

Influencing Factors of Minimum Wage Standard and Its Perfection

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Abstract

The minimum wage standard system, as a way of distribution and a means of guaranteeing the life of low-income people, must have many considerations in the process of formulation and implementation. On the one hand, we need to give consideration to the fairness of distribution; on the other hand, we need to achieve the goal of ensuring people's livelihood. How to balance the relationship between the two is an important issue. Through empirical analysis, we can find that per capita GDP, average wage, per capita disposable income and per capita consumption expenditure have obvious correlation with the minimum wage, so these factors are important considerations in the specific formulation process. However, the minimum wage standard system should consider not only the designation, but also legislation, implementation, regulation and other angles, so as to ensure the effective achievement of its purpose.

Keywords

Minimum wage standard; Legislative regulation.

1. Introduction

Since the reform and opening up, China's market economy has developed rapidly. On the one hand, people's income has increased and their living standards have improved rapidly. On the other hand, the flow of production factors has further widened the income gap between regions and people. Under this background, the introduction of the minimum wage standard can help to promote the fair development of the income distribution system, and can also protect part of workers' rights and interests through the minimum wage.

Since the implementation of the minimum wage standard in China in 1995, relevant laws and regulations have been gradually promulgated at all levels from the central government to the local government. Because of the vast territory of China, all provinces, municipalities and autonomous regions have their own standards, and even all prefecture-level cities have their own minimum wage standards, and there are also situations of minimum wage classification.

Although the minimum wage seems to be valued by local governments at the legislative level, its development is not rapid. Although there are many legislative provisions and it will be constantly updated according to the actual situation, the formulation and calculation methods of the minimum wage vary from place to place, and there is no relatively uniform calculation method. Therefore, in the process of implementing and adjusting the minimum wage, it may not be completely suitable for the actual situation.

This paper will refer to some scholars' research, extract some influencing factors of the minimum wage standard, and get its influencing factors and effects by analyzing its trend and correlation, so as to provide countermeasures and suggestions for the legislation and adjustment process of the minimum wage.

2. The Development Process and Legislative Status

The establishment of the minimum wage standard is relatively early in the world. Comparatively speaking, the establishment of the minimum wage standard in China is relatively late and the development is relatively slow, but it has also developed rapidly in recent years.

As early as 1922, in the Outline of Labor Law, China put forward that the minimum wage guarantee law should be enacted to protect the rights and interests of workers. Then, in the promulgated and implemented Labor Law of Chinese Soviet Republic, it was also pointed out that the state should have the responsibility to guarantee the minimum wage of workers, which is an early law and regulation related to the minimum wage in China. Until 1984, China's State Council announced its recognition of joining the "Measures for Determining the Minimum Wage Assigned to the International Labour Organization", but it still didn't immediately make the convention clear in the form of law. The minimum wage system was finally established in China for the first time in the form of legislation in the 1993 Minimum Wage Regulations for Enterprises, which clearly stipulated all aspects of the minimum wage. At the same time, the state has simultaneously promulgated the Notice on the Implementation of the Minimum Wage Guarantee System, the Wage Payment Regulations and other supporting laws and regulations, thus taking them as the main legal basis to guide the minimum wage in China.

After a lapse of more than one year, the Labor Law promulgated by the state specifically stipulated in Chapter 5 that "the state shall implement the minimum wage guarantee system, and the wages paid by employers to workers shall not be lower than the local minimum wage standard". Thus, the legal status of the minimum wage system in China is further clarified. In 2004, the former Ministry of Labor and Social Security issued the Minimum Wage Regulation, which revised and supplemented the previously issued Minimum Wage Regulation for Enterprises, especially aiming at the applicable scope of the minimum wage, and formulated standardization and adjustment period for revision. In 2007, in order to further standardize the implementation of China's minimum wage system, the former Ministry of Labor and the Ministry of Social Security issued the Notice on Further Perfecting the Minimum Wage System, which further standardized the minimum wage system from four aspects: the significance of the minimum wage system, strengthening the adjustment of the minimum wage standard, standardizing the wage payment behavior of employers and strengthening the supervision and inspection of the implementation of the minimum wage system.

Up to now, all provinces, autonomous regions and municipalities directly under the Central Government have established the minimum wage system, which has been adjusted according to the law, and China's minimum wage legal system has basically been completely constructed. Based on the advanced legal database of Weike, the search of laws and regulations with "minimum wage standard" as the title keyword showed that there were 1152 results of laws and regulations (as of September 15th, 2021), of which 990 were in effect, 160 were invalid or abolished, and two were not yet effective. From the level of effectiveness, among the 990 valid search results, there are 1 judicial interpretation, 5 ministerial regulations, 983 local regulations and 1 document of political parties and organizations. In terms of geographical scope, there are currently 990 valid search results, among which there are 7 nationwide, 124 in Jiangsu Province, 113 in Guangdong Province and 103 in Zhejiang Province, more than 50 in Sichuan Province, Liaoning Province and Shandong Province, and 10-40 in other provinces.

As far as the above effectiveness and regional distribution are concerned, the level of effectiveness of relevant laws and regulations is generally not high, and most of them are local administrative regulations and departmental regulations. As far as the regional distribution is concerned, the relevant legislation in coastal developed areas obviously exceeds that in central and western regions, which shows that the relevant legislation of minimum wage standard is closely related to the level of regional economic development.

3. Research Status

With "minimum wage standard" as the main keyword, we searched the literature of Peking University Core and CSSCI in HowNet, with a total of 653 articles. From the time point of view, although it reached its peak in 2010, it has decreased since then, but the publishing trend of the whole literature has been increasing since 1992. From the distribution of disciplines, there are 375 articles on macroeconomic management and sustainable development, accounting for 29.90%, the highest, followed by 363 articles on talent and labor science, accounting for 28.95%, followed by 73 articles on economic system reform, accounting for 5.82%, 67 articles on administrative law and local legal system, accounting for 5.34%, 63 articles on enterprise economy, accounting for 5.02%, and all other disciplines are in 5%. Therefore, it is obvious that the current research on the minimum wage standard mainly focuses on economics, management, talents and labor science, while other disciplines are also involved, but they are not extensive.

Based on the above subject distribution, the related literature is sorted out and analyzed. In the field of macro-economic management and sustainable development, scholars mainly focus on the influence of minimum wage on macro-economy. Through empirical analysis, Ma Shuang, Zhang Jie, Zhu Xi and others think that for every 10% increase in the minimum wage, the average wage of manufacturing enterprises will increase by 0.4%-0.5% as a whole. For enterprises with different industries and different per capita capital levels, the influence of the increase in the minimum wage is also heterogeneous. The minimum wage will increase the average wage of labor-intensive or low per capita capital enterprises more. The study also found that for every 10% increase in the minimum wage, the number of employees in manufacturing enterprises will significantly decrease by about 0.6%. [1] Through empirical research in Luo Xiaolan, it is considered that there is a threshold for the influence of the minimum wage standard on the employment of migrant workers. Before this threshold, the increase of the minimum wage will promote the employment of migrant workers, while after this threshold, the employment of migrant workers will decrease with the increase of the minimum wage. [2] Helian and Wang Haicheng studied the relationship between the minimum wage standard and the quality of export products, and held that the inhibitory effect of minimum wage standard on the quality of export products of enterprises existed differences among industries, ownership and regions, and the higher the intensity of labor factors, the greater the inhibitory effect. The inhibition of state-owned enterprises is greater than that of non-state-owned enterprises; The inhibition effect on the central region is greater than that on the eastern region, but the influence on the western region is not significant. [3]

In the field of talent science and labor science, most of the research focuses on the minimum wage standard, unemployment, employment and labor market. Through empirical and model tests, Ding Shouhai concluded that the employment consequences of minimum wage control not only depend on the minimum wage control itself, but also on the external regulatory environment. [4] Based on the empirical research in the Pearl River Delta, Sun Wei and Shu Jue concluded that the minimum wage has a significant impact on the wages of migrant workers. [5] Han Zhaozhou and An Ningning analyzed the data of minimum wage, labor supply and unemployment rate in Shenzhen based on vector autoregressive model (VAR). They believed that the increase of minimum wage would not have a significant impact on the unemployment rate, but the minimum wage could promote the increase of labor supply. [6]

In the field of administrative law and local legal system, the research mainly focuses on the legislation of minimum wage and its influence. Hou Lingling and Wang Quanxing put forward suggestions on establishing and perfecting the minimum wage system from the perspective of combining legislation with practical work through the legal system that affects the minimum wage and the influence of the minimum wage system on wage level. [7] Based on the theory of

social law, Ye Shan studied the formulation basis, legal nature and implementation mechanism of the minimum wage standard system, and proposed that it could be implemented through two mechanisms: administrative law enforcement and judicial litigation. [8]

Generally speaking, at present, most of the researches on the minimum wage in academic circles focus on macro research. The main paradigm is to study the influence of the minimum wage on other economic and social factors based on empirical and model analysis, and put forward some countermeasures. However, there is still relatively little research on the legislative regulation, calculation standard and revision time of the minimum wage standard. This paper will also explore the influencing factors of the minimum wage standard from the perspective of empirical research, so as to provide relevant suggestions for the formulation and development process of the minimum wage standard from the perspective of law.

4. Empirical Analysis

Article 49 of the Labor Law of the People's Republic of China (Revised in 2018) stipulates that the following factors should be comprehensively referred to when determining and adjusting the minimum wage standard: (1) the minimum living expenses of the workers themselves and the average dependents; (2) The average social wage level; (3) Labor productivity; (4) Employment status; (5) Differences in economic development levels among regions. Article 6 of the Minimum Wage Regulations clearly states that "to determine and adjust the minimum wage standard, we should refer to the minimum cost of the employed and their population, the average wage of employees, the level of economic development, the employment situation, the consumer price index of urban residents, the social insurance premium and provident fund paid by employees and other factors". Based on the above provisions, we can find that the main basis for establishing the minimum wage standard includes the level of economic development, employment and consumption. [9]

Based on the above influencing factors, this paper selects the regional GDP and per capita GDP of 31 provinces and cities in China from 2016 to 2019 to represent the regional economic development level, the regional average wage, per capita consumption expenditure and per capita disposable income represent the consumption level, and the unemployment rate represents the employment level.

Table 1. Statistics of variables in 2016

	N	minimum value	maximum	average/mean value	Standard deviation
minimum wage	31	1270	2190	1597.58	195.409
Gross Regional Product	31	1151.41	80854.91	25163.5474	20103.05209
Per capita GDP	31	27643	118198	56766.23	25721.245
Average salary month	31	4125.42	9994.58	5584.5645	1456.17183
unemployment rate	31	1.40	4.20	3.2581	.67071
Lowest proportion average	31	.16	.39	.2957	.04693
Per capita disposable income month	31	2141.13	4807.64	2690.8971	688.38881
Per capita consumption expenditure month	31	1416.07	3321.40	1862.0032	467.56972
Number of valid cases (in columns)	31				

Table 2. Statistics of variables in 20167

	N	minimum value	maximum	average/mean value	Standard deviation
minimum wage	31	1400	2300	1692.42	205.989
Gross Regional Product	31	1310.92	89705.23	27327.1000	22186.90627
Per capita GDP	31	28497	128994	60855.74	27573.459
unemployment rate	31	1.40	4.20	3.1839	.63618
Average salary month	31	4624.58	10975.00	6112.6693	1554.67119
Lowest proportion average	31	.15	.37	.2860	.04669
Per capita disposable income month	31	2287.17	5216.31	2914.6379	751.95549
Per capita consumption expenditure month	31	1529.05	3525.36	1970.4979	490.99860
Number of valid cases (in columns)	31				

Table 3. Statistics of variables in 2018

	N	minimum value	maximum	average/mean value	Standard deviation
minimum wage	31	1500	2420	1773.55	208.943
Gross Regional Product	31	1548.39	99945.22	29487.6587	24136.17813
Per capita GDP	31	30797	153095	64687.74	30769.040
unemployment rate	31	1.40	4.00	3.1065	.57500
Average salary month	31	5065.00	12147.17	6739.9920	1657.32957
Lowest proportion average	31	.17	.38	.2710	.04211
Per capita disposable income month	31	2432.61	5669.47	3145.8707	823.60186
Per capita consumption expenditure month	31	1649.15	3834.60	2118.3799	521.06916
Number of valid cases (in columns)	31				

Table 4. Statistics of variables in 2019

	N	minimum value	maximum	average/mean value	Standard deviation
minimum wage	31	1500	2480	1786.13	205.988
Gross Regional Product	31	1697.82	107671.07	31784.9390	25949.27701
Per capita GDP	31	32995	164220	69235.06	32698.430
unemployment rate	31	1.30	4.20	2.9484	.58984
Average salary month	31	5605.67	13900.25	7304.4328	1845.48357
Lowest proportion average	31	.15	.34	.2519	.03678
Per capita disposable income month	31	2578.72	6154.04	3396.6992	897.29263
Per capita consumption expenditure month	31	1763.25	4022.63	2272.0637	558.36076
Number of valid cases (in columns)	31				

From the above data, it can be clearly found that the minimum wage is increasing on the whole. In 2016, the average minimum wage in 31 provinces and cities was 1,597.58 yuan/month, in 2017 and 2018, it was 1,692.42 yuan/month and 1,773.55 yuan/month respectively, and by 2019 it had reached 1,786.13 yuan/month. However, it can also be found that although the amount is increasing, the growth rate and range are slowing down. In contrast, the average monthly wages of 31 provinces and cities from 2016 to 2019 were 5,584.56 yuan, 6,112.67 yuan, 6,739.99 yuan and 7,304.43 yuan, respectively, and their growth rate and range were far greater than the minimum wage standard.

In other words, the proportion of the minimum wage in the average wage is declining. From the data point of view, the proportion is 29.57% in 2016, 28.60% in 2017, 27.10% in 2018 and 25.19% in 2019. Obviously, its proportion is decreasing, and the decreasing range is increasing. It can also be explained to a great extent that the gap between the minimum wage and the average wage of its important reference object has been constantly opened. On the one hand, it may be due to the lag of the minimum wage legislation, and most provinces and cities are adjusted once every one to two years, which may have a certain gap with the reality. On the other hand, it is still difficult to have effective data and announcements on what the reference factors of the minimum wage in various regions are in the process of legislative formulation.

Table 5. Table of correlation coefficient of variables

	minimum wage	Per capita GDP	unemployment rate	Average monthly salary	Proportion	Monthly disposable income	Monthly consumption expenditure
minimum wage	one						
Per capita GDP	0.798***	one					
unemployment rate	-0.141	-0.204**	one				
Average monthly salary	0.668***	0.748***	-0.362***	one			
Proportion	-0.180**	-0.411***	0.353***	-0.816***	one		
Monthly disposable income	0.814***	0.920***	-0.272***	0.842***	-0.520***	one	
Monthly consumption expenditure	0.821***	0.913***	-0.237***	0.853***	-0.543***	0.971***	one

Note: ***, ** and * represent the significance level of 1%, 5% and 10% respectively.

On the basis of the aforementioned statistical data, further correlation test can be conducted, and it can be found that the selected factors that affect the minimum wage basically have a great correlation with it, in which the per capita GDP, average wage, per capita disposable income and per capita consumption expenditure are all significant at the level of 1%, but there is no obvious significant relationship between the unemployment rate and it. On the other hand, the proportion of the unemployment rate and the minimum wage in the average wage is negatively correlated with the minimum wage, which is further consistent with the declining proportion in previous statistics.

At the level of specific influencing factors, it can be found that per capita consumption expenditure is the most closely related to the minimum wage standard, followed by per capita disposable income, and then per capita GDP and average wage. Therefore, as far as the above situation is concerned, compared with consumption expenditure and disposable income, GDP and average wage have less influence on the minimum wage standard.

The reason is that GDP is an important index to measure the regional economic situation and development level. Whether per capita or overall, it may reflect the macro situation of a region to a greater extent, while the minimum wage standard may focus more on the micro reality in

the process of formulation and implementation, so it may be less relevant. As for the average wage, due to the rapid economic development in recent years, people's income is also increasing rapidly. In this sense, the minimum wage, as a security system, will definitely fall behind it in terms of growth rate and range, and the above data are all between 25% and 30%, which is relatively stable on the whole.

However, per capita disposable income and per capita consumption expenditure may better reflect the living cost of society, especially per capita consumption expenditure, which is undoubtedly more important for maintaining the reference value and significance of minimum living security.

5. Perfection of the Minimum Wage Standard System

Through the analysis and collation of the above documents and influencing factors, we can find that there are some problems in the minimum wage both in legislation and in concrete implementation, which also leads to the difficulty of the minimum wage standard system to play its due role to a certain extent.

The significance of the existence of the minimum wage standard is that it is not only a means to adjust income distribution, but also a way to ensure the low-income people to maintain their basic livelihood. How to guarantee the existence value of this way or means has become an important consideration to improve its system.

Therefore, the author mainly puts forward some suggestions from the aspects of legislative rank, adjustment mechanism, implementation process and punishment mechanism of minimum wage.

(a) improve the legislative level

At present, the formulation and adjustment of the minimum wage standard in China is studied and formulated by the labor security administrative departments of the people's governments of all provinces, autonomous regions and municipalities directly under the Central Government in conjunction with trade unions, enterprise federations/entrepreneurs associations at the same level, and reported to the Ministry of Labor and Social Security for approval. Therefore, it can be seen that the minimum wage standard, as an important social security system, is only a departmental regulation in the legislative rank, so to a certain extent, there may be specific implementation irregularities, which is largely due to the low legislative rank, which has not produced enough institutional deterrent to local governments.

On the other hand, no matter in the Labor Law or the Minimum Wage Regulations, there is no clear regulation on the procedure and basis for the formulation of specific minimum wage standards, but only a part of the reference basis is put forward, which makes the specific standards lack scientific formulation guidelines in the formulation process, which may make the formulation of standards in different regions unable to have a unified formulation standard, and there are procedural defects.

The United States passed the fair labor standards act in 1938, and after many revisions, it constantly raised the minimum wage and expanded its scope of application. Japan has revised the Minimum Wage Law many times since it was established in 1959. The latest revision was in 2007, which was also the biggest revision in the country in the past 40 years. In 1950, France passed the Minimum Wage Law, which established a national minimum wage system. After many reforms, a new national minimum wage system was implemented, that is, the inter-industry minimum wage system applicable to all occupations. In 1998, the United Kingdom enacted the National Minimum Wage Act, and the following year, it enacted the more detailed National Minimum Wage Regulations of 1999.

Therefore, first of all, we can improve the legislative rank of the minimum wage standard in legislation, so that its position in the whole legal system of our country will rise. At the same time, we should make clear its modification, adjustment, evaluation mechanism and certain administrative punishment mechanism in its laws, so as to provide complete legal guarantee for the implementation of the minimum wage standard system.

(B) Improve the adjustment mechanism

At present, as far as the adjustment mechanism of the minimum wage standard in China is concerned, the adjustment cycle of the minimum wage standard in various provinces and cities generally ranges from 1 to 2 years, and there is no fixed adjustment period. As for the adjustment factors, most of them are the economic development level, employment level and consumption level mentioned earlier, but there is no specific calculation method.

The American Fair Labor Standards Act defines the adjustment factors of the minimum wage as living expenses, the production level of manufacturing industry and the ability of enterprises to pay wages. [10] The British Low Wage Commission said that two points should be considered when setting the minimum wage standard: first, to solve the low wage problem; The second is to ensure the affordability of the company and the economy. Generally speaking, adjusting the minimum wage standard needs to consider the economic level, wage difference, enterprise operating cost, inflation rate and so on. The minimum wage is calculated by hours and adjusted once a year, basically in October every year. When the French Council of Ministers and the National Collective Bargaining Committee adjust the minimum wage standard, the basic reference factors include: the basic living needs of workers and their families, the average wage of manual workers, the inflation rate and other economic factors. France adjusts the national legal minimum wage on July 1st every year, but when the CPI exceeds 2% in a certain year, the government will adjust the legal minimum wage in due course. The minimum wage negotiation with enterprises usually starts after July every year. When setting the minimum wage, Japanese departments at all levels, besides referring to the four-level guideline formulated by the central government, mainly consider the following factors: first, the basic living expenses of workers, second, the wage level of similar workers, and third, the ability of enterprises to pay wages. Japan's central minimum wage guideline, minimum wage standards of regions and industries are adjusted once a year.

With reference to overseas adjustment experience, it is not difficult to find that in the adjustment of the minimum wage standard in various countries, the basic reference factors all pay attention to the basic standard of living, while other reference factors vary from country to country. As for the adjustment frequency, it is generally determined by legislation to adjust once a year. Therefore, in the legislative process of our country, we can first clarify the adjustment factors. At present, although there are some factors for reference, through empirical analysis, it is found that not all factors have a clear correlation with the minimum wage standard, and there are obvious different correlations among the related factors, so we can clarify some clearer calculation methods, instead of just giving reference factors. In addition, legislation can be made to specify the time and frequency of adjustment, so that all regions can adjust the minimum wage standard in a timely manner.

(3) Strengthening the implementation mechanism

The Minimum Wage Regulation clarifies that disputes between workers and employers about minimum wages are handled according to labor disputes, and the Labor Dispute Mediation and Arbitration Law also clarifies that disputes about minimum wages are regarded as labor disputes, and it also clarifies the remedies when workers' rights to guarantee minimum wages are violated: the legitimate rights and interests of obtaining minimum wages can be safeguarded through labor arbitration or litigation. Although the regulations specify the solution to the minimum wage dispute, the method is extremely passive. After the rights and

interests of workers are infringed, workers need to take the initiative to apply for labor arbitration or file a labor lawsuit, which means "no complaints". Many workers do not have the awareness of rights protection, resulting in their own vital interests being infringed all the time. The enforcement and supervision agencies have not fulfilled their duties of actively investigating and collecting information, nor have they used their administrative powers to stop the actions of illegal units.

Therefore, the labor and social security departments in various regions should take the initiative to perform their duties, take the initiative to investigate the wage payment of local enterprises, actively investigate and collect data related to wage matters, and if violations are found out, they should issue violation notices to employers as soon as possible, and order them to make corrections within a time limit. Upon receiving complaints or applications from workers, the unfair treatment of workers must be reviewed to help workers who have been deducted from the minimum wage recover their wages. For the legal lawsuit of the minimum wage brought by the laborer, we can establish corresponding contact with the court, use our own administrative authority to help the laborer collect evidence, and fully safeguard the vital interests of employees. Moreover, it is necessary to realize the transparency of the working process and avoid the situation of secretly protecting illegal enterprises.

(4) Strict punishment

The punishment for violating the minimum wage law in the United States is relatively severe. Or employers who intentionally violate the minimum wage law several times can be fined up to \$1,100. In case of intentional violation, the fine amount can reach 10,000 US dollars, and criminal prosecution can also be carried out. If it is the second conviction, you will face jail time. The National Minimum Wage Act of the United Kingdom clearly stipulates various penalties for violating the minimum wage system. In case of violation of the provisions of the minimum wage system, law enforcement officers can initiate prosecution for specific crimes, and impose a fine of twice the hourly wage of each worker's daily minimum wage multiplied by the number of hours for the period of continuous payment of the minimum wage, with a maximum fine of 5,000 pounds. Deducting the minimum wage of workers, failing to keep, fabricate and refuse to provide the minimum wage record, etc. constitute a crime, and may even be subject to criminal punishment. Anyone who violates the provision of minimum wage payment to workers will be fined up to 500,000 yen or imprisoned for less than six months. People belonging to one of the following categories will be fined up to 300,000 yen: first, those who fail to inform workers of the new minimum wage; second, those who make false reports to the Minister of Labor or the county labor bureau; and third, those who refuse, hinder or evade inspections. [11]

Provisions are made for employers to pay in violation of the minimum wage. In addition to ordering employers to reissue the wages owed to workers, they can also be ordered to pay workers compensation according to 1 to 5 times of the wages owed. On the one hand, it has a passive nature, that is, it requires workers to initiate labor arbitration or litigation on their own initiative. However, most workers who need the minimum wage standard have limited awareness and ability to defend their rights, so it is difficult to realize this process independently. On the other hand, the enforcement of "ordering to pay back wages" and "ordering to pay compensation" is not strong enough, which can not constitute a great deterrent to enterprises; The punishment is too weak, and the current legislation lacks the provisions on the criminal responsibility of employers for violating the minimum wage system. Although there is a crime of refusing to pay labor remuneration, the violation of the minimum wage legal system is not defined in this crime.

Therefore, on the one hand, we can strengthen the supervision mechanism of punishment, that is, administrative departments can inspect some key areas from time to time and independently participate in the investigation process of the minimum wage standard, so as to realize a state of real-time supervision by administrative organs; on the other hand, we can increase the

punishment of such illegal acts, which can not only increase the amount of illegal punishment, but also impose criminal punishment on some extremely bad acts. It is also possible to restrict the operation and management of enterprises and prohibit them from participating in certain businesses, projects or services until the violation of the minimum wage legal system is eliminated. [12]

6. Conclusion

The foreign minimum wage legal system started earlier and is constantly improving. There are some aspects that we can learn from in the formulation mode, basic types, adjustment mechanism, evaluation mechanism and implementation mechanism, but we can't blindly copy it. We need to improve our minimum wage legal system according to the actual situation of our country, the basic situation of economic society and even the political level.

The minimum wage standard system should have a clear and complete system of legislation, adjustment and regulation because it undertakes certain social security functions, especially as a macro system to guarantee the minimum living standard of low-income people. Although China has formed a relatively perfect legal system of minimum wage standards as a whole at present, the number of legal provisions and norms on the surface cannot fully represent the degree of standardization of legal norms.

Therefore, for the implementation of the minimum wage standard system, adjustments should be made in a timely manner according to the specific provincial and municipal conditions, and the scientific and democratic nature of the adjustment process should be strengthened, so that the decision-making should be rationalized, and at the same time, the implementation of the minimum wage standard system should be strengthened. Only in this way can the minimum wage standard system really play its due role and effect.

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