

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA

AND

**THE MINISTRY OF HUMAN RESOURCES AND SOCIAL SECURITY OF THE
PEOPLE'S REPUBLIC OF CHINA**

REGARDING

COOPERATION ON LABOR AFFAIRS

The Ministry of Human Resources and Social Security of the People's Republic of China (MOHRSS) and the Department of Labor of the United States of America (USDOL) recognize the importance of cooperation on labor and employment issues between the two countries. MOHRSS and USDOL believe that, in the near term, such cooperation should facilitate the ongoing efforts by both countries to ensure a strong economic recovery and promote sustainable economic growth; in the long term, it should contribute to improved worker rights, stronger social protection, more quality jobs, and more widely-shared prosperity.

MOHRSS and USDOL reaffirm their commitment to the principles stated in the *1998 ILO Declaration on Fundamental Principles and Rights at Work*, the *2008 ILO Declaration on Social Justice for a Fair Globalization* and the *2009 ILO Global Jobs Pact*, the recommendations of the 2010 G20 Labor and Employment Ministers Meeting, and the joint ministerial statement of the 5th APEC Human Resources Development Ministerial Meeting.

MOHRSS and USDOL value the cooperative relationship developed over the last decade and believe that such cooperation has contributed positively to building a strong and cooperative relationship between the two countries.

MOHRSS and USDOL wish to continue and expand the relationship on the basis of mutual respect and equality as follows:

1. Areas of Cooperation

MOHRSS and USDOL intend to continue ongoing discussions and exchanges in the following areas :

- a. Employment promotion and skills development;
- b. Social dialogue;
- c. Minimum wage and working hours;
- d. Retirement benefits;
- e. Employment statistics; and
- f. Unemployment insurance.

2. Forms of Cooperation

MOHRSS and USDOL intend to utilize the following forms of cooperation:

- a. The annual MOHRSS-USDOL Dialogue;
- b. Technical cooperation; and
- c. Other activities, such as seminars, exchange of visit, exchange of information and materials.

3. Coordination of Cooperation

Coordination of activities under this Memorandum of Understanding (MOU) rests with the Department of International Cooperation of MOHRSS and the Bureau of International Labor Affairs of USDOL.

Where considered appropriate and necessary to achieve the intention of this MOU, upon consent between MOHRSS and USDOL, representatives of workers, employers, and other relevant stakeholders may be invited to participate in the activities.

4. Funding of Cooperation

The activities undertaken pursuant to this MOU should be subject to the availability of duly authorized and appropriated funds, and each side bears the cost for its participation unless decided otherwise.

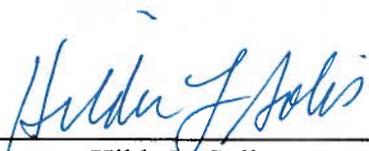
5. Period of Cooperation

This MOU becomes operative on the date of signing and remains in effect for three years. It may be modified by written consent of USDOL and MOHRSS. If either USDOL or MOHRSS intends to discontinue this MOU, the intending party should endeavor to provide three months notification of that intent to the other party.

Signed at BEIJING, in duplicate, on this 30th day of May, 2011, in the Chinese and English languages, both texts being equally authentic.

FOR THE DEPARTMENT OF LABOR
OF THE UNITED STATES
OF AMERICA: :

FOR THE MINISTRY OF HUMAN
RESOURCES AND SOCIAL SECURITY
OF THE PEOPLE'S REPUBLIC OF CHINA:



Secretary Hilda L. Solis



Minister Yin Weimin

中华人民共和国人力资源和社会保障部 与美利坚合众国劳工部关于劳动事务合作 谅解备忘录

中华人民共和国人力资源和社会保障部(简称“中国人力资源和社会保障部”)与美利坚合众国劳工部(简称“美国劳工部”),认识到两国开展劳动和就业事务合作的重要性。中国人力资源社会保障部和美国劳工部相信此种合作,从近期看,将有助于两国致力于确保实现强劲经济复苏和促进可持续性经济增长;从长期来看,将有利于改善工人权利、增强社会保护、扩大高质量就业和促进广泛共享繁荣;

中国人力资源社会保障部和美国劳工部重申,遵守1998年国际劳工组织《工作中的基本原则和权利宣言》、2008年国际劳工组织《关于争取公平全球化的社会正义宣言》、2009年国际劳工组织《全球就业协定》、2010年20国集团劳工和就业部长会议建议书和第五届亚太经合组织人力资源开发部长级会议联合声明所体现的原则;

中国人力资源社会保障部和美国劳工部重视在过去十年中建立的合作关系,并相信此种合作对两国建立强有力的合作关系发挥了积极作用;

中国人力资源社会保障部和美国劳工部希望在相互尊重和平等的基础上继续和扩展在以下领域的合作：

第一条 合作领域

中国人力资源社会保障部与美国劳工部愿意在以下领域继续开展讨论和交流：

- (一) 就业促进和技能开发；
- (二) 社会对话；
- (三) 最低工资和工时；
- (四) 养老保障；
- (五) 就业统计；
- (六) 失业保险。

第二条 合作方式

中国人力资源社会保障部与美国劳工部愿意通过以下方式开展合作：

- (一) 两部间年度对话；
- (二) 技术合作；
- (三) 其他活动，如研讨会、互访、信息和资料交流。

第三条 合作活动协调

中国人力资源社会保障部国际合作司和美国劳工部国际劳工事务局负责协调本谅解备忘录框架下的所有活动。

为实现本谅解备忘录的目标，如属合适和必要，经中国人力资源社会保障部与美国劳工部同意，可以邀请工人、雇主和其他相关方的代表参与活动。

第四条 合作资金

本谅解备忘录的后续活动应视批准和划拨的资金状况而定。除非另有约定，否则双方应承担各自参与活动的费用。

第五条 合作期限

本谅解备忘录自双方签字之日起生效，有效期3年。经中国人力资源社会保障部与美国劳工部书面协商同意，本谅解备忘录可做修改。若一方欲终止本谅解备忘录，提议方应提前3个月通知另一方。

本谅解备忘录于2011年5月30日在北京签订，一式两份，每份都用中文和英文写成，两种文本同等做准。

中华人民共和国
人力资源和社会保障部代表

美利坚合众国
劳工部代表

尹蔚民

Hilda F. Solis