

On the Living Conditions of Tour Guides after the Implementation of Tourism Law

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Abstract: Based on the actual situation of the development of China's tourism industry, this paper expounds the contents of the evaluation system for the living conditions of tour guides, and then puts forward several countermeasures to improve the living conditions of tour guides in order to make a modest contribution to the development of China's tourism industry.

1. Introduction

The basic situation of the tourism market in 2018 released by the Ministry of Tourism on the 12th shows that in 2018, the number of domestic tourists reached 5.539 billion, an increase of 10.8% over the same period last year. The total number of inbound and outbound tourists reached 291 million, up 7.8% year on year. The total tourism revenue for the whole year was 5.97 trillion yuan, up 10.5% year on year. Tour guides are an important part of tourism products. The service measures taken by tour guides are related to the promotion of the overall service level of tourism industry, and the living conditions of tour guides are related to the development of tourism industry. The Standing Committee of the National People's Congress promulgated the "Tourism Law" on April 25, 2013. After its formal implementation on October 1, 2013, the domestic tourism environment has undergone profound changes. Although China's tourism industry has become a "sunrise" industry under the background of continuous economic development and cultural construction, there are few authoritative documents concerning the survival, employment and service of tour guides after the implementation of the Tourism Law. In order to promote the sustainable development of the tourism industry, it is necessary to systematically sort out the living conditions of tour guides after the implementation of the "Tourism Law" and explore the development countermeasures of the tourism industry in the future based on the present.

2. Evaluation System of Tour Guides' Living Conditions

After the "Tourism Law" was implemented on October 1, 2013, the chaos in the tourism industry has been regulated and restrained to a certain extent. From a macro perspective, the Tourism Law regulates and restricts travel agencies' operation and sales, tour guides' conduct and scenic spots' operation, and formulates relatively strict legal liability clauses. Articles 32, 33, 34 and 35 of the Tourism Law define the non-standard behavior of travel agencies, while Articles 39, 40 and 41 of the Tourism Law stipulate the tour guide's conduct and service quality. Today, it has been six years since the implementation of the Tourism Law. Under the restriction of laws and regulations and the control of policies, the landscape of the tourism industry has undergone profound changes. What impact has this change had on tour guides?

In view of the status of professional existence, the relevant literature at home and abroad advocates comprehensive analysis from the aspects of salary, professional pressure, training development, social role, social security, etc. Based on the investigation and literature review, the main indicators of guide's living conditions are determined as: professional income, social status, training development, social insurance, professional pressure, professional development and so on. Among them, professional income is the basic element to ensure the survival of tour guides, which is the most intuitive expression of the living conditions of tour guides. Professional income is related to the professional stability and quality of life of tour guides. The social status of tour guides

reflects the survival value of this profession and is directly related to the mood of tour guides in their work. Social insurance is an important factor to ensure the survival of tour guides, and plays a role in ensuring that tour guides have no worries (China's current social insurance is mainly divided into work injury insurance, maternity insurance, unemployment insurance, pension insurance, medical insurance, etc. The law stipulates that formal enterprises must purchase the above insurance for their employees, but there are “incomplete insurance” and other situations in the industry, so the social insurance situation of tour guides needs further discussion). The development of training is an important factor for tour guides to improve themselves and their core competitiveness. It is also related to the career stability and future development of tour guides. Occupational stress is the most direct manifestation of tour guide's living condition, and has certain relation with tour guide's occupational stability.

3. Living Conditions of Tour Guides

(1) Professional income

Before and after the implementation of the Tourism Law, the professional structure of tour guides has not changed too much. They are still composed of full-time and part-time jobs. Before the implementation of the Tourism Law, the income of tour guides was composed of basic salary, group allowance, kickback, social security and tip. After the implementation of the Tourism Law, some improper income was restrained, but the social security and group allowance were improved. At present, the income of tour guides is mainly composed of basic salary, group allowance, social security and tip. We only look from the tour guide's economic income, the tour guide's income has not changed too much before and after the implementation of the Tourism Law. However, the “Tourism Law” stipulates the behavior of travel agencies and regulates the development of the entire industry. Therefore, non- “direct income” such as social security and subsidies for tour groups has been improved. In terms of job security, the implementation of the Tourism Law has improved the living conditions of tour guides. However, according to the survey results of the author's interview, quite a number of tour guides think that there is a lack of “kickbacks”, so they disagree with their own income.

(2) Social status

The embodiment of the social status of tour guides needs to be analyzed from the two levels of enterprises and tourists. The author conducted a questionnaire survey on tourists and travel agency staff in a scenic spot. The main contents of the questionnaire survey are: Do you think tour guides work hard? Do you think there is a prospect for the career of tour guide? Do you think the tour guide profession is stable? A total of 200 questionnaires were distributed in this survey, and 200 questionnaires were effectively collected. 70.0% of them said that “the tour guide profession is stable, the tour guide profession has a good prospect of development, and the tour guide is relatively hard”, while the rest 30% of the answers tend to be uneven [1]. As far as the online reviews of tour guides before 2013 are concerned, the social status of tour guides has not changed much before and after the implementation of the Tourism Law. From a macro perspective, the norms of the tourism industry can bring tourists a better tourism experience, so tour guides will have a better impression on tourists' minds and naturally their social status will be promoted.

(3) Training development

Training determines the development and core competitive ability of tour guides, and has a certain relationship with the future survival of tour guides. In general, tour guides' training is organized by travel agencies and enterprises. Tour guides enrich their professional knowledge, improve their service standards and learn about the latest laws and regulations. The implementation of the “Tourism Law” has given corresponding reference clauses to many acts of the tourism industry. The author's investigation found that after the implementation of the “Tourism Law”, travel agencies and enterprises have increased relevant training content in order to prevent tour guides from violating laws and regulations. However, in terms of professional ability development and quality development, the training measures of medium-sized and small travel agencies cannot meet the needs of professional development. Moreover, tour guides also have problems such as

insufficient attention to training, low subjective initiative and strong utility, which do not conform to the current situation of sustainable development of China's tourism industry [2].

(4) Social insurance

The implementation of the "Tourism Law" has a prominent impact on the insurance purchase of tourism industry practitioners, with the purchase rate of tour guides' social insurance increasing from 19% to 55%. However, the allocation of social insurance for tour guides is still not optimistic, mainly manifested in the following aspects: First, the implementation of the "Tourism Law" has promoted competition in the tourism industry. Now the competition in the tourism industry has entered a white-hot stage of development. Under the pressure of market competition, small and medium-sized travel agencies do not buy insurance for tour guides or do not buy it completely in order to reduce operating costs; Second, the insurance awareness of the employees still needs to be further improved. Most tour guides are unwilling to take the initiative to establish social insurance accounts and pay insurance fees. Third, the supervision of the relevant administrative departments on the purchase of social insurance for tour guides still needs to be further improved, so that the relevant provisions cannot be implemented [3-4].

(5) Occupational stress and development

After the implementation of the Tourism Law, the composition of tour guides' occupational stress has changed greatly. Articles 39, 40 and 41 of the Tourism Law stipulate tour guides' conduct and service quality. The main performance is "tour guides and tour leaders should wear tour guides' certificates, abide by professional ethics, respect tourists' customs and religious beliefs, and should inform and explain tourism civilized behavior to tourists ... they are not allowed to change their travel itinerary or suspend service activities without authorization, they are not allowed to ask tourists for tips, and they are not allowed to induce, cheat, force or force tourists to shop or participate in other paid tourism projects in disguised form." In order to engage in the tour guide business, one should obtain a tour guide certificate, have corresponding educational background, language ability and tourism experience, and conclude a labor contract with a travel agency that has obtained an outbound tourism business license to engage in the tour guide business. "Strict laws and regulations regulate the professional characteristics of tour guides and change the orientation of professional pressure. From the subjective feelings of tour guides, the implementation of the "Tourism Law" makes their professional pressure change from the pressure brought by living material needs to the pressure brought by social requirements. Although the nature of tour guides' work has not changed, under the restriction of laws and regulations, high-pressure evaluation by the public and social media has also been formed [5]. Therefore, the implementation of the Tourism Law has greatly increased the professional pressure of tour guides.

Irregularities in the industry will inevitably lead to job instability. The implementation of the Tourism Law has played an extremely important practical role in regulating the development of tourism. Originally, tour guides had no job planning. Under the constraints of the Tourism Law, its career development path has become clearer and the development pattern of medium-sized and small travel agencies has gradually standardized. Therefore, the implementation of the Tourism Law has a positive role in promoting the career development of tour guides.

4. Countermeasures to Improve the Living Conditions of Tour Guides

The implementation of the "Tourism Law" has changed the irregularities such as tour guides deceiving tourists and killing tourists, restricted the behavior of travel agencies, eased the tension between tour guides and consumers, and played a prominent role in promoting the development of tourism. However, the implementation of the "Tourism Law" has to some extent affected the living conditions of tour guides. In order to realize the sustainable development of the tourism industry, we must take countermeasures to improve the living conditions of tour guides according to the current actual situation.

(1) Strengthen supervision

Although the strict supervision by the administrative department will bring more prominent professional pressure to tour guides, the supervision by the administrative department is directly

related to the industry standard and the professional guarantee of tour guides. At present, we should rely on the “Tourism Law of the People's Republic of China (2018 Amendment)” to regulate the insurance purchasing behavior of travel agencies, and according to the development of the local tourism industry, formulate a standard system that conforms to the development soil of the local tourism industry, so as to promote the tour guide work to move towards the direction of “standardization and standardization”.

(2) Optimizing the process

At present, there are some differences in the service standards and service processes of travel agencies in different parts of the country, which makes it difficult to make a unified evaluation and standardization of the quality of domestic tour guides. At present, according to the current situation of the tour guide profession, the local administrative departments should formulate perfect service regulations to ensure that the tour guide work can be “rule-based”. Travel agencies around the country should take this as the basis to regularly carry out tour guide training and education to ensure the sustainable development of tour guides.

(3) Promoting Development

The social identity and career development of “tour guides” are related to the living conditions of tour guides. At present, we should start from “tour guides” and construct different levels of “tour guides”, perfect the career development mechanism of tour guides and strengthen the social identity of tour guides. On this basis, it can also realize effective guidance for the development of travel agencies and continuously promote the promotion of tourist guide service quality in scenic spots. In addition, the promotion of professional income is not an overnight process, the most fundamental method should be to build a sound and healthy industry supervision and management system. In order to ensure the standardization of the tourism industry, to ensure the income of travel agencies, improve the professional income of tour guides.

5. Conclusion

To sum up, from the overall perspective, the implementation of the Tourism Law has both advantages and disadvantages for the development of tour guides, but the living conditions of tour guides are still not optimistic and the brain drain in the tourism industry is relatively prominent. At present, administrative departments should play a guiding role by strengthening supervision and improving the development mechanism to create a healthy and good tourism industry environment, so that tour guides can work without worries, so that their income can continue to improve with the development of the industry, and so that they can obtain due social recognition.

References

- [1] Yin Fang, Zhu Zhongfang. Analysis of the Effect of Tourism Law Based on Tour Guides' Perception [J]. Journal of Hunan Institute of Administration, 2017(6):90-93.
- [2] Huang Min. Analysis on the Protection of Tour Guides' Rights and Interests under the Background of Tourism Law [J]. Modern Economic Information, 2017(21):283.
- [3] Sun Haiyun. Put an end to the factors that affect the implementation of the Tourism Law from the source-from the second paragraph of Article 35 of the Tourism Law [J]. Legal System and Society, 2017(33):59-60.
- [4] Wu yinyin. on the application of “tourism law” in travel agency management [J]. new generation, 2017(20):189.
- [5] Dai Yi. Current Situation and Countermeasures of Tour Guide's Labor Rights Protection under the Background of Tourism Law-Taking Jiujiang City as an Example [J]. Journal of Xiamen Radio and Television University, 2017,20(3):85-91.