

Signing a China Employment Contract Before You Arrive

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A question often asked by teachers considering coming to China, is that of whether or not to sign a contract before you arrive. There are two schools of thought on this subject, both of which have very valid arguments, but at the end of the day it is clear that the individual teacher needs to make the choice that is right for them.

Argument No.1: You would be crazy to come without a signed contract.

Some teachers assert that it is crazy to consider coming all the way to China without a job lined up. This train of thought encompasses our upbringing in western countries that seems to indicate that we should always pre-plan things. Pre-planning is of course important when it comes to uprooting oneself to come and teach in China, but it is important to ensure that this pre-planning is going to help us achieve our objective. In the case of signing an employment contract before arriving in Taiwan, it is unclear whether these objectives are truly being met.

Most teachers who subscribe to this train of thought probably do so out of a concern for job security. It is certainly reasonable to assume that signing a contract with a school before you arrive will give you some degree of job security, but the reality is that this may in fact be a false sense of security. Firstly, no matter what the school may tell you, there will always be a possibility that the school may retract their offer of employment to you anytime between the signing of the contract and the time that you arrive to teach at the school. Additionally, there are some very real concerns about the legal validity of contracts that are signed outside of China. In fact, regardless of whether or not you have signed a contract prior to arrival, most schools will ask you to re-sign the contract once you arrive

in China to ensure that the contract is totally valid within China.

Probably the major advantage of signing a contract before you arrive is that the school is then able to submit the paperwork for your Z visa. If you sign a contract and obtain a Z visa before entering the country then at the very least you are guaranteed that you will be working legally when you arrive. This is can be a real advantage as it helps you avoid the broken promises and delays that some teachers encounter. The problem is that in signing a contract before you arrive, you will be committed to work for an employer that you have never met, in a school that you possibly know very little about, and in an area that you have possibly never been to. If you are lucky enough to sign up at a good school then everything will be fine. But if you are unlucky and unknowingly sign up at a school that isn't so good, then you will need to accept that you are committed to that school for at least a year. This is not to say that you need to stay if they are treating you illegally, but you will certainly find little sympathy from the authorities over matters such as low pay, high hours, poor management, crappy housing etc.

Finally, a question that I would ask would be - What kind of institution would employ a teacher that they have never met? Teachers are a very important part of any school, and the concept of employing someone for such a position without first meeting them in person astounds me, and raises questions as to the legitimacy of the school.

Argument No.2: Come on over and find a job when you get here. You'll be glad you did.

By arriving in China without a commitment to any one employer, you are giving yourself the freedom and opportunity to check out schools before you actually make a commitment. Just seeing how far the school is from downtown,

the layout of the school, the behavior of students, seeing whether the place is well maintained, meeting some current foreign teachers, checking out the proposed housing etc. can all be advantageous to identifying a good school. Bear in mind that you will be signing up for at least a year in most cases so you want to do your best to make sure that you are likely to be happy there. It is difficult to understand why anyone would want to make a commitment to any employer that they have never visited! This just seems to be to be asking for trouble.

From a legal point of view there is no problem with arriving in China on a tourist visa if you are in fact a tourist. You cannot legally work on a tourist visa of course, but once you have found a school that you like, and one that is able to offer you a Z visa, they can begin the process. You may need to leave the country to actually receive the Z visa (depending upon which province you are in) but this is likely a small price to pay for job security. Most schools will cover return airfare anyway.

Some teachers may be wary of coming to China without a job guaranteed, but this is the norm, and certainly the method that most experienced teachers in China would recommend. The biggest danger in doing things this way is that a school may promise you a Z visa even though they can't deliver on this promise. This is why you really need to speak to past and present teachers at the school as this will enable you to determine whether or not obtaining a Z visa through the school was an issue or not. If the teachers currently at the school are all still waiting for Z visas to come through then that would be a warning bell.

As stated above, the choice will be a personal one, but the positive reasons for arriving with a contract already signed seem to be negated by the facts of life in China.