In the ten short years between 1970 and 1980, the foreign-born population of the United States grew by 4.5 million, or one-fifth of the total population growth of the entire country. Seventy-eight percent of these immigrants came from Latin America and Asia, an astounding change from the years before 1960, when 79 percent of all U.S. immigrants came from Canada and Europe. If current rates continue, another 4.5 million immigrants—the vast majority from Latin America and Asia—are likely to enter the country by the year 2000 (Asian Week 29 July 1989).

In California, one of the nation’s fastest-growing states, it is quite likely that 40 percent of the population will be Hispanic or Asian within the next twelve years, and the number of Asians is expected to surpass African Americans within the next few years. Anglos will barely represent 51 percent of the population of the State by the year 2000 according to many estimates. Los Angeles and Orange Counties currently boast the largest concentrations of both Koreans and Vietnamese outside of Korea and Vietnam.

Los Angeles in many ways is a living laboratory of ethnic diversity, not all of which blends together easily. Simple everyday activities often provoke people who dislike change as well as among those who find it difficult to adapt to different cultures. Consider, for instance, the potential conflicts caused by shopping in stores where clerks speak with heavy accents and do not seem to understand your questions; searching for a shoe repair store on a boulevard where all the signs are in Korean, Vietnamese or Spanish only; worrying about ethnic Black, Hispanic, Chinese, Vietnamese, or Korean gangs; or voting on “English only” or “English as the Official Language of California” initiatives.

In the workplace, cultural differences are complicating labor-management relations with ever-increasing frequency in California and throughout the United States of America. Unions, which were already having enough problems dealing with the actions of employers in a period of the unions’ relative weakness
vis à vis the employers, now must deal with overseas employers. Japanese, Singaporean, Korean, Chinese, Iranian, West German, British, Dutch, Australian, Canadian, and Arab concerns are purchasing U.S. businesses. Union representatives thus find themselves sitting across the bargaining table from people whose cultures and ways of doing business are an unknown quantity.

For the negotiators in these settings, the challenges can be formidable. For the mediator, the challenge is no less formidable, and the added dimension of trying to sort out communications and misinterpreted expectations heightened by cross-cultural misunderstanding makes the task perplexing indeed.

The following case details some of the difficulties incurred when a large U.S. trade union attempted to organize, and then conclude a labor agreement with a Japanese-owned produce processing plant in a large metropolitan city in Southern California. My role in this case—I am a Commissioner with the Federal Mediation and Conciliation Service—and am of Asian-American background—is also illustrated. It is my hope that other mediators and conflict resolution practitioners will derive useful lessons from this example of mediation in a cross-cultural setting.

Yamato Products vs. IPU Local 100

In the fall of 1988, I was asked to mediate the negotiations between Yamato Products and the International Produce Union, Local Number 100 (Author's Note: Although other details are accurate, the names of the parties have been altered at their request.) This was an initial contract, and the parties had agreed to the following items prior to calling in the mediator: wages, vacation, holidays, health and welfare insurance, union security language, grievance procedure, and other basic union language.

Yamato had been purchased by Japanese investors who lived in Japan, and the operation was run by a Japanese general manager. He had retained an experienced Anglo labor attorney to assist him in the negotiations.

The IPU was an experienced and well-respected union in Southern California, and had represented workers in the food and produce industries for years. The two union representatives were Anglo and Mexican-American, and the latter spoke Spanish fluently. The workforce was almost entirely Spanish-speaking; the majority of the workers were recent immigrants from Central America and Mexico.

Background: The union was attempting to start an organizing drive among nonunion produce processing plants in the produce area of town. Some pressure had been put on the union from the larger, organized companies to do something about "unfair nonunion competition" from the smaller shops. Yamato was the first in what the union hoped would be a string of organizing successes.

The president of Yamato lived in Japan. His general manager, an old schoolmate of the president's, possessed adequate, if somewhat limited, English language skills, and held to fairly traditional Japanese cultural and managerial expectations regarding labor-management relationships. Yamato's owners and the general manager expected loyalty to the company and team spirit from the workforce. They assumed that the union would share the company's concern for its overall financial competitiveness and long-term viability in the marketplace.