

Sick leave essay sample

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1. INTRODUCTION

Kelly (a Canadian citizen) is employed as an Assistant Language Teacher (ALT) by the Japan Exchange and Teaching Program (JET) in Soto, Japan. The JET program was designed by the Japanese government to improve its English language education through the exchange of international teachers. It was anticipated that this exchange would also foster a deeper understanding at the grass-roots level of the importance and value of integration between different cultures. Any workplace problems the ALTs encounter during their employ can be resolved with the assistance of the Conference of Local Authorities for International Relations (CLAIR) as required. However, CLAIR should only intervene if the host institution is unable resolve the problem by itself. In the case study, a conflict occurs between Kelly and her Japanese supervisor, Mr. Higashi over the allocation of contractual leave entitlements. This report seeks to address the development of the conflict between the JET staff and the ALT, whilst identifying the underlying factors which influenced the situation. Using tools and theories from cross-cultural negotiation scholars, this report will then propose recommendations and options for the resolution of current and future conflicts.

2. NEGOTIATION

Negotiation is “ a form of decision making in which two or more parties talk with one another in an effort to resolve their opposing interests”. Negotiation typically refers to those situations in which both parties are endeavoring to reach an outcome that is mutually acceptable, or win-win (Lewicki, 2011). In the context of this case study, we will be exploring the negotiation strategies

and forms available to Kelly and Mr. Higashi, in order to resolve the issue at hand.

2. 1. CONTEXT OF NEGOTIATIONS

In international negotiations such as that highlighted in the case study, it is important to understand the overall contexts that will influence the discussions (Refer Appendix A, Phatak and Habib, 1996), whilst also guarding against cultural attribution error (Rivers, 2007) stereotyping (Weiss, 1993) and the halo effect (Lewicki, 2011). In the case study, the cultural context is an important consideration as individuals, such as Kelly and Mr. Higashi, may tend to negotiate differently depending on where they are from. In Japanese culture, people tend to negotiate deductively in that they gain agreement on general areas, before moving to the specific; whereas Canadians tend to negotiate inductively by settling on a specific issues which then become areas of general agreement (Salacuse, 1999). Mr. Higashi's insistence that Kelly utilise accumulated Paid Leave instead of her entitlement to Sick Leave is a clear example of the different manner in which the parties may approach the situation; Mr. Higashi's explanation of the expected work ethic from Japanese workers in that they will use their paid vacation time out of "respect for his employers" is typical of the bigger picture, deductive approach whilst Kelly's insistence on her contractual rights, denote her tendency towards inductive reasoning.

2. 2 FORMS OF NEGOTIATIONS

In distributive bargaining situations, which are fundamentally competitive or win-lose, the goals of one party are typically in direct conflict with the goals

of the other party (Lewicki, 2011). In such situations both parties will seek to maximize their own share of the resources, or in the context of the case study, Kelly will strive to have her sick days recorded as such, whilst Mr. Higashi will endeavor to force Kelly to submit to using her annual leave entitlements. In the case study situation neither party has, as yet, recognised that value could have been created during the bargaining process which would allow Kelly and Mr. Higashi to set target points, resistance points or alternative outcomes. Had they done so, it may have been possible for them to agree on an alternative other than the current situation which either recognises Mr. Higashi's position of all sick days as holiday time, or Kelly's position of all sick days as sick leave time. Figure 1 – The Distributive Bargaining Situation

In contrast to distributive bargaining, the goals of the parties in integrative negotiations are not mutually exclusive, but rather strives for both sides to achieve their objectives (Lewicki, 2011).

2. 3TANGIBLE / INTANGIBLE FACTORS

In the case study the tangible factors can be identified as whether or not Kelly and the other ALT's are going to have to use their paid leave entitlements or whether Mr. Higashi will acquiesce and allow them to use the sick leave provisions to which they are entitled under contract. Whilst the example of a tangible in this instance relates to the price or terms of an agreement (Lewicki, 2009) there are also intangible factors such as the underlying psychological motivations that may directly or indirectly influence the parties during a negotiation which must should be considered (Lewicki,

2009). In this case study, the intangible factors include Kelly's cultural propensity towards emphasising her entitlement to use her accumulated sick leave while Mr. Higashi's cultural propensity towards respect for his employer and expectation of his subordinates means that he believes the ALT's should utilise their paid leave entitlements first.

It is initially hard to distinguish which of these tangible or intangible factors are more important. Based on the cultural dimensions and values identified further in the report, it is clear that each has its own importance and merit. Understanding the cultural norms and expectations at play in the case study are critical to resolving the conflict at hand. Whilst Kelly believed she had adequate prior knowledge of the Japanese culture, it is clear that she is not as well versed as she thinks. Mr. Higashi has a responsibility to his employees (which include the Japanese workers) to ensure that equality prevails in the workplace and the hierarchical, masculine structure is preserved. As detailed in section 3, Japanese culture is about hard work, loyalty, and honour.

If Kelly were to take her concerns directly to CLAIR without first attempting to resolve them with Mr. Higashi, she may inadvertently bring shame to Mr. Higashi and cause him to lose face (Lewicki, 2011). Although Kelly has tangible considerations at play, the intangible factors associated with Mr. Higashi's reputation are probably of greater importance to reaching a negotiated outcome. Kelly will need to consider that if she goes directly to CLAIR she will be venturing outside of the formal reporting structure, inadvertently exposing Mr. Higashi to scrutiny by his employer in regards to his ability to manage the program and the ALTs. Whatever strategy Kelly

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adopts in relation to resolving the dispute will need to be mindful of Mr. Higashi need to feel respected and not lose face during the process.

3. CULTURE

With increasingly globalised businesses and transactions, negotiations are necessarily crossing the boundaries of countries and cultures. Culture, in itself can be difficult to define, however most theorists agree on its main aspects being twofold; firstly, culture is a ‘group-level phenomenon’ in that a specified group of people are identified as sharing beliefs, values and expectations; and secondly, is that those beliefs, values and expectations are learned and passed on to new group members (Lewicki, 2011). Whilst there are simultaneous, multiple influences impacting on the case study participants, an understanding of the cultural negotiation situation, will be key to understanding the background of the issue and the best strategy for resolution.

3.1 CROSS CULTURAL COMPARISONS

Geert Hofstede has conducted extensive research on cultural dimensions and identified six key factors, or dimensions, which highlight the differences between various cultures. By applying these dimensions to Canada (Kelly) and Japan (Mr. Higashi), we can better understand the differences which may influence the situation at hand and the preferred method of resolving it.

Figure 2 – Cultural Dimensions of Japan and Canada

Source: www.geert-hofstede.com

3. 1. 1POWER DISTANCE

According to Hofstede, this dimension defines the extent to which the “less powerful members of institutions and organisations within a country expect and accept that power is distributed unequally”. It recognises the extent to which a culture endorses or departs from a hierarchical society structure. With a score of 39 on this dimension, Canadian culture and therefore potentially Kelly’s outlook, is marked by a low hierarchical concept resulting in a lack of overt status or class distinctions. Typical Canadian organisations will have easily accessible supervisors and managers who will consult with one another and share information freely. With respect to communication, Canadians value a straightforward exchange of information.

We can see that Kelly displays these qualities in some aspects of the situation as she consults freely with the office lady, Andrea when she has a problem (no recognition of hierarchy) and perceives Mr. Higashi as ineffective because he would (1) ignore them; (2) cancel meetings at the last minute without notifying them; and (3) not behave like a team player by “constantly telling her what to do” (Lewicki, 2011). At an intermediate score of 54, Hofstede believes that Japan is a borderline hierarchical society and therefore Japanese people will tend to be conscious of their hierarchical position and act accordingly. This is evidenced in the case study by Mr. Higashi’s reference to the ALT’s as ‘subordinates’ and his attempts to nurture or mentor their careers as he believes he is their superior.

3. 1. 2INDIVIDUALISM

In this dimension, Hofstede identifies the degree of interdependence a society maintains among its members. It highlights whether a culture’s self-

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image is defined in terms of “ I” or “ We”. Canada scores 80 on this dimension and is therefore characterised by Hofstede as being an individualistic culture in which people generally look after themselves and their direct family only. In the business world, this may translate to employees being expected to be self-reliant and promotion decisions are based on merit or evidence of what one has done or can do. Kelly demonstrates individualistic tendencies in her resentment of Mr. Higashi’s ‘ constant pressure’ on her to sign up for traditionally Japanese cultural activities. By contrast, Japans score of 46 on the Individualism dimension shows that it would typically demonstrate a rather more collectivistic approach to society; such as putting the harmony of the group above the expression of individual opinions and people having a strong sense of shame for losing face. Hofstede believes that in Collectivist society’s people belong to ‘ in groups’ that take care of them in exchange for loyalty. This characteristic is amply demonstrated by Mr. Higashi and his fellow Japanese colleagues in their overt displays of loyalty to their company through long hours and unselfish use of Leave entitlements.

3. 1. 3MASCULINITY

Hofstede dictates that a high score (masculine) in this dimension indicates that the society will be driven by competition, achievement and success, with success being defined by the “ winner” or “ best-in-the-field”; conversely, a low score (feminine) means that the pre-eminent values within that society are associated with caring for others and quality of life. Canada scores 52 on this dimension and are, therefore, characterized by Hofstede as a moderately “ masculine” society. While Canadians, as demonstrated by <https://assignbuster.com/sick-leave-essay-sample/>

Kelly, strive to attain high standards of performance in both work and play (sports), the overall cultural tone is geared towards having a work-life balance. Kelly's insistence on exercising her right to take sick leave and refusing to bow to the pressure of long hours and weekend work are clear indicators of her affiliation with the Canadian cultural norm. By contrast, at 95, Japan is one of the most masculine societies in the world. However, in combination with Japan's mild collectivism, this masculinity is often demonstrated through severe competition between groups, rather than individuals. From the case study we can see that Hofstede's ranking appears to be correct as Japanese "workaholicism" is amply demonstrated, expressing well the cultural bias towards masculinity.

3. 1. 4UNCERTAINTY AVOIDANCE

In this dimension, Hofstede seeks to establish the extent to which members of a culture feel threatened by "ambiguous or unknown situations". The Canadian score on this dimension is 48 and therefore we can deduce that Canadians are more "uncertainty accepting." By this we understand that Canadians are accepting of new ideas, innovative products and are largely more willing to try something new or different. Canadians are considered to be generally tolerant of ideas or opinions from anyone and allow the freedom of expression. At the same time, Canadian culture is not rules-oriented and Canadians tend to be less emotionally expressive than cultures scoring higher on this dimension. At 92, Hofstede indicates that Japan is one of the most uncertainty avoiding countries on earth. Large aspects of everyday life in Japan revolve around predictability, with a high emphasis on ritual and ceremony. In corporate Japan, it is typical that detailed facts and figures will

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be required before decisions are made or plans are formed. This high need for uncertainty avoidance is one of the reasons why changes are difficult to realize in Japan and why Mr. Higashi does not deal well with the differences in expectation between his Japanese subordinates and the ALT's.

3. 1. 5PRAGMATISM

Canada scores 36 in this dimension, with Hofstede marking it as a normative society. Hofstede advocates that people in such societies have a strong concern with establishing the absolute Truth and are typically normative in their thinking. They exhibit great respect for traditions, a relatively small propensity to save for the future, and a focus on achieving quick results. In the case study, Kelly demonstrates these cultural norms by placing greater emphasis on the value of her holiday, than the value of her job as an ALT. At 88, Hofstede identifies that Japan scores as a very Pragmatism oriented societies. Japanese will tend to recognise that life is about more than this small moment and long term goals are preferenced over short.

3. 1. 6INDULGENCE

The final dimension identified by Hofstede is the extent to which people will try to control their desires and impulses, based on the way they were raised. Relatively weak control is called “ indulgence” and relatively strong control is called “ restraint”. With a fairly high score of 68, Canadian culture is classified as indulgent. People in these societies generally exhibit a willingness to realise their impulses and desires with regard to enjoying life and having fun. They possess a positive attitude and have a tendency towards optimism. In addition, they place a higher degree of importance on <https://assignbuster.com/sick-leave-essay-sample/>

leisure time, act as they please and spend money as they wish. All of these characteristics are amply demonstrated by Kelly in the case study. Japan, with a low score of 42, is identified by Hofstede to be a culture of restraint. He determines that societies with a low score in this dimension have a tendency to cynicism and pessimism; they place little emphasis on leisure time often feeling that their actions are restrained by social norms and that indulging themselves is somewhat wrong. Mr. Higashi's actions in the case study are typical of this cultural norm.

3. 2 SHARED VALUES

Hofstede describes values as those “ broad tendencies to prefer certain states of affairs over others” (2014). Values can be directed towards individuals as well as broader groups and collectives. Schwartz's research in the area of values has led to the development of his Value Inventory (Refer Appendix B). These values are used to “ categorise cultural groups, societies and individuals, to trace change over time and to explain the motivational bases of attitudes and behaviour” (Schwartz, 2012). Whilst an understanding of these cultural values is important in an analysis of cross-cultural negotiations, it provides no prescriptive application of this knowledge to managing negotiations.

3. 3 THE INFLUENCE OF CULTURE ON NEGOTIATIONS

One of the most important steps in effective negotiation planning is considering the other party. Taking a cultural perspective of negotiation involves considering the typical approach to negotiation that a counterpart from another culture might take (Sujin, 2013). It is seemingly obvious that <https://assignbuster.com/sick-leave-essay-sample/>

individuals from different cultures will encounter greater difficulties or resistance which will inhibit the settlement of a dispute (Downing, 1992) and so when cross-cultural negotiators understand each other's normative approach to negotiations, they can better achieve a satisfactory process (Weiss, 1994).

4. NEGOTIATION STRATEGIES

Any culturally responsive strategy should involve a clear objective and a means by which to attain it (Weiss, 1994). When choosing a strategy, negotiators should be aware of their own and the other party's culture in general, understand the specific factors in the current relationship and predict or try to influence the other party's approach. Strategies should be based on the level of familiarity (low, moderate, high) that a negotiator has with the other party's culture as detailed in Section

4. 1. FAMILIARITY

Familiarity was determined by Weiss in 1994 to be a “ gauge of a party's current knowledge of a culture (in particular, its negotiation scripts) and ability to use that knowledge competently in social interactions”. Focusing on negotiations between two parties, each belonging to one predominant culture, Weiss devised a number of strategies (as detailed in Figure 3) for dealing with cross-cultural negotiations, depending on the fluency, or familiarity with that opposite culture. Figure 3 – Culturally Responsive Strategies and Their Feasibility

Based on the case study details it would appear that Kelly and Mr. Higashi have little experience, or low familiarity, with each other's cultures. Even though both parties have had some interaction with the others culture, it would appear that neither party has any real understanding of the cultural propensity of the other. Given the low familiarity, Weiss details three feasible strategies as noted below;

- Employ agents or advisers (unilateral strategy)
- Bring in a mediator (joint strategy)
- Induce the other party to use your approach (joint strategy)

4. 2OPTIONS

The Dual Concerns model (as referenced in Appendix C) suggests that the choice of strategy is reflected by parties concerns for achieving their own outcomes and their concerns for the future of the relationship (Lewicki, 2011). Given that Kelly and Mr. Higashi must continue working with each other I would anticipate that the importance of their relational outcome is high. Given that the substantive outcome is also important to the parties, I would suggest that a collaborative approach is favoured. Though the intangible factors play a role in the negotiations, the contract is the defining document on what has to be followed by both parties regardless of opinion differences. The opinions differences are not really relevant to a discussion on whether the time away should be sick or personal, although they clearly impact on the future relationship between the parties.

Whilst Kelly's time off clearly meets the definition of sick leave and follows the terms of the contract, many individuals and companies doing business in Japan make it a practice to deliver more than what is called for under the

terms of any contract (Oikawa, 1992). In order for Kelly to negotiate those terms she will need to communicate with Mr. Higashi in a respectful tone all the while remembering her role as a subordinate to the employer. Mr. Higashi will have no choice but to follow the terms of the contract. In view of the foregoing it is unlikely that Kelly and Mr. Higashi will reach a mutually satisfactory outcome without some assistance. In the first instance, therefore, Kelly should approach Mr. Higashi suggest that that they indulge in facilitated negotiation to resolve the issue. By gaining Mr. Higashi's agreement, prior to involving CLAIR, Kelly will satisfy Mr. Higashi's need hierarchical structures to be followed.

The facilitation (via a representative from AJET) would probably provide the best strategy for resolution of the issue as it fulfills the dual concerns requirement for a collaborative, “ win-win” approach whilst also satisfying Mr. Higashi's collectivist bias. Kelly benefits from this strategy also as she does not have to deal directly with Mr. Higashi. If AJET provide a Japanese facilitator to mediate, this would satisfy Kelly's escalation of the issue whilst also observing Mr. Higashi's need to avoid uncertainty (as they will already understand his cultural expectations). Hopefully as well as satisfying the “ low familiarity” strategy, this facilitated negotiation will evidence a win-win approach that is pragmatist, long-term goal approved.

5. CONCLUSION

International business activities require consideration of the cross cultural context in which they are based. An understanding of the cultural dimension theories, values and negotiation processes available will help parties to

understand the challenges of international negotiation and find strategies for resolution that meet each parties needs. Whilst the situation is delicate, if Kelly and Mr. Higashi are both mindful of each other's propensity for cultural bias they can overcome the difficulties and reach an outcome that favours each.

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