**Session 1: Business and Law**

**Genre:**  A culturally specific text form (e.g. editorial, short story) definable by its purpose.

**Formal style:** Characterized by non-personal or first-person plural point of view; full thematic development; precise and complex, often abstract words; medium to long sentences; passive voice; full finite subordinate clauses; and correct, full punctuation. Frequent in objective forms of all text types, formal style reflects respect for, or distance to, the reader.

**Register:** Speech habits and language of groups of people with common interests, social roles, educational background, or jobs in situations associated with such groups. Often distinguished by a number of distinctive words, use of words or phrases in a particular way, or special grammatical constructions. Examples are journalese, baby-talk, legalese, the language of sports commentators, pilots, criminals, politicians, therapists, educators, etc

**Discourse community:**  groups that have goals or purposes, and use communication to achieve these goals.

**ESP** = English for Specific Purposes, more than general conversation

**MAP**:

1. What is the essential **m**essage of my text (M)?
2. Who is/are my **a**udience (A)?
3. What is my **p**urpose in communicating with that audience (P)?

**Register analysis**: **Internal audience** (employees, management, and other people associated with an organization) or **external audience** (regulators, suppliers, clients, the general public).

* **Field:** what is happening, i.e. the subject matter or topic (similar to message, domain in which you’re talking (circle of experts etc.))
* **Tenor:** who is taking part, i.e. the social roles of and **relationships** between the participants (similar to audience)
* **Mode:** how the text is organized and the channel of communication that is being used (e.g. in spoken or written form, as a monologue or a dialogue, with or without visual contact, as computer-mediated communication, by telephone or face-to-face)

**External communication**:

* In corporate communication, documents quite conventionalised in terms of their layout and content
* Legal issues (such as privacy, copyright, defamation, misrepresentation, etc.) are particularly important for external communication.
* Genres: Advertisements, annual reports, business magazine articles, company brochures, contracts, corporate websites, CVs, Invoices, Job advertisements (this is job they’re offering), waivers, patents, etc.

**Internal communication:**

* hierarchical relationship of the producer to the recipient (the "tenor" in register analysis terms):
  + downwards (e.g. management to staff)
  + upwards (e.g. staff to manager)
  + horizontal (peer-to-peer).
* Genres: Agendas and minutes of meetings, letters/emails, employee evaluations, employment contracts, intranet site, memoranda, personnel handbook, etc.

**Assignment 1**: Mediating formal text, change of purpose -> to entertain, cheer friend up

**Session 2: Business Correspondence**

Having identified their MAP, business writers will then consider which genre is most suited to helping them achieve their communication goals (e.g. a short report, a reminder, a letter of complaint, a confirmation, a contract). The genres used in any field will have two things in common:

* **Content**: they will contain specific pieces of information that their readers expect to find in them, and
* **Structure**: they will probably deliver those pieces of information in a conventional order (a series of *moves*).

Novices in a field need to ensure that the texts they produce:

1. are recognised by the readers they address as examples of that genre
2. achieve the desired response in the reader.

**Polite style: Distancing**

To lessen the impact of messages that could be unwelcome or inconvenient, such as criticism, advice, reminders, instructions or requests. It is often used in combination with softening when speakers and writers are aiming to be polite. By using an **indirect form** to deliver a message, speakers and writers put their listeners and readers under less pressure and give them more space in which to choose how to react. Examples include:

1. I was wondering if you could come in on Saturday to finish that job. (Instead of “I wonder if you can come in on Saturday…” or “Can you come in on Saturday…?”)

2. We were promised delivery of those goods by Friday. (Instead of “You promised to deliver those goods by Friday”.)

3. Could you let me have that information? (Instead of “I need that information”.)

**Strategies** to create distance and achieve politeness:

* **Creating indirect questions**
  + I need to know…→ Could you tell me…?
* **Turning statements into negative questions (thereby creating a suggestion)**
  + It would be better to…→ Wouldn’t it be better to…?
* **Changing present tenses into past tenses**
  + How much do you want to spend? → How much did you want to spend?
* **Changing simple aspect into continuous aspect\***
  + I hope you can…→ I’m hoping you can…
  + *\** excluding the closing of formal letters, in which *I look forward to …* is actually more formal or distant
* **Combining the last two forms mentioned above: tense and aspect**
  + I wonder if I can…→ I was wondering if I could…
* **Using the passive voice to depersonalise an issue**
  + You promised us…→ We were promised…

**Polite style: Softening**

To lessen the impact of the message they are communicating. The message might contain unwelcome news, for example. Alternatively, a speaker or writer might want to state their opinion clearly but feel obliged to soften that opinion because of register constraints (field, tenor, mode). Examples include:

1. Unfortunately, we are unable to offer you employment.

2. Well, ladies and gentlemen, the results are not quite as good as we had hoped.

3. I just want to say that I would be against it.

4. It doesn’t make sense to go there. At least, that’s what the directors feel at present.

**Examples**:

* **Using introductory elements** (e.g. to introduce a polite refusal or bad news)
  + I’m sorry but…, Unfortunately…, Actually…
* **Choosing remote modals** (e.g. can→could; will→would/might)
  + We could try…, We would have to…, That might be difficult…
* **Using “tentative” formulations**
  + There seems to be a misunderstanding.
  + Jobs are going to be cut, apparently.
* **Using diminishers** (qualifying adjectives and adverbs)
  + There may be a slight delay.
  + The price is slightly higher than last year.
* **Using “just”**
  + Could I just interrupt for a moment?
* **Avoiding a negative-sounding adjective in favour of “not + the opposite adjective” (litotes)**
  + This year’s results are terrible.→ This year’s results are not very good.
* **Choosing first-person point of view (e.g. You→I)**
  + “I understood…” instead of “You said...”
* **Expressing suggestions as a personal opinion**
  + I think it would be a good idea to...
* **Using vague language**
  + Did you read my email? → Did you have a chance to read my email?
  + There are two things I need to discuss with you. → There are a couple of things I need to discuss with you.
* **Reformulating something that sounded too strong or too definite**
  + Or rather…, I mean…, That is to say…, At least…

**Polite style: Hedging**

When a writer in a business context wishes to be more cautious. To limit their liability in the event of legal action against them, companies usually include hedges in their claims, especially in external communications. hedging can be defined as “the qualification and toning-down of utterances or statements … to reduce the riskiness of what one says.” Hyland (1998) suggests that hedging is usually employed when a writer:

1. is taking pains to report a piece of information as accurately as possible and not to make false claims or sweeping generalisations (e.g. *This sometimes leads to…*)
2. is not (or cannot be) totally sure about the truth of the information he or she is reporting (e.g. *As far as I know*… *In our experience*…)
3. wants to show respect for his readers by acknowledging that their views or experience may differ from his own (e.g. *Our results would seem to suggest that*…).

Words such as "believe," "expect," "anticipate," "intend," "plan," "estimate," "project," or words of similar meaning, or future or conditional verbs such as "will," "would," "should," "could," or "may." Such forward-looking statements are subject to risks and uncertainties that could cause actual results to differ materially from those projected or implied.

|  |  |
| --- | --- |
| Hedge type | Examples |
| Modal auxiliary verbs | *may, might, can, could, should, would* |
| “Tentative” verbs | *seem, appear, believe, assume, suggest, estimate, tend, think, argue, indicate, propose, speculate* |
| Adjectives | *possible, probable, likely* |
| Adverbs | *perhaps, possibly, probably, practically, likely, presumably, virtually, apparently* |
| “Cautious” nouns | *assumption, claim, possibility, estimate, suggestion* |
| Qualifiers | *approximately, roughly, about, often, occasionally, generally, usually, somewhat, somehow* |
| Personal point of view | *I believe, to our knowledge, in our view, we feel* |
| “If” phrases and clauses | *if true, if this is the case* |

Payment reminder example:

Dear Sir/Madam

We regret to remind you that we have not received payment of the balance of £200 due for December. This was sent to you on 2 January and a copy is enclosed.

We must remind you that unusually low prices were quoted to you on the understanding of an early settlement.

It may well be that non-payment is due to an oversight, and therefore we request that you send us your payment within the next few days.

Yours faithfully

Interesting points: Use of ‘we’, **No contractions** e.g. ‘have not’, Use of passive voice, Major sentences, Formal connectors e.g. therefore, Formal opening and closing

**General style of business correspondence in English**: generally formal but *not excessively polite*. Above all, business correspondence is expected to be: clear, concise and precise. 3 major styles of writing: formal, standard, informal.

**Useful phrases:**

|  |  |  |
| --- | --- | --- |
| **Move: Starting the letter** | | |
| 1 (most formal) | | With reference to your letter dated 12 January… |
| 2 | | Further to our meeting last week… |
| 3 | | Thank you for your letter of…(date) |
| 4 (least formal) | | Re your fax… |
| **Move: Stating the reason for writing** | | |
| 1 | | We are writing to… |
| 2 | | I’m writing to… |
| 3 | | Just a short note to… |
| **Move: Giving good news** | | |
| 1 | We are delighted to inform you that… | |
| 2 | You will be pleased to hear that… | |
| 3 | You’ll be happy to learn that… | |
| **Move: Giving bad news** | | |
| 1 | We regret to inform you that… | |
| 2 | I am afraid that…/Unfortunately,… | |
| 3 | I’m sorry but… (contraction) | |
| **Move: Making a request** | | |
| 1 | We would appreciate it if you could… | |
| 2 | I’d be grateful if you could… | |
| 3 | Could you…? | |
| **Move: Offering help** | | |
| 1 | If you wish, we would be happy to… | |
| 2 | Would you like me to…?/Shall I…? | |
| 3 | Do you want me to…? | |
| **Move: Apologising** | | |
| 1 | We must apologize for (not)…/We deeply regret… (we) | |
| 2 | I do apologize for… (any inconvenience caused) (I) | |
| 3 | I’m really sorry for/about… | |
| **Move: Enclosing documents** | | |
| 1 | We are enclosing/We enclose… | |
| 2 | Please find enclosed… | |
| 3 | I’m enclosing…/I’ve enclosed… | |
| **Move: Closing the letter** | | |
| 1 | Do not hesitate to contact us again if you need further assistance. | |
| 2 | If you have any further questions, please contact me. | |
| 3 | Let me know if you need any more help. | |
| **Move: Soliciting a reply** | | |
| 1 | We look forward to hearing from you. | |
| 2 | Looking forward to hearing from you, | |

**Business letters salutations and closures**

|  |  |  |
| --- | --- | --- |
| *Situation* | *Salutation* | *Closure* |
| You **don’t know** the person’s **name** | Dear Sir/Madam  Dear Sir or Madam  Dear Sirs (US only, slightly archaic)  Gentlemen: (US only, slightly archaic) | Yours faithfully (UK only)  Yours truly  (Yours sincerely)  Sincerely yours (US)  Sincerely (US) |
| You **know** the person’s **name** | Dear Mr Smith  Dear Mr and Mrs Smith  Dear Ms\* Smith  Dear Mrs Smith (married)  Dear Miss Smith (single)  (non-binary: Dear Mx Smith)  \* Ms is commonly used to address both married and unmarried women | Yours sincerely  Sincerely yours (US)  Best regards / Kind regards  Best wishes |
| You **know** / have **already had contact** with the **person** | Dear John  Dear Angela | Best regards / Kind regards  Regards  Best wishes |

**Informality:**

* Phrasal verbs: *came across*
* Ambiguity: *something called …; the other day; thingy*
* Direct address: *you know …*
* Conversational gambits: *…right?*
* **Contractions: *it’s***
* Ellipsis: *Can’t wait to hear from you.*
* Appreciatory vocabulary: *fantastic*
* Tag questions: *…, can’t you?*
* Questions: *Who needs such a thing?*
* Imperatives: *Let me know.*
* Exclamations: *I love it!*
* Informal linking: *P*l*us …*

**Formality:**

* Passive voice: *has been invented*
* Vocabulary (ex.: ensure), nominalized words (instead of using adjectives)
* **Uncontracted forms: *It is …***
* Heavy premodification: *the previously mentioned invention*
* Careful complex sentence construction: *This new invention, which is called a long-handled toenail clipper, was launched last year.*
* Formal linking: *However, …; in order to*
* Only negative emotion that fits into formal style: disappointed

**Assignment 2**: Formal email to airline, **useful phrases:**

* This causes me inconveniences.
* There have not been any news until now.
* I hope to receive a satisfactory respond soon.
* I strongly hope …
* The loss of the suitcase bears medical consequences for me.
* I ask you to continue to look for my suitcase.
* I would appreciate if you could verify this.
* I am looking forward for your response.
* Looking forward to hearing from you.
* I am looking forward to hearing from you.
* I’m sorry but I must insist that you find this. (I am, strong but keeping politeness)

**Genre, information at start of email, context:**

* (First sentence of text) I travelled from x to y on September 1.
* Reference to the previous communication

**Session 3: Legal English**

Registers:

* creating legal texts and corresponding about these texts with other experts in the field
* communicating with members of the public about legal texts or legal matters in general.
* these “internal” and “external” forms of communication differ in their MAPs (Message, Audience, Purpose) and, as a result, in the registers of legal English that they use (i.e. legalese, formal legal English, “Plain English”).

Terminology: common **terms** in legal contexts

* advise to tell someone facts or information they need to know
* embezzle to steal money you have been entrusted with (less formal: stealing, taking)
* appeal a formal request for a court to change its decision (also a verb)
* establish to start an organisation or company
* commit to do something illegal
* follow to do the same thing as someone else has done (appeal a decision)
* preclude to prevent something from happening (exclude possibility)
* disclaim to say that you do not have responsibility for, or knowledge of, something (less formal: denied)
* impose to force people to accept something (imposed a fine: less formal: fined)
* disclose to give information, especially secret information
* legislate to create a new law
* value to state how much something is worth

**Phrasal verbs**: conventional collocations used in this type of English and do not have to be replaced with Latin-based verbs when writing in formal style.

* break up – split into smaller parts (synonym: split up)
* draw up – write something that needs careful planning (synonym: draft (very formal), less formal: write)
* call in – request the return of something (ex.: Bank has asked for its money back)
* cover up – try hard to stop people finding out about something (synonym: hide, high level: conceal)
* put forward – suggest an idea or plan (synonym: presented, suggested)
* account for – explain how or why something happened (unable to account: unable to explain)
* pass up – decide not to take advantage of an opportunity
* set forth – state something clearly (synonym: stated (formal), less formal: described, explained)
* opt out of – choose not to take part in something (remove themselves/their name from contract)
* wind down – bring a business or activity gradually to an end (synonym: concluding, resolve, settle)
* To set out Terms and Conditions in a document (aufführen)
* The filled-in form (more formal: the completed form)
* I hope that you get back to me (more formal: respond to me, I am hoping for a response)
* I am writing to let you know that … (more formal: to inform, notify)
* I am pleased to send you back … (more formal: return)
* I was promised that the case would be looked into. (more formal: investigated)

**Tone of legal letters:**

* professional neutrality
* avoid pompous (prunkvoll), obscure (verschleiert) language
* avoid language that is too informal or colloquial (umgangssprachlich)
* not personal
* avoid hint of personal animosity (Feindseligkeit)
* lawyer must ensure basic standards of professional courtesy (Höflichkeit) are adhered to (eingehalten)
* avoid: contractions (we weren’t able to help him), slang (the builder completely botched the job), proverbs, idioms (prices have gone through the roof), throwaway informality (it’s all sorted now)

**Memoranda**:

* internal communication that advise or inform staff of new policies, procedures, events or decisions. They are **usually quite formal or impersonal** in style. They may be put on a noticeboard for everyone to see or circulated in internal mail.

A memo should state at the top of the first page:

* the person(s) to whom it is addressed
* the person who wrote the memo
* the date
* the subject

The typical memo might be structured as follows:

* appropriate title
* first paragraph for background
* body explaining what is going to happen, why/when it is going to happen, how it will affect people, who will be affected
* what should be done by anyone affected
* where they should go for information and/or how to communicate comments or complaint

**Formal style Everyday lexis**

|  |  |
| --- | --- |
| Comply with the law | obey (high level), follow the law |
| Contravene the law | disobey, break the law |
| Recover the funds | get (recover) ~~pay~~ the money back |
| Refrain from disturbing someone | stop, don’t disturb, resist disturbing someone |
| Resolve a dispute | settle (formal), end (less f.) an argument |
| Draft a letter | write a letter |
| Bequeath something to someone | leave something to someone |
| Practise as a solicitor | work as a solicitor |
| Transfer ownership of something | hand over, sell, buy, give somebody something |
| Pay damages | pay compensation, costs (Schadenersatz) |

**Letters: Informal vs. formal**

**Informal**

|  |
| --- |
| Dear Mr Jones  It was nice to talk to you yesterday. I’d just like to confirm two things about the contract.  If there’s an argument, both sides have said they will tell the arbitrators about it. They should then be able to sort things out. If not, the contract is regulated by Swiss law and it’s the Zurich courts who are in charge.  I think that’s it for now. Can you send me the signatures I asked for a.s.a.p. and I can then send them on to Hitchens plc.  I hope we’ll be through with this by the end of the month.  See you, |

**Formal**

|  |
| --- |
| Dear Mr Jones  Contract between X and Y  Further (continuing conversation), referring to our conversation yesterday, I am writing to confirm two matters regarding, concerning the contract.  In the event of a dispute, the parties have agreed to refer (matter has already been referred to) the matter to the arbitrators named in the contract. A solution to any disagreement should be found here. If this is not the case, the contract is governed by Swiss law, and the parties have expressly chosen Zurich as the place of jurisdiction.  There are no other matters, issues, concerns that need to be dealt with at this point. If you could send me signed copies of the contract in the next few days, I will be able to forward them to Hitchens plc.  I hope we will be able to resolve, settle, conclude (more formal) this matter by the end of the month.  Yours sincerely (we know persons name) |

**Assignment 3**: Mediating a legal text so friend understands it

* don’t be too general (be held responsible for anything)
* section with links still a bit too formal

**Session 4: Features of legal English**

**Lexical features:**

* **Legal and technical terms**: like any specialized area, legal English employs a great deal of terminology that has a technical meaning and is not generally familiar to the lay person (e.g. *provisions, liability, binding (obliged to something)*, *without prejudice to, waiver*). (agents, principals)
* **French loanwords**: following the Norman invasion of England in 1066, French was the official language of legal proceedings in England for a period of nearly 300 years. Consequently, many words in common use in modern legal English are derived from French. These include *property, estate, chattel (bewegliche Sache, Mobiliar), lease, executor,* and *tenant*.
* **Familiar terms with a different meaning**: some of the technical terms that are used in legal English look familiar to speakers of English (e.g. tender (meat, make offer of goods or services), furnish (möblieren, legally: provide), harmless (person will not prosecute, like a waiver)) but have a special meaning in the legal domain.
* **Supernyms and hyponyms**: Crystal (1995) points out, most laws contain generic nouns (e.g. vehicle, person) to show that law’s general applicability. However, laws often list specific items (e.g. listing types of vehicles and adding *bicycle* to the list, if relevant) to reduce uncertainty about whether the law applies in a particular case). (red: scarlet, vermilion and crimson, wine and strawberry)
* **Latin words and abbreviations**: during the period mentioned above, Latin remained the language of formal records and statutes. The influence of Latin can be seen in a number of words and phrases which remain in current use in legal writing and especially in many abbreviations used in legal texts. (a priori (known beforehand, affidavit (witnessed, signed statement), bona fide (genuine, gutgläubig), per se (by itself), quid pro quo (a favour in return for something), in camera (in private), inter alia (among other things))
* **Pairs of words with reciprocal relationships and conventionalized terms for agents instead of using names**. Legal English contains a large number of designations and titles, such as *employer* / *employee*, *lessor / lessee* or *appellant / appellee\* (to appeal)* in which the reciprocal and opposite nature of the relationship is indicated by the use of alternative endings (such as with *-er, -or,* and *-ee*). This practice derives from Latin. (done = Empfänger, recipient)
* **Doublets and triplets**: two or three words with similar or identical meanings (e.g. *false and untrue*). Charrow et al. (1995) explain that there is a historical reason for this. One of the two terms is usually Anglo-Saxon and the other comes from Norman French, with its Latin roots. In the Middle Ages, English common law had to deal with English-speaking farmers and French-speaking aristocrats, perhaps making doublets like these necessary. Examples given by Charrow et al. (1995), Garner (1991) and Brown and Rice (2007) include: (terms and conditions, in any way, shape or form)

*each and every build, erect or construct*

*aid and abet dispute, controversy or claim*

*order and direct alienate, transfer and convey*

*null and void fails, refrains, or refuse*

*\* Appellant is person who lost case and makes appeal against case/decision, appeal is made against the appellee.*

*Tripling: three words but triplet have same meaning but tripling just a pair of three (cool, dark, handsome)*

**Grammatical and syntactic features:**

* passive voice
* nominalizations instead of active verbs (e.g. *application, modification, revocation*) (in existence, in conjunction (conjoin, to conjunct))
* archaic deictic markers (*the same, the said, the aforementioned)* used as determiners or pronouns. The use of prepositional compounds with "here" and "there" for plain English "this" and "that" is also common in legal English. Some examples:

*now it is* ***hereby*** *agreed … (as a result of this statement or document)*

*you will find in the documents* ***herewith*** *attached … (with this document)*

*by referring to the points mentioned* ***therein*** *… (in that document)*

*and for a period of 12 months* ***thereafter*** *… (after that event)*

* modal verbs: *shall* is still often perceived to be stronger than *will* in legal documents, where it is used to establish a legal obligation, although many legal writers now prefer to use *must* when obligation is intended.

Syntactic features include:

* Major, declarative sentences
* Long, complex sentences with intricate co-ordination and subordination
* Syntactic discontinuities that interrupt the natural flow of the sentences by inserting added information (many inserted clauses, a lot of hedging)
* Long lists

**Non-linguistic features:**

* capitalization: capitalization of the initial letter is often used to signal specially defined or key words; full capitalization is also used to **emphasize** particular terms
* Layout: White space between sections, wide margins around the text and appropriate spacing. Use properly indented lists where appropriate.
* Listing structures: clear sections, subsections and lists with different levels (numeric and alphabetic) are distinctive features of legal English.

**Self-study session: Crisis communication**

Organisational status updates:

| **Information type/response strategy** | **Example** |
| --- | --- |
| Instructing information | A Retailer posted, “If you have any of these products at home, we’d encourage you to bring them back for a full refund”. |
| Adjusting information | A Bank posted, “Today our Springwood Branch will be open until 4.00pm to assist our customers affected by the bushfires in New South Wales. #nswfires”. |
| Internalising information | A Bank posted, “To help, we’re donating $75k to the Australian Red Cross NSW Disaster Relief & Recovery”. |
| Denial | A Car Company posted, “We want to reassure you that we’ll continue to offer a full range of vehicles in Australia and our customers will experience no difference in the way they purchase or service their [CarCo] vehicles”. |
| Scapegoating | A Retailer posted, “We […] have already indicated our intention to sign. However, we are currently awaiting information from the Accord Working Group on its proposed implementation”. |
| Excusing | A Food Company posted, “The decision to withdraw our letter related to our sensitivity to being labelled a “bully” and as a bigger company endeavouring to treat a small business unfairly. That was not our intent”. |
| Compensation | A Telecom Company posted, “We have announced that an interim compensation payment process for small business customers”. |
| **Apology** | An Airline posted, “Once again we apologise for the inconvenience and frustration our customers have faced over the past few days. Thank you for your patience”. |
| Reminding | A Food Company posted, “FoodCo1 unequivocally condemns discrimination of any type and has a proud history as one of the world’s leading employers for diversity”. |
| Ingratiation | A Transport Company posted, “We have additional staff in place to help with this disruption. Thanks to all for your patience”. |
| Victimage | An Airline posted, “Brisbane Flooding Affects AirlineCo1 Head Office”. |

**Session 5: Employment contracts**

Functions of contractual language:

Conditions:

* when something **must** be done before something else **may** be done e.g. the consent of x must be obtained before the terms of this contract may be implemented
* when the performance of one obligation is linked to the performance of another. In such cases, phrases like **provided that, on condition that, subject to** are often used

Obligations

* **will** refers to the future; **shall** or **must** refer to obligations

Authorisations

* Situations in which someone is allowed to do something but is not obliged to do that thing. Expressed by **may** or **is entitled to**

Limitations

* Could be of many different types, but temporal is the most common. Frequently used are **no later than, within, until** and **by (only)**

Types of clauses:

1. jurisdiction specifies which legal system applies to the contract
2. confidentiality allows one or both parties to protect the secrecy of sensitive information
3. consultation stipulates that one party must consult with another before taking certain actions
4. appointment one party appoints (beauftragen) another party to carry out specified tasks
5. of the essence describes a term that, if breached (Verstoss) by one party, will allow the other party to terminate the contract
6. disclaimer used by a party in order to avoid responsibility for a particular fact or situation (Haftungsausschluss)
7. warranties statements of fact that the person giving the warranty asserts to be true and which, if breached, will lead to the other party being entitled to claim damages
8. waiver a situation in which one party agrees not to insist on the exact performance by the other party of obligations contained in the contract
9. consent relates to agreements about obtaining various consents for the contract to proceed
10. force majeure relates to the definition of circumstances in which performance may be excused (Höhere Gewalt, unforeseeable circumstances that prevent someone from fulfilling a contract)

An **employment contract** may contain the following:

* the date from which it takes effect and to who it applies;
* your job title;
* the name of your department and manager;
* your main duties;
* how your department relates to other departments;
* your place(s) of work;
* your salary details, including a 13th month's salary and any agreed increases;
* confidentiality clauses and restrictions on private work;
* information about membership of a compulsory health fund (if applicable);
* medical examination requirement (if applicable);
* a **clause stating that the contract is subject to a residence permit** or permission to change jobs being granted by the **cantonal authorities**;
* details of probationary and notice periods.
* Avoid ambiguity and sexism!

**Session 6: Letter of application**

Fixed phrases:

* I write to apply for the position of full-time English-German translator that you advertised in the European Media Magazine on 4 September.
* As you or can see from my enclosed CV, …
* For the last three years I have been working as…
* My work involves… a wide range of fields…
* I have/mastered all the necessary… and have received training in… but I also have experience in meeting extremely strict/tight deadlines.
* I am very interested in the kind of work which your company performs…
* It is for this reason that I would welcome the opportunity of developing my career in your company and am convinced that I could make an invaluable contribution to the work you are engaged in at present.
* I am available for interview at any time and look forward to hearing from you soon.
* Yours sincerely,
* *“I’ve built up a lot of financial expertise over the last ten years.”*
* *“My last job gave me the opportunity to increase my management skills considerably.”*
* *“I enjoy motivating people and helping them to achieve their goals.”*

Power words / formulations

* Came up with: Developed, devised, instigated, initiated
* Put management proposals into practice: Implemented, executed
* Gave tasks to: Assigned
* Looked into: Examined, investigated
* Saw where there were problems: Identified, diagnosed

Writing a personal profile

* Written in third person
* ‘A versatile, quick-thinking personal assistant looking for the opportunity to make use of an arts degree in the field of publishing’
* ‘An outgoing, innovative advertising student with strong copywriting skills and passion for fashion.’
* ‘A well-organised, reliable administrative assistant and secretary with extensive knowledge of good office practice, and wealth of experience gained in both small and large companies. Hardworking and trustworthy, with the ability to cope with pressure.’

**Session 7: Mission statements**

* goals and values of company
* usually at beginning of annual reports
* use them in variety of publications and online resources

Exemple of definition of a mission statement written in a mission statement style (features):

*This short, organizational profile gives readers a succinct, often eloquent description of what the organization is, how long it has existed, its* ***mission and values****, and how it carries out its mission. It is here that powerful, persuasive prose can be a potent weapon for engaging readers’ sympathies and encouraging them to reach for their checkbooks.*

**Features of mission statements:**

**Linguistic features:**

* Dynamic and powerful words and verbs (to save, inspire, fights, works, engage, achieve)
* Appreciatory lexis (reverence, humane, inspire)
* Emphatic lexis (a world of life, everywhere)
* Comparative/superlative forms (broadest, smallest, wealthier, more efficient and sustainable)
* Rhyme (seek, speak)
* Abstract nouns to convey high ideals (health, environments, development) where values come in
* Repetition of lexical units (**we** seek to) and words (customers: appealing to them, appellative style)
* Expressing purpose (seek to)
* Recurrence of we (indicates identification with company, personalising company and connecting it to reader)

**Stylistic features:**

* Lists (last part of sentence, bullet points)
* Repetition of structure (we seek, we aim, we believe, parallelism, headings)
* Parallelism (relative clauses)
* Consistent use of **present tense**
* Tripling i. e. list of three things (talents, knowledge and passion = 3 different things which go together, triplet: mean same thing)
* Purpose (we seek, aim, role is to …)
* Cohesive layout features (italics to emphasise words, bold print, lists, bullet points, headings, colours and capital letters)

**Examples:**

1. **Oxfam**: To create lasting solutions to poverty, hunger, and social injustice.
2. **CARE**: To serve individuals and families in the poorest communities in the world.
3. **The Nature Conservancy**: To conserve the lands and waters on which all life depends.
4. **American Heart Association**: To build healthier lives, free of cardiovascular diseases and stroke.
5. **ASPCA**: To provide effective means for the prevention of cruelty to animals throughout the United States.
6. **Monterey Bay Aquarium**: The mission of the non-profit Monterey Bay Aquarium is to inspire conservation of the oceans.
7. **Amnesty International**: To undertake research and action focused on preventing and ending grave abuses of these rights.
8. **American Diabetes Association**: To prevent and cure diabetes and to improve the lives of all people affected by diabetes.
9. **Cleveland Clinic**: To provide better care of the sick, investigation into their problems, and further education of those who serve.
10. **National Parks Conservation Association**: to protect and enhance America’s National Park System for present and future generations.
11. **Save the Children**: To inspire breakthroughs in the way the world treats children and to achieve immediate and lasting change in their lives.
12. **AARP**: To enhance quality of life for all as we age. We lead positive social change and deliver value to members through information, advocacy and service.
13. **American Red Cross**prevents and alleviates human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors.
14. **Audubon**: To conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth’s biological diversity.

**Session 8: presupposition and advertising**

Presupposition

* Implicit assumption about the world or background belief
* Presupposition in advertising

|  |  |  |
| --- | --- | --- |
| **Example** | **Presupposition** | **Trigger** |
| *The Queen of England is old.* | → There is a unique queen of England. | definite description |
| *The company regrets any inconvenience caused by this product recall.* | → There was a recall of products. | factive verbs or adjectives |
| *We managed to limit the losses to 2% of last year’s budget.* | → We tried to limit the losses (and were successful).  (assumption around it) | implicative verbs |
| *The company ceased production of lampshades this year.* | → The company used to produce lampshades. | change of state verbs |
| *The CEO addressed the shareholders again.* | → The CEO had addressed the shareholders previously. | iterative |
| *When the two companies merged, a new CEO was appointed.* | → The two companies merged. | temporal clauses |
| *It was the food department that achieved its targets.* | → Only one department achieved its targets.  (was + noun phrase and relative clause) | syntactic structures (e.g. cleft/ pseudo-cleft constructions) |
| *I have as much money as you have.* | → You have money. | comparisons and contrasts |
| *If the market had recovered, the results would not have been so disappointing.* | → The market did not recover. | counterfactual conditionals |

Advertisements

* **Appeals on the linguistic and phonological lexis**
* Lexis, syntax, style and a variety of specific rhetorical features, e.g. different types of repetition, can be used to create a range of effects. Specifically,
  + Emotive language (biased language with associated meanings)
  + Abstract words (words that invest the product with significance beyond themselves)
  + Catchy phrases (language to attract your attention)
  + Poetic, glamourised or euphemistic language (flowing language that lulls or hypnotises you)
  + The imperative mood (orders you to act)
  + Use of the second person form (you are made to feel special)
  + Abuse of language (dishonest use of language)
  + Frequent use of adjectives (especially superlative forms)
  + Repetition (to fix the product in the consumer’s mind)
  + Neologisms (new words e.g. chewy, tangy)
* Sound patterning (alliteration (Pick up a Penguin), rhyme (Grace, Space, Page) and phoneme substitution (consonance, Beanz meanz Heinz)) to create hook lines and slogans that are catchy and memorable. Onomatopoeia (Snack! Crackie! Pop!) and sound symbolism (e.g. plosives to express crunchy sounds) are also exploited in written ads.
* **Appels on the visual and graphological level**
* Graphological/non-linguistic features such as the use of white space, borders, frames, boxes, font features and different typefaces can also create a particular mood or effect. Other visual features are:
  + The use of colour
  + Direct gaze (particularly used with celebrities that endorse a product)
  + Body language (e.g. power poses)
  + Composition (arrangement of visual elements)
  + Focal point (Fokus)
  + Symbolism (to represent ideals for us)
* **Appeals on the cultural level**
* Intertextuality

Humour and puns in advertising

* Play on words
* A pun is a **foregrounded lexical ambiguity** involving the use of (1) a polysemous word to suggest two or more meanings (commonly literal v. figurative) or (2) the use of homonyms, i.e. different words which look or sound the same but have different meanings.

**Session 9: Letter to shareholders**

* Letter included in annual report

Annual report giving companies the chance to present themselves in their best light and promote themselves and their activities, the annual reports allow companies to explain, rationalise or justify any news, events or developments that may have negatively influenced their financial results.

|  |  |
| --- | --- |
| Adapted RECON model for shareholders’ letters (Skulstad 1996: 47) | |
| **Move 1** | **Establishing relationships** |
| Step A | Salutation |
| Step B | Providing the background for the present scene |
| Step C | Summary of some important aspects of the past year(s) |
| Step D | Providing figures of the company performance |
|  |  |
| **Move 2** | **Maintaining confidence** |
| Step A | Projecting the future |
|  | By |
| A(i) | announcing corporate strategies, policies and objectives and/or |
| A (ii) | predicting the future/looking ahead |
| Step B | Signalling honesty |
| Step C | Providing reassurance |
|  |  |
| **Move 3** | **Reinforcing the relationships** |
| Step A | Reviewing board changes (if any) |
| Step B | Acknowledge credit to management and employees |
| Step C | Closing statement of reassurance |
| Step D | Signature |

**Styles:**

Appreciatory: outstanding, invaluable

Formal: precise, formal vocabulary (thus, therefore): distinguished; passive voice: were reported, has been appointed; careful punctuation: colon, semi-colon

Technical: executive committee, Officers of the Association

Comparative: more important, at the same time as, most valuable, develop further

**Text types:**

Argumentative:

* Present tense: all text
* Claim + justification: new priorities due to changing world for associations
* Modal verb: should
* Quality-attributing adjective: unique, invaluable (persuasive feature)
* Abstract lexis: academic environments, information channels
* Logical connectors (thus)
* Comparative style (more important)

Expository:

* Logical connections e.g. background on associations leading to priority for EG; use of ‘therefore’
* Listing structures: names of people
* Connective adverbials: *therefore, thus*
* Change verbs: *take up, increase, commence*
* Metaphor for explanation: getting me up to speed, following in the footsteps

**Functions:**

Informative: information and facts concerning the company’s performance and appointments

Appellative: Relation between writer and reader: *more interpretation than actually written 🡪 Shareholders, keep staying with us! / Potential Shareholders, join us!* Also, direct address: *many of you*

Phatic: maintain contact with readership and standard phrases: *Dear Eurographic members; Sincerely,* Anders Ynnerman

**Session 10: Press release**

* Information to the press (journalists) in the hope of obtaining positive, free publicity. Also general public.
* A compelling headline (attracts interest, compelling **and** informative)
* Dateline: date and city of origin of the release
* Introduction: a first paragraph that covers the five W's: **who, what, where, when and why** (maybe not all of them, but a good number of them)
* Body: further details, statistics, background (actual news)
* Boilerplate: a short paragraph containing background information about the company. This is issued with all press releases of that company.
* A quotation from a key player (change in perspective)
* Source: the company or organization issuing the release (Source: Public relations …)
* Media contact information: name, phone number and email address of the media relations contact who can answer any questions about the release

**Examples dateline:**

SAN JOSE, Calif., January 30, 2006 - Starting February…

SPRING VALLEY, CA (PRWEB) JANUARY 10, 2010

**Example boilerplate:**

**About TV Ears**  
TV Ears is acknowledged by Inc. 5000 as one of the Fastest Growing Companies in America and continues a pattern of consistent growth with innovative quality products and an increasingly loyal and expanding base of satisfied customers. For more information, visit [http://www.TVEars.com](http://www.tvears.com/)

Doctor Recommended. Since 1998 TV Ears® has been helping people hear TV with over 500,000 satisfied users. Backed by the recommendation of thousands of Audiologist and Doctors nationwide, TV Ears has become the #1 selling brand for wireless TV listening devices.

**Sometimes media contact and source is missing but other things make it clear that company is source of info, such as:**

* Additional information about XXX + website
* About XXX + website

**Peripherical features of press release**

* Explicit declaration that it is a press release
* Company logo
* Company description
* Contact details
* Found on website in press section tells us that it is PR, even if it looks like news article
* It is promoting the company (combining news reporting (informative) and self-promotion (appellative, persuasive))

**Types of press releases**

* **General news:**  announce a general news item to create interest and earn exposure for the company or organization issuing the release.
  + “ABC Company Wins Customer Service Award Three Years in a Row.”
* **Launch:**  create buzz around the launch of a company, website, campaign or initiative.
  + “The Launch of ABC Company’s Campaign for Education Coincides with National Teacher’s Day.”
* **Product:**  give details and specs for a new product, and accompany with photos whenever possible.  A product press release can also relate to a product recall, or a new or upgraded product version.
  + “New Software Application by ABC Company Available in August.”
* **Executive or staff announcement:**  announce staff changes, especially in upper management or at the executive level, and include biographical information and photos.
  + “Vice President of Operations Named at ABC Company.”
* **Expert positioning:**  showcase a company or organization’s individuals as go-to experts for the media.  Or focus on a report, statistics or results to show expertise of the company as a whole on certain topics or industry trends.
  + “ABC Company’s Vice President of Operations, Abby Brown, Talks Logistics within the Ever-Changing Software World.”
* **Event:**  outline the who, what, when, where and why of an event with the goal that the media will talk about it and/or attend themselves
  + “ABC Company’s Annual Golf Tournament for Local Schools to Take Place on Friday, June 7.”
* **Here are some other press release types**: local human interest stories, problem-solving tips, community events, tradeshow and conference attendance, feature stories, people profiles and book reviews.

**Session 11: Data commentaries**

* **location** element(s) and/or summary statement(s)
* **highlighting** statement(s)
* **concluding** statement(s) (e.g. explanations, implications, problems, exceptions, recommendations, etc.)
* Graphs
* Pie charts
* Bar charts
* Diagrams
* Tables
* **Axis**: x and y axis, vertical and horizontal axis

**Location elements**

**Indicative** (indicate where data is located, stating general statement)

* + Table 5 shows the most common sources of computer viruses.

**Informative** (to explain the significance of the data, gives an explanation or summary/overview for the significance)

* + Table 5 shows that e-mail attachments are the most common source of computer viruses.
* Mostly have a transitive verb followed by a SCl (*that*-clause or *wh*-clause)
  + ***show, illustrate, reveal, demonstrate, indicate, suggest***
* or adverb clauses beginning with ***as*** that function as conjunct adverbials
  + As can be seen in Figure 4, earnings have decreased.
  + As explained in the section above, the companies selling…

**Example of location statement**

This bar chart illustrates the sales of ice cream over a period of one week. The vertical axis shows the sales in dollars and the horizontal axis divides the week into individual days.

**Highlighting statements**

* generalizations that can be made from the data that are shown
* require that you can spot **trends or regularities** in the data and use verbs that indicate movement and development (and **exceptions**)
* require that you can separate **more important information from less important information** and use expressions that express comparisons
* require that you can make claims of appropriate strength and use **hedging devices**

|  |  |
| --- | --- |
| **Hedge type** | Examples |
| Modal auxiliary verbs | *may, might, can, could, should, would* |
| “Tentative” verbs | *seem, appear, believe, assume, suggest, estimate, tend, think, argue, indicate, propose, speculate* |
| Adjectives | *possible, probable, likely* |
| Adverbs | *perhaps, possibly, probably, practically, likely, presumably, virtually, apparently* |
| “Cautious” nouns | *assumption, claim, possibility, estimate, suggestion* |
| Qualifiers | *approximately, roughly, about, often, occasionally, generally, usually, somewhat, somehow* |
| Personal point of view | *I believe, to our knowledge, in our view, we feel* |
| “If” phrases and clauses | *if true, if this is the case* |

**Describe change**

* go up increase, rise
* go down decrease/drop, fall
* go up a lot spike/shoot up, take off
* go down a lot plummer/plunge, slump, (sink = not a lot)
* go up, down, up, down fluctuate
* go down and then up recover, pick up
* go up and then flat stabilise, stagnate (negative connotation), level out/off
* not change remain steady/stable
* reach highest point peak
* reach lowest point hit a low

**Adjectives**

* **Small**: slight, minimal, gradual
* **Big**: marked, dramatic, steep, significant, sharp, sudden, rapid
* **Fast**: sudden, rapid, sharp, steep
* **Slow**: gradual

**Prepositions**

* Oil prices increased **by** 10% in the 1970s.
* There was an increase **of** 10% in the 1970s.
* There was a 10% increase **in** oil prices in the 1970s.
* The price per barrel increased **by/to** $50 in the 1970s.

**Highlight relationships**

* Between X and Y, … more than **doubled**.
* Over the next ten years, X may **decrease**/is **expected to fall**.
* Over the last 20 years, X has **almost tripled**/**increased significantly**.
* Over the last 20 years, X has **fluctuated**/**gradually dropped**/**decreased** **by** 3%.
* Since 2001, X figures have **increased slightly**.

**Example of highlighting statement**

It can be seen form the chart that Thursday and Sunday are the two most profitable days with sales reaching a peak of $500 on a Sunday. Wednesday is by far the least profitable day with sales of only $100.

**Concluding statements**

* requires you to discuss, explain or suggest the implications of the data you have just highlighted
* use hedging devices if necessary, to vary the strength of claims made while discussing results
  + **Tentative verbs**: *this suggests/indicates/appears to be…*
  + **Modal auxiliaries**: *this will/may/might/could result in…*
  + **Adjectives**: *there is a strong possibility/a slight possibility/little possibility that…*
  + **Adverbs**: *this is almost certainly/probably/possibly due to…*
  + **Qualifiers**: *adults tend to/a majority of adults/in most parts of the world, adults…*

**Claims (weakest to strongest)**

* might have been a small factor in
* may have contributed to
* contributed to
* was one of the causes of
* was probably a major cause of
* caused

**Example of concluding statement**

Family outing probably contribute to the peak on a Sunday. More effort needs to be made on Wednesdays to advertise ice creams in order to avoid such a slump in sales.