [6].

Therefore, temporary workers showed a greater willingness to take alternative job opportunities. Temporary workers experience a unique set of stressors and may agree to hazardous job opportunities, not due to a lack of recognized safety and health risks, but from greater satisfaction with wages. There is also the fact that temporary workers can give the owner instant access to a wealth of new skills that the company may currently lack. Temporary employees can bring a fresh perspective to things, technologies and ways of approaching projects that your company can benefit from. Hiring temporary workers may become a great way to be able to find permanent employees. Although these temporary workers are only temporary, it may lead to new employees. If the company can benefit from them, then hiring them permanently is worth it, which can also save the company time and money in conducting a job search. Finally, hiring temporary workers can help a company save a lot of time, i.e., temporary workers hired through human resources company can save a lot of time. Usually, you have to place an ad in the newspaper or online to fill a job opening, and then go through the interview, hiring and training stages. With an HR company, you simply provide them with a list of your requirements, and they will find you the "perfect" employee for all your jobs.

3.3. Project-Based Recruitment Cycle Should Achieve Equal Pay for Equal Work

Wages and position are great concerns for workers and earlier studies point out that temporary workers generally suffer from low salaries and negative work conditions [7]. For too long, most companies have touted their equal and desirable workplaces, and offered enviable salaries and generous benefits. But while temporary workers often work side-by-side with full-time employees, they are often employed by outside agencies. They supposedly earn less money, receive different benefits than regular Google employees, and do not even receive paid vacation time in the United States, according to numerous current and past Google temp workers [1]. Many temporary workers are faced with the situation of differential treatment, compared to the treatment of regular employees is not only a huge difference, but even some basic benefits are not protected. The employment cost of temporary workers is equivalent to the formal labor cost between 60% and 70%, according to the CTG China (Employment Services Industry) Employment Index Report. Even the release of wage regulations is hampered by the reality that temporary workers commonly receive poor treatment in regard to labor compensation [8]. In fact, it is common that during the implementation of equal pay for equal work, the law does not clearly define the boundaries and specific measures of equal pay for equal work, which gives many companies the opportunity to exploit the situation. However, in a project, the company should guarantee the same treatment for temporary workers as for regular workers. There are two reasons for this. First, the principle of relative fairness makes it acceptable to most people. "Fairness and justice" is an important condition for a harmonious society, but it has been seriously damaged in the case of different pay for the same work. Enterprises should adhere to the advanced management concept to ensure equal pay for equal work, which is also conducive to the reduction of labor costs. Moreover, insisting on equal pay for equal work and effectively protecting the rights and interests of temporary workers can stimulate their enthusiasm and improve their working effect, so that some companies can save money and finish their work projects better. Moreover, the implementation of equal pay for work of equal value will increase the motivation of the employees to work and improve their job satisfaction. Moreover, for the enterprise, the implementation of equal pay for equal work will increase the motivation of employees to devote themselves to their work and improve their satisfaction with their work, thus reducing their complaints against the enterprise, which is also beneficial to the development of the enterprise. In addition, the image of the enterprise will also be greatly improved, and in a larger sense, it can improve the labor market protection system, improve the construction of the policy of

dispatching labor, and become a good example demonstration of the enterprise in the economic market.

4. Suggestions

In response to the above statement, we can see why the interests of temporary workers are not always protected. Based on the lack of attention from the company, how should the temporary workers play an active role in the negotiation process with the company in order to fight for rights including but not limited to "equal pay for equal work"? I will make the following suggestions in response to the above situation.

4.1. Companies' Responsibility to Treat the Temporary Workers Right

First of all, as an important human resource of a company, temporary workers should always be people-oriented in management of temporary workers. The company should treat temporary workers equally, they need to be respected like other regular workers, so they should treat everyone equally and respect each other in the work. Second, the survey revealed that 95% of factories find it difficult with the issue of pinching workers with low pay, a heavy workload, and little time off, only pursuing the increase in quantity and foregoing the leap in quality, which has negative effects such as a high turnover rate, low employee motivation, and extreme work boredom [9]. The company should protect the interests of temporary workers. In terms of salary, the company should ensure "equal pay for equal work" in the same project cycle, and not deduct the salary and bonus of temporary workers. Furthermore, the company should ensure the personal safety of the temporary workers. If the temporary workers are injured in the process of work, the company should take the responsibility of compensation and give a reasonable amount of compensation, and then comfort the temporary workers properly. In addition, the company should communicate and exchange with temporary workers as much as possible, take the initiative to collect opinions from them and understand their working needs, so that they can really integrate into the company as a big family from the heart. Reasonable arrangement of working hours during weekdays can give employees a sense of identity and belonging. Outdoor activities can also be carried out regularly to relax employees' bodies and minds. Finally, if the temporary workers have differences with the company and propose to negotiate with the company, the company should actively cooperate and negotiate with the temporary workers and try to reach a consensus.

4.2. Temporary Workers' Right to Negotiate with the Company

Firstly, since it is a negotiation with the company to solve labor disputes, the temporary workers must be clear about their demands and the bottom line of their concessions. Negotiation is essentially a bargaining process. You should first clarify what your demands are, such as double wages, economic compensation, indemnity, overtime, arrears of wages, etc. You should think clearly about what you want and not mention new demands halfway. In addition to clarifying their demands, temporary workers also need to think about the bottom line of their concessions in advance. Negotiation is also a process of mutual compromise, in order to prevent the negotiation due to inadequate consideration and wrong decision-making, you must think about your bottom line before each negotiation, more than the bottom line will not agree. Second, to have full confidence in the negotiation. In the process of negotiation, it is crucial to express your ideas clearly. But some temporary workers will be afraid to go to negotiate with the company and put forward their demands because they think the company is too crowded and powerful. But in fact, some aggressive negotiation tactics of the company can be used in a soft and compliant way to eliminate the other party's assertive attitude and defuse the conflict. When interest disputes arise during a negotiation,

the temporary employee should believe firmly in mutual respect, equitable consultation, and a problem-solving mindset, calmly scrutinize the interests requested by each side, propose a strategy for achieving those interests, and work toward a mutually satisfying outcome [10]. And last but not least, if necessary, the temporary worker can adopt the strategy of bluffing. For example, in the process of negotiation, the temporary worker can say to the leader that you have consulted a lawyer and it is not legal for the company to do so, or the temporary worker can claim certain rights according to the law. However, the temporary worker does not have to really go to a lawyer, but the company often willingly gives in.

5. Conclusion

This study finds that temporary workers should learn and master certain negotiation methods and skills, and then defend their own interests by negotiating with the company. The study shows that temporary workers are always in a disadvantageous position in front of the company, which leads to their own interests not being protected. Therefore, the temporary workers should negotiate with the company to show their position and their advantages, so that the company can implement the scheme of equal pay for equal work. This can be explained by the following facts. Firstly, temporary workers are not valued by the company compared to full-time employees because of their poor work ability and high job instability. Secondly, temporary workers should make the company aware of their advantages, such as low salaries can save the company's employment cost, as well as high motivation compared with full-time employees, which can alleviate the company's labor shortage, etc., so that the company will become important to temporary workers. Finally, from the perspective of "equal pay for equal work", it can not only protect the interests of temporary workers, but also contribute to the development of the company and establish a good reputation.

Therefore, it is suggested that the company should treat the temporary workers equally, not make any distinction, to achieve the same pay for the same work, and to protect the interests of temporary workers. For temporary workers, it is suggested that when negotiating with the company, they should be clear about their negotiation goals and firm in their confidence, and they can use techniques such as bluffing.

This study first explains the reasons why companies do not pay attention to temporary workers, which is helpful to sort out the disadvantages existing in temporary workers themselves. Secondly, it elaborates on the advantages of temporary workers, which is helpful to study the benefits of hiring temporary workers for the company. Then, the practice of equal pay for equal work is expressed as a starting point, which is beneficial to the company and provides more starting points for future research in this area. Finally, the methods and techniques of negotiation are not fully investigated and elaborated. As stated in the literature of this study, temporary workers should give full play to their strengths and flexibly use negotiation methods and techniques to communicate with the company in order to protect their own interests. The causes of the above related problems and negotiation methods can be further refined in the future to facilitate in-depth research on this topic.

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