

LEGAL & POLITICAL CONVERSATION OF HR: (A COMPARATIVE VIEWPOINT ON EUROPEAN & ASIAN PERSPECTIVES)

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ABSTRACT

This paper will report on HR conversation based on legal & political aspects. Both the aspects will be evaluated through comparative analysis of European and Asian perspectives. This research will explain the modes of conversation through the basic models proposed in this paper. The purpose of this paper is to present a viewpoint on both formal & informal conversation of HR with special reference to legal & political aspects. The research design is pure & qualitative case study approach based on primary sources of proposing three basic models for HR conversation in European & Asian regions. There is huge literature available on HR with its development & strategies but research on HR's legal & political conversation is little lesser in quantity. The mushroom of companies, cultural diversity & organizational development, world's changing preferences and workforce choices have pushed companies to define legal & political conversation of HR with reference to formal & informal approaches. The first model will elaborate the legal & political aspect as formal approach. The second model will explain the legal & political aspect as informal approach. The last model will explain the comparative analysis of both the aspects and approaches. The purpose of proposing such models & approaches is to report a realistic idea of HR conversation towards legal & political dimensions. The proposed aspects & dimensions will later be applied on the selected sampled regions on European and Asian perspectives.

Key Words: Legal conversation, Political conversation, HR approaches, Comparative analysis.

INTRODUCTION

There are various responsibilities of HR managers in the organization. The most identified tasks are proper communication of HR functions with planned conversation as formal and informal ways. Some of the tasks are communicated through formal ways in order to avoid any possible court cases while few are done on the basis of informal approaches in order to maintain cordial atmosphere in the company. Informal approaches usually adopted in order to avoid any rift that may be created between employees & employer. HR conversation exists in almost everything that happens in the organization. This depends on the dealing regarding policies, coordination of organizational tasks, collaborative teams, and communication regarding punishments or informing about rewards. This may not be in just one format as formal or informal but should be based on both of them as per suitable patterns. This research takes a

comparative viewpoint of such conversation and evaluates it on two samples regions. The role of HR Managers in European environment is based on the fixed laws and companies are liable to follow and know to cope up with day to day activities. HR managers keep checks on legal and employment activities as specifically maintained in the legal codes of conducts in the companies operating in Europe. On the other hand, European companies, may it be in Asia, Europe or anywhere, follow all strict rules and employment laws as they are followed in Europe. Asia is very unique culture. Companies follow different employment laws in different Asian countries. Laws in India and Pakistan are little different than China and Japan where Hong Kong and Singapore are also different in many ways. In Asian environment, the role of HR managers is very crucial as not much employment laws are focused. Mostly, it is little bit satisfactory in Singapore and China but the story in other countries is very different as laws are very slow and some employers in some situations show little concern on the labor laws. In such situations, the contracts are also considered just to hire and pay less. In such situations, the role of HR managers becomes crucial to follow all laws with full integrity & ethics. HR is considered as a central role to maintain a cordial conversation with legal & political aspects. This is global world, many companies are operating in head office including some branch offices in other countries. Various European companies have decentralized centers in many countries and offices in other European countries while few Asian companies also have the same model of reaching in Gulf & African countries. The role of HR managers is to fully implement the required strategic, changing management & legal directions as identified by the company and any other authorities' codes of conduct. Wages and Hours is an issue with employees. The Work place Safety & Health which is prime responsibility of HR managers to teach employees to follow all safety instructions to save them and save companies' health insurance money. People always loose life especially in construction firms only because of unawareness of safety instructions, in some cases some people know but still don't care. In such situations, HR managers need to create much information and add some rewards to those who follow safety rules and regulations as everything should go in right direction.

LITERATURE REVIEW

European companies, though having different regulations in various countries do depend on the HR managers' role as strategic partners and their role becomes much important where laws at full length are not followed. On the other hand in Asian context, HR managers are very situational and strategic situations commonly successful and sometime failure but HR role remains much focused every time. No one can deny that HR managers set organizations towards a right direction with the collaboration and strategic partnership in the company as well identified by an advocate of HR, Appleman-Vassil who believes this department can do much more in the forefront than on the sidelines. She says HR professionals can add value in numerous ways. By being

knowledgeable and providing solutions to the key issues facing organizations today, they help not just the company but the entire industry in which they work, she says. (Improve the Bottom line), HRM 03 March 2010 (www.hrmasia.com). HR has a huge responsibility of utilizing the workforce to achieve company benefits. HR identifies good people and give them decision making opportunity. Employment decisions are sources of organizational strategy. Many philosophers supported in different ways. HR employment decisions derive from organizational strategy (Miles & Snow, 1984; Schuler & Jackson, 1987; Freedman, 1991). Through, proper conversation with in the organization, the systematic collaboration can happen. This will match & combine all internal coordination with external activities. This way, the knowledge can be shared. HR conversation is one important component of strategic HRD that brings a platform to have competitive edge. HRD facilitates an organisation to amalgamate different knowledge elements, connect new and prior knowledge, and combine internal and external knowledge, to ensure sustained competitive advantage (Davenport, Prusak & Wilson, 2003; Pfeffer, 1994). There are various trends to keep employees satisfied; one of them is proper conversation to them. Sometime HR needs to focus more on employees than customers. Employees are more than customers because if employees are clear and satisfied, they can bring the same satisfied customers for the company. This shows that good strategy and role of HR in proper communication is required in modern companies. To have satisfied customers the organization must also have satisfied employees (George, 1977). Satisfied employees are a precondition for satisfied customers. Further Rosenblunth and Peters (1992 in Ewing & Caruana, 1999) say that the needs of the customer should come second to those of employees. The strategic, legal & political role of HR is to know and address the issues of employees and it can only possible when HR managers have total understanding regarding legal aspects. HR managers have also challenge of knowing country specific laws which may vary from country to county. Employees want to work only for eight hours but managers want them to work more than required time which results into dissatisfaction. Good companies either pay extra or leave them at required time. The Fair Labor Standard Act (FLSA) is followed by all good companies specially in European environment while some cases has been identified in China, Japan, India and Pakistan. In China, workers are sometime asked to work more than eight hours and in India & Pakistan, the workers are asked even more to work without the deserving compensation. The role of HR managers in such cases become prime requisite and take initiative to formulate better strategies that may benefit employer but must not hurt employees at any cost. Legal orientation & conversation help HR managers to guide employees to the right direction. This is also power in legal terms. As Buchanan (2007) has said that power can be defined as the ability to get people to do what you want them to do and politics means power into action (Buchanan, 2007). This way employees will not make mistakes and organizational productivity will increase as desired. If legal & political conversation is not properly managed then the employees may change their behaviours into negative.

HR managers manage employees' individual & situational factors to move company policies into right direction. This is also mentioned by Droy (2006) that the factors causing employees to exhibit political behaviours in organization can be categorized into individual & structural factors (Droy, 2006). Legal orientations should be given to employees that they all be motivated at work. This has become a common practice. The purpose of such practice is to make employees away from political debates, liking or disliking. Companies use such legal conversation to them for improving organizational conversation. According to AMA, 2008 “the practice of monitoring a company's workers is a controversial practice that is undeniably on the rise (AMA, 2008). This is something special that needs to be trained for employees and employers. Companies have right to utilize employees as contracted as they may not disown some serious codes of companies. As said by Opera 2012 “Managing the knowledge of an organization could also help catch employees who may be giving away a business' trade secrets, designs or formula to a competitor (Opera, 2012). The best comparison of legal & political conversation norms is to apprise employees about the power of monitoring the environment. As mentioned by Chie-Mei et al. (2012) that organizations utilizing knowledge management techniques seek to monitor the environment and promote efficient transmission of knowledge (April 2002, Bhatt, 2001, Keh-luh & Chiu-Mei, 2012)

LEGAL AND POLITICAL CONVERSATION OF HR

Legal and Political conversation of HR has much importance in the modern context of dealing with employees. HR managers always focus to formulate strategies to utilize the workforce and design effective methods to maintain professional environment in the company. Following are the brief details of formal & informal conversation at legal & political aspects.

Formal Conversation of HR

Formal conversation of HR is systematic information that is disseminated to all employees in the organization. Systematic information usually passed on through the company handbook and other online portal services. The successful HR managers must maintain a smiling conversation with high patience behavior towards employees. Good companies have a very good system of following HR functions. They follow proper induction of employees and provide relevant orientation within the company.

Table 1: legal & political conversation (formal approach)

Formal Conversation of HR		
Legal Aspects	Contract Workplace Safety	Employee Benefits Location of Employment
Political Aspects	Levels (Top, Middle & Lower) Union Membership option	Professional Development Location of Employment

An orientation is the most formalized way of HR department that clarifies the policies and updates on required regulations. During induct program, all employees are told, clarified, taught and guided regarding legal aspects with specific focus on contracts, employee benefits, workplace safety and placement at required location. Some companies provide contracts in English language only. It is advisable to ensure that employees understand the details mentioned in the contract, it must be given in their mother tongue, local national language and one in international language as English. HR adopts the formal approach of listing the benefits that employees can avail during high employment tenure in the company. This is important and HR maintains clarity of all policies regarding benefits to abate the possible complaints, inquiries or concerns for employees. Workplace safety is the responsibility of an organization. HR takes very effective initiatives to inform, train and guide employees to keep themselves aware of all safety measures at the company. Most of the time people hurt themselves in construction firms, manufacturing places or others due to casual response to safety measures. HR has the responsibility but more responsibility is also on the shoulders of employees to follow as instructed in the orientation, handbook and other formal documents. The importance of above legal aspects, communication at formalized way is the requirement of good companies. People have general tendency of forgetting few things but gentle reminders or friendly collaboration of HR can make everything in the right direction. The second phase is the model comes as the political aspect of HR conversation in the company. Legal aspect was definitely informing employees of the benefits & consequences that may help both employees & employer from complications. Political aspect is a challenge for HR people where they maintain good support with everyone and assign appreciation tags to those who are highly responsive to organizational activities, support departments and have good coordination with other colleagues. This may not be possible all the time but HR approach towards political aspects can achieve it. Middle managers are supposed to play a role in the middle hierarchy as they were already well placed there. They need to have a positive political behavior like nominating the most demanding person or group and bring them toward to the top hierarchy. Top hierarchy informs people about the rewards and telling why some people are getting it. Lower level can keep the track of other people and update to HR in order to coordinate in better way. Political aspect is the role where HR needs to be very careful. If some policies are in the phase of implementation, they need to be executed not questioned. HR plays a role of authority or political aspect to carry on as required. Reminders of company policies and show ownership to the company is the concept of professional development as demanded by HR. HR keeps telling people that we appreciate and like people with professional behavior. HR managers manage a formalized training to make employees professional, transform them and make them ready for the company. This is possible through formal conversation, legal pushes and political methods. The formalized communication in political aspect is to maintain groups and influence them that other groups are doing good and may get rewards.

You also need to speed up to be nominated for good rewards & promotions. This is the political aspect that can benefit the organizations. Union membership at some companies is different culture. HR needs to be much diplomatic with their dealing and putting company as positive. Unions can be convinced if properly listen, coordinate, help and open communication with them.

Informal Conversation of HR

Informal conversation of HR is based on the level headed behavior of HR managers to all employees working in the organization. Legal aspects can be informal to employees though just verbal or any casual meeting, dining, hierarchal official meeting or at a morning tea. This can be a reminder but may be better than a formal email sending to the employees. If any employee has an issue, this can be told in the formal way as it doesn't arise as negative things or complications but just a cordial atmosphere of informing everything may be productive.

Table 2: legal & political conversation (informal approach)

Formal Conversation of HR		
Legal Aspects	Contract Workplace Safety	Employee Benefits Location of Employment
Political Aspects	Levels (Top, Middle & Lower) Union Membership option	Professional Development Location of Employment

Sending typical reminders as a document or email may not be good but just taking a little walk and say hello and ask them of they have finished their task, this will be much more productive in good organization. This is the modern way of putting informal approach of HR managers in modern times. Updates on constraints and employee benefits through informal way will have a little impact to follow formal ways as well. Workplace safety should be in both as formal written document but cordial reminders through informal ways can also be beneficial in the company. Most of the modern companies who maintain cordial working environment always adopt informal approach of HR conversation. The political aspects in informal approach are different in dealing. The managers at top level will select the talented people on the choice and inform everyone in informal way. They will be assigned a task and appreciated by them to tell everyone that he/she is rewarded based on this desired progress. Union membership is critical that must be dealt in good manner. HR managers or other professionals do have some coffee chat with union members to initiate a cooperative method indealing effectively. This will maintain relationship and help in resolving issues of relationship between management and union.

COMPARATIVE ANALYSIS AND DISCUSSION

In all parts of the world, HR managers must ensure that they follow the rules and

regulations of Employment Acts overall and to the particular context of the country where company is operating. It will be easy to make strategies to get success in all regards and will add value in increasing profitability. Also must know and inform other employees about the regulations and policies of the company as to make sure that everything goes in the right direction. HR Managers' roles in this connection will ease the concerns of employees and lead towards right strategic focus. Lastly, they must update and follow outside strategy to check what other good companies are doing and how your company can be effective in some areas? This will increase the level and response of customers, employees and government towards company. Strategic role is always as strategic direction of the company. It ensures that strategies at all levels are well planned and ready for execution. Top levels are always focused to set foundation and direction, Middle levels are always at collaboration work & connect whole organization and lower level is very much focused on soft skills that maintain good teamwork, coordination, good image and work flow automation. Legal aspects are very important in the organization. Changing management role is just changing performance of employees, customers and government. HR needs to build good rapport with employees and customers.

Table 3: (legal & political conversation (Comparative approach)

Formal Conversation of HR			
Legal Aspects	Contract Employee Benefits Workforce Safety Location of Employment	Diplomats Politicians Isolation Working groups Catalysts Opportunists	Corporate Success
Political Aspects	Levels (Top/Middle/Lower) Professional Development Union Membership option Location of Employment		

Above model seems to be successive initiative for modern companies. HR managers take advantage of all systematic patterns listed in the model. Good companies in modern times should coordinate and consider above analysis as the benchmark for 2020. This model move from left to right and in the end, it reaches to corporate success. If both the approaches as formal & informal conversation are well managed with the parameters of the legal & political aspects, then the success of the company is sure. The legal and political aspects are always crucial at the time of dealing with employees and getting work done through them. When company wants to be at safe side, HR managers use the legal aspect in formalized way, when company wants to get things done, HR uses informal way to maintain cordial atmosphere to motivate and get everything done. Typical managers use political approach as negative to provide benefits to them and the people of their own circle. Good HR managers use political approach as

productive method while giving a message to employees. Top levels also use the politics but in most positive way. HR manager may be diplomat sometime because they might not be sure of what increase will be in future. Some time top bosses keep some employees isolated to inform them that you did a mistake. But once this mistake is overcome, then employee again at the same track of good work. Political aspect always starts from the top for the purpose of good working environment and achievement of goals but could be disaster if used in negative modes. Some top heads take initiative to make people to show their interest and only few come forward. The bosses always want to be with innovative and interested employees. Only ambitious driven people who want to be catalyst will come forward and show talent and will be given due opportunity. Bad companies use the model as irrelevant manner that makes those companies as most typical. They use model as legal & political but show unnecessary authority without consent and information to employees. This creates little unfair sense among employees. Some employees get rigid laws while others get flexible regulations. This makes an irregular activity in the company that becomes the reason of less motivation among employees. This critical thing is that typical organizations don't even let employees know of what was their mistake. Typical company assumes that employees should know of what HR means them to perform. Good companies use the above model in most effective way. They use legal aspect but first maintain formal & informal conversations with employees and educate them of all relevant laws & regulations. HR managers also use politics but at the most positive way that ensures cordial atmosphere and bring productivity. Modern organizations are in greater need to apply above aspects and analysis of legal & political approaches and maintain unique HR conversation. This will enhance the working potentiality and increase organizational productivity even in the stiff competitive times. Comparative analysis is a unique tactic for modern organizations to train their HR personnel and follow any approach with specific focus on legal & political aspects in order to be effective in achieving desired goals. This model shows a sequential step from aspects to activities and then the combined legal political aspect that leads towards corporate success.

APPLICATION AND VIEWPOINT ON SELECTED REGIONS

European Legal systems across continental Europe are largely founded on Roman Law and Germanic customary law. At times European Federal laws are much tougher than Asian context. In European environment, HR managers need to know everything especially local context in the cases of French and Italy specifically and other countries in general. The HR managers need to write fair contracts to survive in Europe but in some cases, some laws are not fully followed as The Sarbanes-Oxley Act (2002) may have some concerns in EU. Asian countries are very different than European cultures. Some of the companies in Asia are very good and abide by all the laws but some of them show typical behavior and do not follow all the required laws but delaying processes are too much in Asian part of the world.

Viewpoint on European region

European companies are smart in utilizing the proposed comparative analysis in order to deal & facilitate employees. They follow fixed laws and also follow the laws if operating outside of Europe. They use the political aspect with just positive way that shows to clarify everything and want everyone to respond to the said reports. They have good contracts based on fixed and flexible with high benefits of health insurance and facilities at site locations. The success of European companies is based on the appreciation to employees to be catalyst for the company. They usually reward at very high level if someone has proposed a service business for the company. HR managers at European companies are talented to follow legal & political aspects that lead to corporate success. The role of HR managers at ENI (Italy) is important in knowing written contracts and regulations. The company ENI has operations in many countries based on European & Asian context and has flexibility in laws. They must not only follow the regulations of their parent country but also host country to keep everything smooth for the betterment of the company. Italian firms are very firm to follow all accurate legislations and ENI does the same to keep pace with particular country regulations. A company's works council must be invited to make recommendations on the appointment or dismissal of a managing director based in the Netherlands. The Role of HR managers in this particular context is not much complex but just focused on doing every written contracts in French language. The Managers need to understand and make employees understand of the contracts and instructions. The Role of HR managers become very crucial in following all regulations set by the government. Collectively, the French environment is very strict in following all the regulations otherwise things go little complicated for HR managers. So in this way, company TOTAL is following all the regulations and also doing something extra on corporate social responsibility as well.

Viewpoint on Asian regions

Asian companies have also smarter view but less focus on strict laws in some situations. Laws are always communicated to employees but only followed when they bring benefits in some forms. HR managers play very crucial role in applying all legal & political aspects to achieve organizational success. They require and pass on the results to performance and increase in salaries. People do complain because of lesser answers of laws. Though, laws have been oriented but did not work at some points. HR managers keep rewarding people on good performance and keep reminding on the laws as well. HR managers play technical role in motivating and updating employees on laws to be effective to achieve corporate success. Japan is very organized country with a tradition of lifelong employment culture. The Role of HR managers in this context is very clear but followed in a very systematic way. It has also some typical Asian context things which HR managers must understand and follow specially carrying out legal things in their own way. This thing is common in Japan of different level contracts which HR managers always respond as culturally required. The Role of HR managers is very

managers is very crucial in Chinese culture, they need to know and apply regulations with specifically to Chinese context otherwise surviving would be difficult. Some countries don't follow oral agreements but in China, it is very common. In this situation, the HR managers show patience and accurate knowledge of the country and follow all rules and regulations. Employment laws in Pakistan are followed in some good companies but some don't follow to full length. The Role of HR managers become important to deal effectively with cultural contexts. TCS Pakistan (A courier company) is known for its employees. TCS provides the best training to them to maintain good culture. Employment laws and regulations are very different in Asian context. The laws are very slow and inconsistent. Some companies follow laws on their own that mostly benefits to the employers. Some of the laws are written with the government and all companies are liable to follow regulations and employment acts but some of them have not been following and their cases are pending since many years. The Role of HR managers is pivotal in such situations to figure out problems and help employees. HR Managers play a role of doing most of the efforts to please all employees, employers and update them with the contracts to cope up with governmental styles of the country. Airtel is one of the successful company and its HR managers follow all regulations identified by the government and mostly concerned about the customers. The company is very popular of the caring culture with employees and customers.

RESEARCH METHODOLOGY

This is qualitative & descriptive study based on the case & viewpoints on the proposed models. The models are specially proposed in this research and adopted as a case approach to describe and apply in an appropriate design. This way, the purpose of this research can be achieved. This case method was considered as most suitable in such situations where proposed models are applied with experience and viewpoints on the selected perspectives.

FINDINGS AND SOME RECOMMENDATIONS

The study has found that good companies require specific training to educate their HR department regarding the proposed models specially the comparative analysis that leads everything towards productivity as corporate success. Companies are advised to avoid typical pattern that can turn the model into negative one. Good companies use the proposed models as the successive tactic in modern times. This study has also found the tactics of conversation with employees. HR conversation to organizational workforce has always been critical and a factor of motivation. This study has reported on such platform as legal & political aspects and mentioned two selected regions as European & Asian perspectives. This study recommends that the proposed models for HR conversation can have a very positive impact on the results of companies. This also recommends helping employees to be professional when such aspects as legal & political are positively utilized within the company. The study recommends that the

proposed models regarding HR conversation will be highly required in dealing with employees in the age of workforce diversity when people have varied preferences and styles of working. This approach will be beneficial for modern companies. This study recommends that proposed models of HR conversation should be wisely used as informal or formal levels. The study found that models are situational for different situations but very productive for modern companies.

CONCLUSION

This concludes that organizations follow different patterns of communication but conversation based on formal & informal approach is situational & systematic to get employees going and make them putting efforts for organizational productivity. The study concludes that employees can be motivated at different levels of conversation. HR conversation in such situations become demanding. HR managers are required to be an expert in the proposed models in this research and apply at different situations as per the suitability of the occasion. The study concludes that companies can face critical situations when employees are not clear about company regulations. HR uses formal or informal communication to update all employees and get work done as required by the company. HR also uses the political aspects at some occasions as per the appropriateness of the situations. The study concludes that HR conversation towards legal & political aspects is the main parameter to achieve cordial atmosphere in the company. This is based on both formal & informal approaches and used through the best techniques by HR managers in the modern companies.

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