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“Why Is Labor Arbitration Always ‘Loading’?”: a Configurational Perspective on Institutional Costs and Rightsprotection-Protection Pathways in Labor Disputes

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Abstract

This study investigates the dilemmas faced by Chinese workers in safeguarding their rights under the “mediation–arbitration–two trials” dispute resolution mechanism. Although institutional channels appear comprehensive, in practice workers often encounter significant “institutional costs” caused by time delays, psychological pressure, procedural barriers, and information asymmetry, which render rights protection akin to an interminable “loading” process. Prior research, relying mainly on variable-oriented approaches, has tended to isolate single factors and thus overlooked the complex interplay of multiple concurrent conditions.

To address this gap, the study introduces a configurational perspective, conceptualizing labor disputes as a “legal field.” Within this field, workers disadvantaged in economic capital must rely on the combined mobilization of cultural capital (legal literacy), social capital (support networks), and symbolic capital (external legal assistance and bargaining leverage), while also interacting dynamically with corporate strategies, case clarity, and regional arbitration efficiency.

Based on in-depth interviews, the research employs fuzzy-set Qualitative Comparative Analysis (fsQCA) to identify multiple causal configurations leading either to efficient rights protection or to high-cost dilemmas. The contributions are threefold: theoretically, deepening the understanding of institutional complexity; methodologically, bridging qualitative narratives with formalized analysis; and practically, moving beyond generic recommendations by providing precise, configurational optimization strategies.

Keywords: Labor Disputes; Institutional Costs; Configurational Perspective; Fsqa; Labour Rights Protection