

Foreign Expert Employment Contracts, Terms and Conditions, Obligations and Dispute Resolution.

Contract for two or four semesters:

China Government controlled universities/colleges/high schools normally require that you sign the SAFEA employment contract for at least two semesters (about 5 months, plus a paid four week holiday). If you cannot commit yourself for two semesters for any reason, you may also be welcomed to sign a contract for only one semester.

This is the minimum time requirement for teaching; however, it is becoming increasingly very difficult to find schools that are willing to employ teachers for only one semester, and then only because no one else wants to go to the particular school. In exceptional cases, if you have special qualifications, a school may accept you for one only semester. The reason for this is that the curriculum is designed to take the students who are assigned to an oral language class through one full school year, changing teachers midyear often results in a downgrading of the student's academic standards.

Should you be selected as suitable for a single semester posting, you will only be reimbursed for one half the ticket purchase price after teaching one full semester. Furthermore, you will not be paid for the vacation period and some other benefits may not be available or limited.

Miss Li's Handy Contract Tip

As the future of students is reliant upon their education standard, it is very important that teacher/student relationships are established. This cannot be achieved in a couple of months. China is seeking teachers who will commit to long-term contracts. It has been my experience that teachers who contract for two semesters are treated very differently from those who can only stay for a short time.

What are the main terms and conditions of the Employment Contract that I sign with my school?

The SAFEA Employment Contract, is a legal document, an agreement between the parties (the school and teacher) to respect each other's benefits and entitlements. As a teacher of English

you are expected to provide education to a minimum standard, to cooperate with the school and other staff members, to be available for your roistered classes and to stay for the duration of the contract period. In return, the school will honor its commitment to you.

For legal reasons the contract must be entered into and signed in China.

Please do not come to China and with a "trial-it" attitude. There is no trial period. You will be required to complete one or two full semesters. Commit yourself to teaching in China before you leave your country.

There is a penalty clause in the contract that states that if you suddenly and without due cause decide to prematurely terminate your services, the school may recoup its costs and disbursements from you before approving your departure.

Conversely, if you have a genuine desire to teach oral English to Chinese students, both children and adults; to live in China in conditions that can sometimes be a little trying, to experience the cultural and traditional differences first hand and to generously contribute to not only to your own life's experience but also to leave a lasting impression upon 100's of Chinese - then apply today.

Miss Li's Handy Contract Tips

Honor your contract. Many teachers look for the finer points of their contract if they think things are not going well. Chinese contracts are very much "living contracts" between parties that respect each other. Most of the problems have come from foreign teachers that have not previously been engaged under an employment contract. If this is you, check out with your family and friends who are presently working under an employment contract.

What are the main obligations and responsibilities of foreign experts whilst in China.

Other than a commitment to teaching English, your main obligations and responsibility include, but are not limited to, the following:

- a. Observe all the applicable laws and regulations of China. If everything is a drama, best you stay in your own country and take up acting. Inappropriate antics

- may not be appreciated and you may brush with the PSB.
- b. Honour your contract and observe all those regulations of the school. If you expect the school to honour its side of the contract, please do likewise.
 - c. Motivate your students to work very hard and to achieve the best results from their course in the shortest possible time, especially in their spoken English, listening comprehension, understanding and the enlargement of their vocabulary.
 - d. Evaluate and closely monitor the progress of your students with their English studies by arranging their homework, setting targets and schedules, and by arranging necessary examinations on time.
 - e. Motivate and teach/instruct your students on how to set ambitious goals for their future,
 - f. **Maintain a high moral and ethical standard**; give your students something to aspire to. Create a good impression with your fellow teaching staff and the school authority and as well as the local community.
 - g. Seek selection as an exemplary foreign teacher by the Inspection and Assessment Bureau of local Provincial Government, which it conducts twice a year – it is an inspection to assess the performance of foreign teachers.

What to do if there is a disagreement with an employer

In the case of a disagreement or unhappiness due to cultural differences or misunderstandings, always remember that you should try to be understanding and work with your school to resolve any problems in an amicable, friendly and kindly manner.

An unfortunate timing of events, is that contracts are generally negotiated at a time when newly arrived teachers are adjusting to the alienation felt when first experiencing Chinese society, with its unfathomable language, often strange protocols, diverse lifestyle; and as is so often the case, travelling for the very first time into the heart of a foreign and alien society.

Newly arrived teachers should stop, look and listen for the first month - not preach and proclaim the so-called virtues of their society and attempt to change what has the support of 5,000 years of history. As in any situation or society, common sense and good manners will usually prevail.

In any grouping, there are not so good, good, very good and excellent, and very occasionally, bad. Sometimes, a school official will become somewhat over zealous in the execution of his or her duty, which can be very frustrating and annoying.

If the school is in blatant breach of their contractual obligations, this is a matter to be taken up with the provincial Foreign Affairs Office, whose personnel will usually assist you in resolving issues.

China is China. They do things differently to western style democracies. Contracts are somewhat more flexible than those to which Westerners have become accustomed. The benefits you enjoy in China will be directly related to your bargaining skills; everyone will get the basic entitlements, but those with more charisma and better bargaining skills may enjoy a more comfortable lifestyle. That's China.

China is officially non-religious, but is quite tolerant of you practicing your own faith so long as you do so in private and do not attempt to distribute or disseminate information pertaining to your beliefs nor recruit or entice Chinese to attend meetings, services or other group discussions at which you discuss your beliefs. A breach of this Code will constitute a breach of your contract.

Miss Li's Handy Dispute Resolution Tip

Disagreements between people everywhere is a fact of life. You are important to China, this is true, but you are not indispensable. Please try and resolve any differences through patient, amicable dialogue; not anger (only you loose face) or playing the prima dona. Remember all times that there is the language (translation/interpretation) hurdle and you are a guest of China. However, sometimes I must admit the Chinese can be very difficult and stubborn, too.