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Independent College Dublin
Masters of Arts in Dispute Resolution

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What are the main challenges and conflicts faced by immigrants in the Irish labour market? Has
Mediation been seen as a useful tool to solve such conflicts?

Dissertation presented to the Masters of
Arts in Dispute Resolution at
Independent College Dublin as a partial
requirement for obtaining a Master's
degree in Dispute Resolution.

Dublin
May/2021

Table of Contents:

LIST OF ABBREVIATIONS	4
LIST OF TABLES	4
Acknowledgements	5
Abstract	6
1. INTRODUCTION	7
2. LITERATURE REVIEW	7
2.1. A brief history of Irish economic development.....	7
2.2. The immigrant's insertion in the Irish labour market.	9
2.3. Challenges and conflicts faced by immigrants in the Irish labour market	11
2.4. Benefits of using Alternative Dispute Resolution and Mediation as a fundamental tool for resolving conflicts in the workplace.	17
2.4.1. Employers can take proactive steps to avoid conflict in the workplace.....	17
2.4.2. A brief introduction to the different types of Alternative Dispute Resolution (ADR)	19
2.4.3. Mediation as Alternative Dispute Resolution (ADR)	23
2.5. Workplace Meditation.....	27
3. METHODOLOGY AND RESEARCH DESIGN	30
3.1. Overview	30
3.2. Research Philosophy and Approach	30
3.3. Population and Sample	31
4. DATA COLLECTION	35
4.1. Data Collection Strategy	35
4.2. Presentation of the data	37
4.3. Strengths and Weaknesses	44
5. DATA ANALYSIS / FINDINGS	45
6. CONCLUSION / DISCUSSIONS	47
7. BIBLIOGRAPHY	51
8. APPENDICE	58
8.1. Applied Questionnaire	58

LIST OF ABBREVIATIONS

ADR – Alternative Dispute Resolution

MII – Mediation Institute of Ireland

OECD - Organisation for economic co-operation and development.

LIST OF TABLES

Table 1 - Usually resident one year immigrants aged 15 years and over, economic status by nationality, 2016.....9

Table 2 - Top 10 Countries of Birth, 2016.....10

Acknowledgements

In the first place, I would like to thank Jesus. He was and is with me all the time, and He is supporting me with patience, wisdom and fabulous people to help me at these difficult times.

Then I thank my Mom (Agnilda Brigido da Costa) for supporting me in prayer to finish this dissertation and all the stages of my life that brought me here. This achievement is yours too.

Finally, I could not forget my brothers Aercio and Cristiano for always encouraging me and my best friends, who have helped me so much that I cannot express this in words. Marcelo, Priscila, Nathalia, Pilade, Camila, Diego, Maisa, Ana Carolina, Gustavo, Kamila and Diego, you all guys are awesome.

Abstract

Although this research will approach some conflicts faced by immigrants in the Irish workplace and how Mediation as an Alternative Dispute Resolution can be an essential support to solve disputes in the workplace. The Irish labour market has excellent opportunities for immigrants to get here, and immigrants are already a necessary raw material for developing the economy in the country. There are important laws that guarantee equal access to work for these immigrants, as far as for the Irish.

The methodology used to achieve better the objectives established for this project is based on the research method called research onion, the type of study applied in this investigation is the quantitative research method, usually associated with a positivist philosophy and a deductive approach, and the research strategy used was the online questionnaire.

This study suggests that currently, the conflict resolution system in the workplace does not offer the same opportunities for immigrants as it does for Irish people, and also suggests that Mediation is the best option for resolving conflicts faced by immigrants in the workplace.

What are the main challenges and conflicts faced by immigrants in the Irish labour market? Has Mediation been seen as a useful tool to solve such conflicts?

1. INTRODUCTION

During the author's personal experience who lives in Dublin, the problems that motivated this Dissertation began to be formed. Upon being inserted in the Brazilian immigrant community in Dublin, and experiencing recurrent situations in the various work environments in which she was, a series of problems that had not yet been experienced came to the fore and, with them, many questions began to form: Why that there are so many immigrants in Dublin? What is the insertion of immigrant workers in the Irish labour market? Are conflicts in the workplace resulting from cultural differences faced? How are they addressed? Is Mediation presented to workers in their work environment, and has it been a valuable tool in resolving such conflicts? In the construction of the analysis of the problems, we sought to work with the complexity of the processes involved in the spatial mobility of work.

2. LITERATURE REVIEW

2.1. A brief history of Irish economic development

At the end of the 20th century, the socioeconomic issues related to immigration in Ireland were configured in a time frame of transformations. Ireland, which has typically been known for "exporting" labour, began to receive an increasing flow of immigrants, mainly from the 1990s (Breathnach, 1998). Through the economic development that started to bear fruit in this decade, Ireland started to attract foreign and multinational capital and immigrants worldwide. In a considerable short period, several phases of immigration took place in the territory, encompassing different nationalities, different political transformations, and selectivity of the border. Here are the

first primary research questions: What transformations occur in this territory for its substantial economic, social growth, and population transformation? Who are the migrant subjects participating in this historical moment, especially those focused on the Irish labour market? How is the reception of these workers on the Irish labour market? Are there any conflicts due to cultural differences within working spaces? What are these main conflicts? What are the resources raised for the resolution of such conflicts? Is Mediation presented to workers as an effective measure for resolving possible conflicts? If so, does Mediation become effective?

Ireland, in the past, was considered an impoverished country and characterised by being the marginal economy of Europe. Even before the great famine of 1840, in which there were more than a million deaths and the population was reduced by half, the country was already economically fragile and suffered from emigration. After the Second World War, while a good part of the leading European countries already accepted union and community and commercial expansion ideas, Ireland remained stagnant. It generated an emigration flow (Breathnach, 1998).

These situations began to change in the 1960s when the first signs of economic openness and acceptance of foreign capital appeared. In 1973 Ireland joined the European community (Breathnach, 1998). However, this fact it did not bring about, in principle, relevant changes for the country at the beginning of integration. It took years of adjustment to European Union law.

Thus, there was not only one crucial factor for Ireland to become a major economy that we face today. Among the main reasons we can cite the entry into the European economic market, as previously mentioned; opening up to new business partners; some social agreements, such as decreasing wages in exchange for tax cuts, decreasing public spending; the deregulation of some critical sectors of the economy, such as telecommunications and the airline industry; incentives for new industries to come to the country; demographic growth with the ability to create new jobs, among others (Breathnach, 1998).

2.2. The immigrant's insertion in the Irish labour market.

In this context of economic growth and positive prospects for the growing and promising future of the Irish labour market, immigrants emerge as important allies concerning the human resources needed to leverage this growth, also bringing financial resources to the country. Mainly, since the 1990s, the number of immigrants has grown. These people have a significant role in the context of the Irish labour market, as these citizens compose significant statistics of the country and represent a good part of their workforce (Breathnach, 1998). Therefore, this is one of the arguments capable of demonstrating the importance immigrants play in Ireland, especially in their labour market.

Table 1. Usually resident one year immigrants aged 15 years and over, economic status by nationality, 2016:

	Number of Immigrants	At work	Unemployed (incl looking for first regular job)	Students	Looking after home/family	Others (incl retired)
Irish	24.768	15.227	3.799	2.584	1.198	1.960
Non-Irish	47.651	25.866	6.269	10.472	2.780	2.264
<i>of which</i>						
UK	4.917	2.814	662	305	356	780
Brazilian	4.499	1.423	593	2.370	86	27
Polish	3.427	2.579	436	141	202	69
Spanish	2.637	1.646	295	572	106	18
Romanian	2.534	1.875	363	69	174	53
French	2.412	1.408	136	774	65	29
Indian	2.185	1.043	306	539	252	45
Italian	2.097	1.479	234	313	47	24
German	1.386	869	41	335	53	88
Other non-Irish	21.557	10.730	3.203	5.054	1.439	1.131

Source: Census of Population 2016 - <https://www.cso.ie/en/releasesandpublications/ep/p-cp11eoi/cp11eoi/lfnmfl/>

According to the Irish Census in 2016, more than 82,000 people arrived to live in Ireland, and of that group, more than 72,000 were over 15 years old. Also, according to these data, a little more than 24,000 of these people were Irish, and more than 47,000 people were non-Irish. We can also observe that there are a large number of international students who have arrived in the country and these are also absorbed by the Irish labour market, as they are legally allowed to work 20 hours a

week under Irish immigration laws.

Therefore, it is noted that a large part of the composition of the labour force inserted in the Irish labour market is made up of immigrants. And not only in Ireland, since in most countries that make up the European Union, but they also represent more than 10 per cent of the population, that is, they make a significant contribution to the workforce in that region (Cross and Turner, 2015). Thus, it remains for us now to know what treatment is given to these workers, what conflicts they face most frequently in their work environment, and whether Mediation has been a helpful tool to resolve such conflicts.

Table 2. Top 10 Countries of Birth, 2016:

Country of birth	Freq.	Percent of all migrant respondents
UK*	203,480	27.5%
Poland	100,227	13.6%
United States	29,010	3.9%
Lithuania	28,329	3.8%
Romania	25,572	3.5%
India	18,048	2.4%
Latvia	16,036	2.2%
Brazil	15,625	2.1%
Germany	14,684	2.0%

Source: Census (2016). All migrants aged 15+ years (McGinnity et al., 2020, p. 19)

Most migrants are born in the UK (just under 28 per cent) and Northern Ireland (seven per cent). A significant share are also born in Poland (just under 14 per cent) and Lithuania (four per cent). Of the countries above, the vast majority are European nations, except for those from Brazil, India and the United States (US) (McGinnity et al., 2020, p. 19)

It is also worth mentioning that one of the main reasons that explain the high rate of immigrants to Ireland is the ease of finding a job. The Irish labour market has a very dynamic characteristic. It encompasses different types of nationalities, different levels of fluency in the language, and many opportunities in several areas, from those considered underemployed to the vacancies requiring a little more qualification.

2.3. Challenges and conflicts faced by immigrants in the Irish labour market

As already noted in the brief summary, Ireland's history was troubled until and after the civil war and always characterised by a poorly developed economy, with an agrarian base, low social quality, and dependence on English industrialisation. However, Ireland's transformation, not just in the economic sphere, surprised the world. Was it really a surprise? What are the reasons for this change? We will engage in an in-depth discussion, with bibliographic bases coming mainly from the economic area. Therefore, we will be as objective as possible, trying to make the necessary connections to proceed. In response to the report by the Economic Survey on Ireland (OECD), Professor McAleese emphasises the problem:

Sir, you are correct to say that the Irish economy is no longer the sick man in Europe (Observer 217/218, 1999). Whereas Ireland's national per capita income has grown by only 1.8 per cent a year for most of the 20th century, in the past six years [since 1993], per capita income has grown by more than 6% per year. Although the transformation of economic performance is relatively recent, the Irish economy is an interesting case study on the link between economic policy and growth. His Economic Survey of Ireland 1998-1999 illustrates how difficult it is for even the most seasoned economists to explain Ireland's turnaround. (McAleese, 1999).

According to the professor, the reason for criticising the OECD report is that the boom reflects a confluence of several factors, and isolating any subset's influence can be problematic. Obviously, as an economist, many factors that the author, as mentioned earlier, refers to are purely economic aspects. Shortly after becoming independent, Ireland, supported by the desire to legitimise its

autonomy, opted for a government of protectionist economic policies. The State took over all the essential supply companies in the country, such as the supply of energy, water, banks, navigation, and social security. Ireland has spent almost three decades stagnating economically. The largest trading partner continued to be the United Kingdom (due to the previous dependency relationship), and the country did not attract investments or international companies. Bradley (1999) adds in 1924 that exports to Britain accounted for 99 per cent of total Irish exports, that number reduced to 93 per cent in 1950.

While the political leaders of the South may have been less assertive and innovative than was desirable, in the absence of a robust industrial sector, there was probably very little that could have been achieved to accelerate southern economic decoupling from Great Britain earlier (Bradley, 1999,).

Since the 1950s, policies have taken other directions due to the economic recession and social dissatisfaction. The author also emphasises the relevant creation of the European Common Market as an influence on the liberal measures adopted, even though Ireland is not yet part of the group. In 58, the Irish Government proposed The First Program for Economic Expansion. In the decade that follows, the program seeks mainly to reduce tariff barriers, liberalise the market and generate jobs (Bradley, 1999).

In 1973, Ireland joined the European Community, this being a landmark in the journey to become the Celtic tiger. These first political, economic, and social changes were significant for the positive balance regarding immigration in Ireland. However, it is essential to note that this period was not only marked by positive changes.

In the same way as the cases of developing countries that were also in crisis at the time, Ireland opted for a neoliberal strategy. However, because of its geographical position, belonging to the European Union, social policy, and official language, it stands out from Latin American cases, for example. Capital needs new spaces to continue to develop and accumulate, especially after the

crisis. Furthermore, it needs other spaces to explore, mainly primary goods. It is the cycle of developed and underdeveloped countries that Smith is referring to. Ireland and some eastern countries are discarded after the 1973 oil crisis. However, other countries that have also adopted the neoliberal model have not achieved the same success. Being part of the EU forced Ireland to conform to an imposed social standard. This standard that only developed countries have, with high levels of education, health, among others. Therefore, changes in the service sectors have also contributed to the country's current prominence on the world stage.

McAleese (1999) highlights another problem in relation to the OECD analysis, the different time delays between policy and outcome. The researcher explains that changes in educational policy, for example, will take years to materialise, while tax cuts will be felt in a short space of time. On this path, the two most frequently pointed out factors are transfers of funds from the European Union and foreign investments (mainly from the USA).

Foreign investment was, together with the variables mentioned above, responsible for economic growth. Ireland, which has been moving towards these investments with the reduction of tax barriers since the 1950s, became highly attractive to international capital at the end of the 1980s. In this vein, Ireland also had other political, social, and economic programs to become the Celtic tiger. The Program for Economic and Social Progress (1991-1993), Program for Competitiveness and Work (1994 - 1997), Partnership 2000 (1998-2000), Program for Prosperity and Fairness (2000-2003), Sustaining Progress (2003-2005) and Towards 2016 (2006-20015) (Irish National Organisation on the Unemployed, 2017).

The country, which was known to export labour, started to receive a growing immigration flow worldwide, starting in the 1990s. Until then, Ireland was legally unprepared and unconcerned with the flow of workers, who came in handy at a time of strong economic growth (Ruhs; Quinn, 2009).

We can consider here, for analysis, some types of immigration:

1- Political economy: It is the one that affects the poorest or least developed countries, the

economically depressed regions, the less privileged social classes. It occurs when severe mismatches occur between a political system and its citizens, usually with physical or ideological confrontation and even the risk of losing their lives.

2- Cultural ethnicity occurs, especially when there is a regrouping of populations forced to separate. An example was when India and Pakistan were constituted as independent states, as there was intense mobility of Hindus for the first and those of Muslim religion for the second. When the match was not previously planned, but some sudden situation generated its need. It covers the case of refugees due to invasions and wars and the victims of significant natural events such as tsunamis and volcanic eruptions, among others.

3- Retirement: Increasing movement in European countries in which the retired population migrates in search of a better quality of life, lower housing costs, milder climates, among others—for example, the growing number of English retirees in Portugal.

The definitions described above are just didactic ways of rationalising the motivations of the various flows of spatial mobility, as the motivations for effecting immigration do not usually have only one reason.

The news about the different flows of contemporary migration is often focused on the primacy of the migrant subject to move or on issues pertinent to the difficulties of one State or another to receive, contain, or control them. However, little is said about the need of the States that receive them from having them since these workers become essential for the functioning of the economic system.

On many occasions, the State that "welcomes" the immigrant is placed as the most significant asset, thus omitting the advantages of this phenomenon for the same, as we will be able to analyse in this study.

The need for labour from various parts of the world, which in the recent past helped to provide Irish economic growth, is now treated as a problem for the Government in terms of population control,

real estate speculation, maintenance of perfect hand surplus, and its social welfare—creating heated debates in the political and legislative scenario of the country. In an attempt to control and direct the mobility of workers to their territory, the laws in Ireland are constantly changing. Therefore, it is essential to emphasise that the processes in this research discussed and analysed are constantly changing at present.

In Ireland, workers are protected from any form of discrimination through Employment Equality Acts (1998-2015). According to these Laws, discrimination occurs when a person is treated less favourably than another because of their gender, economic, cultural, religious, marital status, family status, race, sexual orientation, member of the Traveler Community, and/or receipt of housing assistance.

Racial discrimination is treated here in terms of different races, nationalities, ethnicities, colours, or national origins. In addition, the act also addresses discrimination as it may be direct or indirect: the direct happens when a person is treated inferiorly to another person, and both are in the same circumstances and situations; the indirect occurs when anti-discrimination practices or policies do not address these issues but result in a discriminatory impact (Coughlan, Groarke, Grotti and McGinnity, 2018).

However, although the laws are increasingly moving towards maintaining equality between Irish and non-Irish people in the workplace, there is still a great deal of resistance regarding equal reception with immigrants. Adapting to a second language, customs, and different cultural behaviours, are indeed the main challenges faced by workers in their new work environment. Thus problems concerning particular immigrants groups or more generally almost all migrant groups are accentuated by the lack of familiarity with the host country language (Liddicoat, 2014).

In 2014, the Irish Government reaffirmed its concern with the issue of approaching immigrants in the workplace, which culminated in the publication of the Migrant Integration Strategy 2017-2020 (Department of Justice and Equality, 2017). Such strategies seek to identify what prevents

immigrants from being better integrated into their working environments in Ireland to participate on an equal basis and access the same treatment that Irish natives receive.

The strategy recognises discrimination and racism as significant barriers to integrating immigrants into the work environment. It seeks to combat this type of behaviour through strict legislation, encouraging training within companies and developing appropriate relationships with minority communities over time (Coughlan, Groarke, Grotti and McGinnity, 2018).

Conroy and Brennan (2003) argued that the experiences, good or bad, of immigrants in Ireland in their work environment, varied considerably in relation to the hierarchical position they exercised. For example, a 2004 study of twenty migrant women working in private homes in Ireland found most women were paid cash, without overtime provision, with no contract and workloads which varied considerably (Migrant Rights Center Ireland, 2004). Domestic work is a classic example of a vulnerable sector of work (Andersen, 2000), as bosses often take advantage of the fragility in which immigrants, most often women, find themselves to remove them. Fundamental rights, such as lack of registration, low wages, claiming that "little" English, lack of fluency in the language, are requirements for basic rights not to be fulfilled.

Although we are faced with such situations, research also shows that The EU10 immigrants are adapted to high wages in their countries of origin and have high levels of education compared to the native Irish workforce (Kahanec and Zimmermann, 2010). Moreover, conflicts are often generated as immigrants will perform the same function as Irish people. However, in Ireland, they will receive lower wages if purchased from their home countries, but it will be less expensive for Irish employers (Cross and Turner, 2015).

On certain occasions, it may happen that native Irish workers and immigrants will not compete but will be complementary labour to each other, as immigrants certainly fill many gaps in the labour market due to the lack of native labour and thus, Irish people can dedicate themselves to other better opportunities (Cross and Turner, 2015). Consequently, where there is less competition, positive

attitudes will be more recurrent towards immigrants, and there will also be fewer conflicts.

However, essential studies show that the labour market is positively impacted by immigrants with a high level of productivity, helping considerably in the economy's growth. Furthermore, these numbers are not few when it comes to the already mentioned proportion of 10 per cent of the EU's working population being made up of immigrants (Borjas 1994, 1999 cited in Cross and Turner, 2015, p. 377). In 2010, a survey showed that most Irish people understand that immigration is good for the country and contributes significantly to the smooth running of the economy (Cross and Turner, 2015).

2.4. Benefits of using Alternative Dispute Resolution and Mediation as a fundamental tool for resolving conflicts in the workplace.

2.4.1. Employers can take proactive steps to avoid conflict in the workplace.

Employers as leaders play a critical role, of course, in setting the direction, the goals, and the strategies for attaining them. However, unless they can keep the group moving in a concerted and effective way toward these goals, the best-laid plans of strategic planning management consultants will accomplish nothing. Unless we can empower people to deal with problems that arise along the way, to face difficulties, to recognise and adjust when strategies are not working or are impossible to implement, to help those who are struggling, to handle the inevitable tensions and conflicts that challenging work engenders, and to maintain a positive attitude about that work, we cannot build a truly effective team, unit or organisation. (Mayer, 2016).

The employer can take proactive steps to avoid conflict in the workplace. He or she needs to clearly see what is going on and have the perspective that allows keeping the team together and going in the same direction. Employers need to deal with paradoxical situations daily to avoid conflicts or even prevent the evaluation of conflicts in the workplace. They must hold the line on expenses while encouraging innovation and experimentation; they try to negotiate clear and reasonable collective bargaining agreements which are fiscally responsible while promoting a

positive work environment that encourages the loyalty and commitment of employees; they must confront problematic job performance while remaining optimistic about the potentials for employees (and employers) to grow; they endeavour to encourage open, honest and direct communication while insisting on a respectful workplace.

According to Bryan West, there are eight causes of conflict that the employer can take proactive, identify, and avoid in the workplace. The first one is about conflict resources, and it is possible to avoid this cause of conflict by ensuring that the team members have everything they need to do their jobs well. Teach them how to prioritise their time and resources and how to negotiate with one another to prevent this type of conflict. If people start battling for a resource, sit both parties down to discuss openly why their needs are at odds. An open discussion about the problem can help each party see the other's perspective and become more empathic about their needs (West, 2012).

The second one is about that everyone works differently, according to his or her individual needs and personality. To prevent and manage this type of conflict in the team, consider people's working styles and natural group roles when building a team. This can help them become more accepting of other people's working styles and be more flexible as a result (West, 2012).

The third one is about conflicting perceptions. We see the world and differences through our own lens to eliminate this conflict by communicating openly with the team, even when it is necessary to share bad news. The more information the company shares with the employees, the less likely they will develop their own interpretations of events (West, 2012). The fourth one is about conflicting goals, and the employer can pay attention in situations as sometimes we have conflicting goals in our work. Whenever the goals are set for the team members, ensure that those goals do not conflict with other goals set for that person or set for other people (West, 2012). Conflicting pressures is the fifth one and are similar to conflicting goals if there is suspect that people are experiencing conflict because of clashing short-term objectives, reschedule tasks, and deadlines to relieve the pressure (West, 2012).

Conflicting roles are the sixth one, and this is about if there is some suspicion that team members are experiencing conflict over their roles explain why they have assigned tasks or projects to each person. It is good that the explanation could go a long way toward remedying the pressure (West, 2012). The seventh one is a perception of different personal values to avoid this in the team, practice ethical leadership, and try not to ask the team to do anything that clashes with their values (West, 2012). Moreover, the eighth one is when rules and policies change, one must make sure that they communicate precisely what will be done differently and, more importantly, why the policy is changing. When people understand why the rules are there, they are far more likely to accept the change. Some examples can be brought as lack of communication is a big problem in the workplace as some negative office politics, lack of clarity about the rules and tasks, for example, the manager may expect someone to do a specific task in a particular way within a particular time frame, but everyone may not fully understand this. Without clear boundaries, conflict can emerge.

All these early reflections are necessary to understand that there are theories and practical efforts so that employers, managers, and other people responsible for managing employers use all the necessary efforts so that conflicts within the workplace are mitigated at least. When they cannot be avoided, however, many times, these efforts will still not be enough, and other tools will have to be implemented, as well as Mediation.

2.4.2. A brief introduction to the different types of Alternative Dispute Resolution (ADR)

Before explaining the Mediation process, it is necessary to present Negotiation and Arbitration as forms of Alternative Dispute Resolution (ADR).

Negotiation is a method by which compromise or agreement is sought while avoiding argument and dispute and is a process by which people commit to settling differences.

In any agreement, in a negotiation process, individuals understandably aim to achieve the best possible outcome for their position or organisation they represent. However, the principles of fairness, seeking mutual benefit and maintaining a relationship are the keys to a successful effect.

Different forms of negotiation are used in many situations like international circumstances, the legal system, government issues, industrial and familiar relationships, and disputes. Although, general negotiation skills should be learned and applied in a massive range of activities. Negotiation skills can be of great benefit to solve any differences that can arise.

As a keen negotiator, it is essential to be familiar with negotiation styles before planning any kind of negotiation.

Ury, Fisher, and Patton address a similar subject in *Getting to Yes*. They describe the "hard" and "soft" strategies used to negotiate. Hard bargaining takes an adversarial, goal-oriented, and distrusting approach to negotiation where demands, threats, bluffing, and pressure tactics are applied to attain an outcome aligned with the hard bargainers' expressed positions. On the other hand, soft bargaining is characterised by trust, deep concern for the negotiators' relationship, quickly making concessions, transparency, avoidance of adversarial exchanges, and easily changing one's position to accommodate agreement. It is not difficult to see the limitations of each approach: one is too competitive, and the other is too cooperative—both pose high risks to the negotiator and his or her ambitions (Ury, Patton and Fisher, 1991).

The authors go on to note, "Every negotiator has two kinds of interests: in the substance and in the relationship" (Ury, Patton and Fisher, 1991). Interests are the needs, wants, concerns, and ambitions of the negotiators and their constituents. Negotiations involve two or more parties dispute what they want from an outcome or their substantive interests in the deal. Negotiations also involve an interpersonal or relationship dynamic. Often, negotiations occur in the context of existing relationships, which intensifies the importance of negotiators' relationship interests, but some the negotiators' relationship is short-term and involves a single transaction. Even in such cases, the authors state, "At a minimum, a negotiator wants to maintain a working relationship good enough to produce an acceptable agreement" (Ury, Patton and Fisher, 1991).

Arbitration is an alternative form of conflict resolution that allows parties in conflict to resolve their

issues outside the traditional litigation system. That is, it can prevent the parties from having to take their disagreements directly to the Court.

Within the Arbitration process, we can differentiate between two types: Institutional arbitration and ad hoc arbitration. In institutional arbitration, there are institutions specialised in arbitration. They have their rules to manage these processes, their costs and a team of specialised arbitrators who will be assigned to the processes when hired. In ad hoc arbitration, however, the process will not be administered by any institution but by the parties. In this modality, the process is less institutionalised. Ad hoc arbitration has the main advantages of being considered cheaper than institutionalised since the parties will not have to bear the institution's expenses. However, the arbitrators' expenses and issues arise from within the process. Thus, consequently, ad hoc arbitration is also considered cheaper than the litigation process.

Ad hoc arbitration, unlike litigation, allows an agreement between the parties before the process itself begins in order for them to decide where the process will take place. The parties can also define which arbitration court will be appointed and how the proceedings will be conducted. These advantages seen in ad hoc procedures are not allowed in the litigious process since the rules for the latter are rigid and without the possibility of changes. Thus, if provided with cooperation by the parties, ad hoc arbitration can also be faster and more flexible than litigation.

Another significant point in ad hoc arbitration is that the parties can define who will be the arbitrators. They can choose who will be the "judges" of their case. However, this does not mean that these arbitrators will have a close relationship with the parties since they must be impartial and neutral. A disadvantage in this regard is that the arbitrators are not lawyers, but specialists in different areas, according to the need of the process, and this can lead them to commit legal errors and harm the parties in terms of the time to resolve the process or also having to resort to the Court for such corrections to be made.

A well-structured ad hoc process, in which the parties strive to determine all issues relevant to the

process, can be a great success. This can also be determined by the parties' choice to be conducted by specific arbitration rules. In the ad hoc process, the referee has a fundamental role. As the judge in the litigation process, he must be neutral, impartial and have no relationship with the parties. Furthermore, he will take care of all the parties in this process, guiding the parties on evidence and defining the electronic means to be used in the process.

In addition, the ad hoc process allows the parties to negotiate the payment of the arbitrator. That is, parties that do not have a lot of financial resources can also reach an agreement with the arbitrator, and this is a great advantage compared to the litigation process since the costs are very high in the latter. The parties do not have the option to negotiate nor to divide the expenses among themselves. Finally, one of the most significant differences between ad hoc arbitration and litigation is the preliminary meetings that are possible in ad hoc arbitration. Preliminary meetings are held before the main proceedings. They are attended by the arbitrator and the parties or their representatives, and they can be held anywhere the parties and the arbitrator agree. The primary purpose of the preliminary meeting is to settle all the procedures related to arbitration, which is extremely important for the parties that hope to be able to present all the necessary statements and evidence so that they can have access to a fair and equal process in opportunities.

In the preliminary meetings, the parties, together with the arbitrator, will define what will be admitted in the process, the relevance of what will be admitted, and the weight of the evidence presented. In addition, the arbitrator will decide the place and language of the arbitration, and the entire arbitration agenda will be defined as well.

Thus, the arbitrators have a good margin to define, together with the parties, their authority, the matters that will be the object of the arbitration, the techniques that will be used in the process and how the costs of all this will be managed. Therefore, preliminary meetings become an essential tool for arbitration in the conflict resolution process. This instrument innovates how processes are traditionally dealt with. Thus, we can observe that, over time, the judicial procedural system has

been transformed, making the people, who are responsible for the conflicts, also become the people responsible for looking for ways and means to resolve these conflicts. In addition, when it comes to reducing costs and creating clear and transparent rules, conflict resolution becomes more egalitarian and fair.

2.4.3. Mediation as Alternative Dispute Resolution (ADR)

Finally, we will deal here with Mediation as an Alternative Dispute Resolution (ADR), and this is the Dispute Resolution chosen as the object of study in this Dissertation. Mediation has been applied to diversify conflict resolution techniques, as the name suggests and is an essential tool for the resolution of collective conflicts that happen in the workplace (Roche and Teague, 2012).

Conflict is manifested through adversarial social action, involving two or more actors with the expression of differences often accompanied by intense hostilities and most significantly, protracted conflict arises from the failure to manage antagonistic relationships (Ho-Won, 2010). It is possible to see that Mediation is not a new institute, quite the contrary, it has been applied for some time. This demonstrates how effective and successful this practice is. Countless advantages are arising from its use. Its use is indicated for conflicts whose relationship between the parties must be preserved. There are communication problems, making direct negotiation unfeasible, and those whose secrecy is of paramount importance. Thus, it allows a better understanding of the conflict by the parties to manage it and avoid future problems.

Mediation is a conflict resolution process in which a third party, the mediator, is incorporated into the process, an end of assistance as parties to improve their relationship and communication when they cannot resolve their issues. The mediator can use different strategies for parties to reach a satisfactory agreement for both parties. However, the mediator has no authority in the process to make decisions or define how the parties should do since decisions are the parties' functions. Thus, the mediator must be impartial and neutral to the process. The process, in turn, is confidential, voluntary, and cheaper than the other processes that go to a court.

We can define Mediation as:

"Mediation is the most significant development in dispute resolution in my lifetime. The development of Mediation has been a dynamic breakthrough in how we resolve our differences. The practice of Mediation will come to dominate the landscape of dispute resolution. This will happen because Mediation is such an effective way of resolving disputes. Like everyone here at the MII, I passionately believe in Mediation's potential to resolve even the most complex, intractable disputes. Nevertheless, it goes much further - in fostering resolution through negotiation rather than confrontation Mediation creates resolutions which last and promote well-being and happiness." (MII President- The Mediator's Institute of Ireland).

Thus, from this brief analysis, we can observe some key concepts about the mediation process, such as the voluntary process, as the parties choose whether they want to participate or not. The process is confidential, as the information disclosed within the process will not be disclosed to anyone outside it. It is also a process considered faster and cheaper since it is not necessary to wait for a judge for a final decision, as this depends directly on who is involved in the process. Conflict resolution in small firms occurs in a context marked by limited or no specialist expertise in conflict handling and a preference often for informal styles of managing employees (Roche and Teague, 2012).

Mediation allows parties to decide the venue, can be informal/relaxed setting, flexible facilities (can eat and drink), and helps reduce barriers. In addition, a neutral mediation setting to maintain dignity and respect and therefore leads to better relationships between the parties in the long term – is a 'win-win' situation for all. It builds the skills of parties so that they will be able to handle any future conflicts more effectively.

Usually, courts will entertain only disputes, claims, and issues that can be expressed in terms of rights or liabilities recognised under existing law. Only information relevant to a legal claim or defence and which is admissible under the rules of evidence applicable in the jurisdiction in which

the Court sits may be introduced at trial. Litigants gather and develop evidence and exchange other types of information during a pretrial phase of the litigation process called "discovery." Information gathering and exchange activities during discovery are highly formalised. They include written requests for documents, focused written questions to which another party must respond, and transcribed depositions of witnesses. During discovery, parties can seek information that would not be admissible as evidence at trial, provided the information is reasonably likely to lead to the discovery of admissible evidence.

The discovery phase is long, contentious, cumbersome, and expensive in many lawsuits (Bordone and Moffitt, 2012). Courts can grant some types of reparations to claimants in a civil action, for example, reparations for damages in money or declaratory reparations, but hardly anyone will receive as a result of their complaints a complete reparation that meets all their concerns. For a long time, litigation was the only resource that people had to solve their problems in a way that would have legal effects. Even today, many still consider litigation as a superior form of conflict resolution. However, with the advent of Alternative Dispute Resolutions, perceptions are changing, and the way people are being led to deal with their problems is also becoming different.

In Mediation, the parties are constantly challenged to seek the results intended by their own efforts to think and decide what is most acceptable to them. The parties to the Mediation have the dominant role in seeking what is fair to them. During this process, a change in people's minds is noticeable, where the mediator supports the parties so that they can reach a viable agreement for both.

In short, Mediation is a form of alternative dispute resolution. In this process, parties are responsible for resolving the dispute themselves, with the help of a neutral and impartial mediator (third party). The mediator acts as a facilitator in a conflict so that two or more parties find an excellent outcome to end the dispute.

This third part is not there to find a solution or indicate the culprits; the mediator does not decide. His role is to help the disputing parties find the acceptable solution to all parties involved. He will

guide the procedure, helping to develop a healthy conversation and facilitating the communication between parties through fair and equal communication. Besides that, it does not have to follow various regulations and rules when the case is filed with the Court, which could take months or years to reach an agreement in many situations (CIPD, 2013).

In Ireland, it is regulated based on the mediation Act 2017 (Mediation Act 2017, 2020). Mediation needs to be a voluntary process; no party can be forced to participate in a mediation procedure (Mediation Act 2017, 2020).

Some organisations have tried to introduce Mediation schemes internally in their companies, which have been experimented with solid evidence that they bring several benefits to the work environment. Mediation has helped rebuild the relationship between the conflicting ones and cost less and be a much faster process than those brought to Court (Saundry and Wibberley, 2014).

With this, Mediation becomes a critical tool to reduce the impacts of a conflict, since it allows claimants the ability to resolve it, that is, it has positive effects in resolving issues, in addition to bringing self-confidence to those involved, showing them that they can resolve various issues, and can change their behaviours and attitudes within their work environments (Saundry and Wibberley, 2014).

Mediation is often effective, as the mediator will use different techniques to improve or, in many cases, initiate communication between the parties. Good communication is one of the keys for Mediation to be successful. The mediator has a fundamental role, but he will not decide for the parties. Using his knowledge and impartially, he will help the parties to listen to each other. Each one will have the opportunity to present their point of view on a particular issue. Moreover, hopefully, the parties will be able to reach an agreement on their own merits (Holohan, 2010).

This study does not aim to exhaust issues involving conflicts in the workplace or all the benefits that Mediation can exercise. However, it wants to contribute to Mediation being increasingly used as one of the main tools to resolve conflicts internally in organisations. In addition, this research

also aims to contribute to the discussion on the importance of the workforce of immigrants in Ireland. So, in cases where conflicts are not avoided, they can also rely on this vital tool which is Mediation.

2.5. Workplace Mediation

Since 1992 The Mediators' Institute of Ireland (MII) was established and acted as a self-regulating body for the profession (Kenny, 2019). This institution is of fundamental importance when there is a gradual increase in Irish workplaces implementing workplace mediation in their policies and procedures as an instrument for conflict mediation.

Line managers and supervisors are ideally positioned to play a fundamental role in the workplace once they interact with employees on an ongoing basis. In Ireland, Toner (1987) described the key role that line managers played in managing people and in addressing their grievances in non-union foreign-owned multinationals – features of line managers' role associated with more positive employee attitudes of grievance handling in such firms (Teague, P. and Roche, W., 2011).

According to Ho-Won, 2010:

“removing misperceptions of adversaries is regarded as a vital step toward settling differences and institutionalizing a new relationship. Indeed, reduced enemy perceptions play a crucial role in initiating a collaborative process. Minimizing value incompatibilities has to touch upon reconciling a different sense of identity by acknowledging each party's needs, intrinsic to their survival and maintenance of dignity. Most importantly, the process and outcome of negotiating different values and incompatible interests reflect not only perceptual, subjective differences but also power relations between dominant and subordinate groups”.

"Age discrimination alive and well in Irish workplaces - Age discrimination is alive and kicking in Irish workplaces. It is illegal under the Employment Equality Acts (1998-2015)" (Irish Times, 2021).

"All employees set to have right to disconnect from work from today" (Irish Times, 2021).

"New pay, pensions deal for school workers by next academic year – Revised contract for secretaries and caretakers being put together, union conference told" (Irish Times, 2021).

"Firm ordered to pay €10,000 to worker made redundant during first Covid-19 lockdown" (The Journal, 2021).

"Man loses claim for unfair dismissal after sacking for sexual assault of colleague at Christmas party is upheld" (The Journal, 2021).

We often come across news such as the one above related to workplace-related conflicts reported in the media. News like this brings questions about notions of "justice", "equity", and "rights", which try to be enjoyed by employees who are at a disadvantage about their employer.

According to the Irish Legal Dictionary, 'justice' means fairness, moral rightness, a scheme or system of law in which every person receives their due from the system, including all rights, both natural and legal; 'Equity' means a venerable group of rights and procedures to provide fairness, unhampered by the narrow strictures of the old common law or other technical requirements of the law, and most states combine law and equity and treat both under one cause of action; and 'rights' means the collection of entitlements which a person may have and which are protected by the Government and the courts or under an agreement (contract).

If we pay close attention to these news headlines, behind all of them, there is the search for justice, equality and rights for workers in the workplace, and these are highly relevant topics.

In his work "Whose Justice, Which Rationality?" Alastair MacIntyre (1987) argued that notions of justice are woven in different ways from one society to another. Therefore, it is difficult for people of different cultures to evaluate each other. Another as to the meaning of justice. However, when analysing the meanings of justice, equity, and rights, we can understand that these three concepts must go together in the work environment in our society.

We can define workplace mediation as (Kenny, 2014):

a confidential and voluntary process whereby an independent mediator assists two or more

individuals, workgroups, or employers and trade unions anticipating or experiencing conflict or a dispute to reach a mutually acceptable agreement.

Workplace Mediation is an essential tool for getting as close as possible to justice, equity and workers' rights within the workplace. According to the research 'Mediation and Justice in the Workplace', 2015, the author describes that neither employers nor employees know much what to expect from a Mediation. However, at the end of it, they are surprised by the results and leave the sessions with phrases like "That was not as bad as I expected." This is because agreements are reached amid the questions raised and amid the participation of all parties involved in the conflicts.

"Ordinary people bring to Mediation a commonsense vision that their dispute will be resolved through reasonable argumentation. They expect to receive justice through discussion [emphasis added]... They assume that the best way to proceed is by bringing in the facts of the matter, establishing who is in the right and who is in the wrong, determining relevant evidence, and so on" (Jacobs and Aakhus 2002, p. 177).

In this process, for the people involved in the conflicts, which, by themselves, are already reasons of great embarrassment for them, essential characteristics appear in the process, such as people being able to present their voices, concerns, points of view and evidence of the situation, be heard and be part of a treatment with dignity (Welsh 2001, and Lind et al. 1990). Thus, we can see that these characteristics presented in the Mediation process are ways of safeguarding justice, equity and employees' rights. In addition, it demonstrates the importance of a Mediator in workplace conflicts. It is also worth mentioning that workplace mediation represents the parties' access to a more confidential process, guaranteeing them non-publicity and non-disclosure of what occurs during the proceedings. News in newspapers like the ones reported above has no space in workplace mediation. The non-exposure of the privacy of those involved is also characterised as a differential and a very positive factor concerning Mediation.

3. METHODOLOGY AND RESEARCH DESIGN

3.1. Overview

The choice for this research was initially made by the author's observations on the perspective of the integration of immigrants in the Irish labour market, as previously mentioned. Before arriving in Ireland, you have expectations and curiosities about what you will find about culture, landscape, receptivity, work, friendships, in short, an unknown world. Ireland opens up a diversity that is sensitive to the eyes and ears of non-Irish people. These non-Irish are present everywhere, on the streets, in offices, in restaurants, in supermarkets, in short, in most places.

The methodology used to achieve better the objectives established for this project is based on the research method called research onion (Saunders et al., 2007). This method clearly illustrates the factors and steps to be considered during this Dissertation. These observations immersed in the empiricism of personal experience were only the embryo of the problems that developed and henceforth learned in this Dissertation. When observing and experiencing the movement of foreign workers and students coming from different parts of the world, other issues began to be gestated and umbilically linked to this research. Gradually, that heterogeneous landscape of nationalities was not what attracted the most attention. Demand and entry into the labour market have deepened the knowledge of what it means to be the mobile part of immigration. The regular contact with other nationalities allowed me to deepen the meaning of the immigrant stories as much as my own. These and other observations have been linked to reality and the perception that those issues should be apprehended. For all these reasons, living as an immigrant in Ireland will, of course, be part of this research.

Adjunct, it will also be shared, through results, the participation of several other people and their experiences of trajectories within their work environments.

3.2. Research Philosophy and Approach

A research philosophy refers to the set of beliefs about the nature of the investigated reality (Bryman, 2012). The first stage of the research concerns the research philosophy. The authors cite four philosophies: positivism, realism, interpretivism and pragmatism. Positivism is a philosophy based on the natural and exact sciences (Saunders et al., 2007). Realism comes from the premise that reality is independent of human interpretations (Saunders et al., 2007). Interpretivism is often used in the field of social sciences (Saunders et al., 2007). Finally, pragmatism imposes on the researcher the ability to interpret the results (Saunders et al., 2007). A deductive approach is concerned with developing a hypothesis based on existing theory and designing a research strategy to test the hypothesis. It begins with an expected pattern tested against observations and generally considered the standard for scientific research. Deductive research can be described as reasoning from the specific to the general. In general, a deductive research approach is quantitative in nature (Saunders et al., 2007). Thus, a deductive approach was used in this research, with quantitative research techniques, whereby the use of a questionnaire was necessary to compare different perceptions through empirical data. The collected data helped to confirm the issue that immigrants go through conflicts within the workplace. However, Mediation is still not very widespread as a tool to be used to resolve these conflicts.

Considering the objective of the present study, this investigation is philosophically defined as positivist, given that the researcher is independent of the data and maintains an objective posture. In addition, the investigation has a deductive approach, as it involves the development of an existing theory, subjecting it to tests (Saunders et al., 2007).

Considering the restriction of the study to a pre-established period of time, its time horizon is defined as cross-sectional (Saunders et al., 2007).

3.3. Population and Sample

Malhotra et al. (2012) define a population as the set of elements that share a specific characteristic about which information is intended to be acquired. Acharya et al. (2013) define sampling as a

small part of the population selected to represent a large part of it. The population universe of this study will be composed of male and female individuals, aged over eighteen years and who are or have been inserted in the Irish labour market, as a composition of the workforce (here we consider the people who have already been inserted, as we are living in a very delicate moment of the world pandemic due to the Covid-19 virus and many people have lost their jobs in the last months).

Exclusion criteria are determined for all individuals who answered the questionnaire but were never inserted into the European labour market. To carry out the study, a non-probabilistic sample was used for convenience, creating the snowball effect. This method consists of selecting a sample of the population that is easily accessible, and that is available to answer and request the sharing of the same. For this, online questionnaires were sent to a sample accessible through social networks and requested to share it.

3.4. RESEARCH STRATEGY

The type of study applied in this investigation is the quantitative research method, usually associated with a positivist philosophy and a deductive approach (Saunders et al., 2007), as is the case with this Dissertation. This method aims to collect a high number of responses and numerically evaluate the relationships between the selected variables. For this, the research strategy used was the online questionnaires, as this strategy involves a more structured data collection and considers a considerable population (Saunders et al., 2007).

However, firstly, secondary data were collected - using scientific articles, books and other material relevant to the topic to support the collection of primary data through questionnaires. For the collection of primary data, an online questionnaire structured on the Googledoc Online Survey platform was developed and distributed, where 165 valid responses were collected, that is, responses from immigrants who are or have been part of the labour force in the Irish labour market. A questionnaire is an investigation technique consisting of several questions ordered in writing that aim to understand the reasons, opinions, and interests of various individuals about a given event

(Saunders et al., 2007). Thus, the questionnaire is considered a measurement tool that aims to confirm or disprove the research theories. For this study, a questionnaire was used as a data collection tool.

For a questionnaire to be successful, it is necessary to pay attention when formulating the questions and to present them to the target audience. The questions were formulated in advance and organised to have a logical follow-up, avoiding confusing, complex and lengthy questions. It was decided to write a brief introduction to the questionnaire to fit the theme presented to the respondent. Typically, before responding to any survey, respondents like to have some knowledge about the researcher and the nature and objectives of the study. Regarding the type of questions that should be used, it was decided to study the differences between open and closed answer questions. Unstructured, open-ended questions allow respondents to respond freely without any restrictions, usually requiring clarification about an alternative, which may be short or long. In structured questions, closed answers, respondents only have to point out the hypotheses presented by the author that best fit their situation. When preparing these questions, more excellent knowledge and in-depth study on the topic in question is required.

The choice of the Survey strategy to research the conflicts faced by immigrants in the labour market and relate this research to Mediation was not by chance. In addition to personal experience, Ireland is an excellent field of study concerning immigration issues, labour market issues and the different relationships caused by the combination of these themes. In this case, how widespread has been the use of Mediation as an Alternative Dispute Resolution. Thus, it is presented below the main steps for this research.

Firstly, the question of immigrants in the Irish labour market will be analysed over the past 20 years. Suppose immigrants come to Ireland to look for new job opportunities. What is their most generic profile, in this case, if men or women are mostly, what age group are they in, what is their level of education and also if there is some relationship between their background in the country of

origin and the purpose they are in Ireland.

Second, the main conflicts experienced by immigrants in their workplace will be analysed: what are these main conflicts, if these conflicts are related to the fact that they are immigrants, and how often do these conflicts occur.

Third, whether the workers know Mediation or have had any contact with it, suppose they have already been parties to conflicts or have been eyewitnesses to conflicts in the workplace, how these conflicts are resolved. The goal here is not to exhaust the various ways of resolving conflicts. Quite the contrary, the aim is to focus on Mediation so that this research can be more support material, showing how Mediation has been presented to immigrant workers, that is, whether it is presented as an efficient form of conflict resolution or not.

The time frame was chosen due to two main events: 2004 is the year of entry of several Eastern European countries to the European Union since in 1995 it was the accession of countries with a high index of development and economic and social prestige, such as Sweden, Finland and Austria. Despite the open borders for workers in such countries, no significant worker mobility has been formed between the same countries. Then, in 2004 the EU resumed the accession of 10 new member countries: Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia. (Barrett, Bergin and Kelly, 2009). Moreover, 2016 is the date of the last annual population review in Ireland (CSO, 2016), which will be very useful to us regarding the data that showed us the composition of the Irish population by immigrants.

Some reformulations in Irish legislation are known to have taken place. In the first instance, three areas of immigration laws were reformulated, according to Ruhs and Quinn (2009). The first change was made to decrease the flow of political asylum, creating a list of countries of safe origin and prioritising the numbers (vacancies) stipulated according to that list. The second, between 2003 and 2005, reformed the laws that defined Irish citizens. The main change was that children born in Irish territory would no longer automatically have Irish nationality (if the parents were not Irish citizens).

Finally, work visas were made difficult for areas with lower requirements for a professional qualification (low-skilled workers).

The latest set of regulatory changes came about as a direct effect of the entry of the ten new member countries of the European Union, mentioned above since Ireland allowed workers from the majority of these countries to be able to work in its territory immediately. The word "majority" refers to the cases of Bulgaria and Romania that joined the EU in January 2007 and Croatia that did so in July 2013. According to the Citizens Information website (2016), the freedom of movement in the EU section states that there were restrictions on the entry of workers from the first two countries mentioned until 2014. There may still be restrictions on the latter until 2020.

Therefore, nothing new has been created in terms of statistical data, and it is not intended to create a standard model of immigrants in Ireland since this task is already well performed by governmental and non-governmental bodies in relation to related analyses. Quantitative data was taken advantage of from these more detailed surveys that present reliable data.

4. DATA COLLECTION

4.1. Data Collection Strategy

The strategy used for data collection was through the use of a quantitative survey, which included an online questionnaire directed to immigrants who reside in Ireland and make up the labour force in the Irish labour market. This questionnaire complied with all the Independent College Dublin institution ((Dissertation Handbook Spring 2021, 2021).

The surveys carried out with open and closed questions are enriching to the course of the research because they have verbal and non-verbal elements.

However, they also have some difficulties and characteristics, making it not ideal for all research. The physical distance, the lack of approach of the interviewee and interviewer and the "delicacy" of some content can be accounted for obstacles. However, we cannot ignore the delicate moment in

which the world population is living. The online survey was not just a simple choice, but the most coherent due to the global pandemic moment, due to Covid-19, in which we are inserted.

Thus, the idea of making the interview available online emerges as an answer to these questions mentioned above. In addition, when it comes to the subject addressed, many times people might be afraid to participate, not because the questions had an intimidating, prejudiced nature or even that they would bring personal harm to the participants; however, there is often a fear of we are afraid when we are invited to express our opinion. As it is immigration, the omission of personal identification data was purposeful, in addition to seeking to provide security so that the subjects could contribute without feeling threatened by any topic they wished to address in the open responses. We worked with the idea of research structured because it makes it possible to address psychological aspects, such as motivations and expectations.

The questionnaire consisted of seventeen questions divided as follows: 1- first four closed questions of a general character, in order to know the profile of the sample of the researched population, such as age, gender, educational level and how long they have lived in Ireland; 2- five questions (mix of open and closed questions) related to professional background and how people feel about the Irish job market, compared to their countries of origin; and 3- six questions directly related to what people live here in Ireland, focused on their own experiences, whether they have experienced conflicts within the workplace and whether there has been direct contact with Mediation as an ADR.

Approximately two hundred interviews were planned, as it understood that this amount would minimally reach the objective hitherto discussed. It is added to the previous statement that we also understand the difficulty rooted in the numerous analysis of interviews in search of qualitative data. Although aiming to use quantitative data such as age, sex and education level, we planned an essentially interpretative interview.

Participation was free; no individual participant was called. It was opened for participation in the

Googledoc Online Survey application on 13 April 2021. At the end of 4 weeks of online availability, 165 respondents participated. For the purposes of this research, the number reached was enough for questions related to the time for analysis, as already noted here. However, all surveys answered concerning participants were taken into account. Thus, as the first time that the author used this type of tool, it was understood that the results were highly positive.

4.2. Presentation of the data

Because of everything previously mentioned, we traced a theoretical-methodological walk to reach the guiding questions of this research. It has long been known of the plausible and recurrent concern about the progress of the sciences, especially in the social sciences. In this sense, sharing the concern for novelty as a final desire for scientific research, the first moment of our academic journey was focused on bibliographic review.

The international migration process not only acts under the macro-structural aspect (analysis of the processes of production of space), the migrant is also considered an agent of this process. The debate is not fruitful. Hereunder, the phenomenon is better understood; both are parts of the same universe that make it possible to understand the studied reality in its dialectical relationship.

This Dissertation sought to listen to immigrant subjects. In conjunction with the surveys' responses, some critical data on the contact of immigrants with Mediation were analysed.

Most of the data found were in line with what the author sought to analyse, namely the fact that immigrants inserted in the Irish labour market do not know the benefits of Mediation, such as ADR; that is, they do not have access to this important conflict resolution tool.

The first question refers to the interviewees' age to understand whether they are part of the economically active population. In their great majority, most of the group part of the research sample is aged between 25 and 34 years old; that is, they are part of the active force of the labour force.

The second question concerned whether the majority of women or men represents this workforce.

The third question referred to the level of education that immigrants have. The vast majority have a higher level of education. Until now, we can already say that the immigrant workforce, which makes up the Irish labour market, is made up of people with a high level of qualification, whatever their areas.

Furthermore, the fourth question, which closed the cycle of general questions, led us to understand that more than half of the interviewees are in Ireland for a period that already exceeds the period of two years; that is, they are essentially part of the Irish labour market.

Turning now to the analysis of the answers regarding the most specific questions concerning the interviewees' professional life, the question number

5 "How would you describe your professional life in your country of origin?" sought to outline a profile of what the main reasons, concerning the 'salary - job' relationship, made people encouraged to leave their country of origin, abandoning their careers to start over in a place with a different culture, a different language and, we will see later, to work outside your professional field most of the time. The answers were fascinating and could point to results that showed that it needs to be accompanied by a good salary as enjoyable as the job is. Thus, we can understand that a significant factor for the worker is not only working in his area of activity or in something that makes him satisfied, but in line with this, the salary needs to be an attractive factor, as it can also be definitive.

In question number 6, when people were asked what made them choose Ireland to live in, more than 60% answered that the possibility of a safer life was what motivated them. A safer life implies not only the physical security of people, taking into account only the violence factor. However, it can encompass several other reasons, including economic stability in the country and financial stability that the country can provide to immigrants compared to their countries of origin; and the other factors presented in the research, such as the health system, education, better job opportunities and wages.

Question number 7 was surprising in its results. The question was, 'Do you work in your area of

training or profession previously exercised in your country of origin?' Moreover, seventy per cent of respondents answered 'no'.

Furthermore, what was the surprise here. When analysing question number 4, which has the content of knowing how long the interviewees have been in Ireland, almost 60 per cent said they are here between two to four years. This is a considerable period for an economically active population. In addition, we can also see from question number one, that more than 60 per cent were people aged between 25 and 34 years old, and question number two tells us that more than 65 per cent have an undergraduate degree.

Thus, if more than 65 per cent of the interviewees have a specific activity area, almost 70 per cent do not work on what they specialise in.

According to the Cambridge Dictionary, 'immigrant' means 'a person who has come to a country that is not their own to live there permanently. From this perspective, it is understood that the interviewees are in Ireland to live permanently and would not be here if it were not interesting for them. However, as previously reported, the vast majority do not work in their specific area of expertise in what has become professional.

Linked to question number 7, question number eight provides an account of the professions exercised by the interviewees. The results in this question confirm what was already reported in the previous question. It is worth emphasising vehemently and crucially that there is no value judgment or discrimination regarding the work performed by the interviewees, nor the attempt to reduce or demote some professions to the detriment of others. What happens here is just an analysis concerning some areas that require a little more expertise than others. For example, anyone with any qualification can exercise the function of cleaner, without the need for a diploma in the latter. However, on the other hand, a cleaner to perform the role of an engineer will need specialisation and, consequently, an engineering degree. There is no detriment here regarding the role of cleaner, to make it clear that some professions require greater specialisation than others.

Having highlighted this, we return to the analysis of the issues. The vast majority of respondents responded that they work outside their area of expertise. Many works as a cleaner, childminder, floor staff, customer assistants, baristas, among others. Moreover, even though they are not in their specific areas of activity, more than 73 per cent of respondents consider that the Irish job market has good job opportunities.

Perhaps it should be pointed out here that one of the weaknesses of this research was not to go deeply into these issues because it ends up being contradictory for people to consider the Irish job market as having good job opportunities but not being in their specific areas. However, this was also not the research object, so it is considered a positive point that we do not go deeply into issues that will not be so useful to the topic.

Question number ten deals with the issue of conflicts in the workplace. With a straightforward question 'Do you consider that you have already experienced or witnessed some type of conflict in the workplace? ', the answers were closed between 'Yes' or 'No' and more than 63 percent of respondents answered that 'No', that is, they have never witnessed or witnessed any type of conflict in their work environments. This issue may also be linked to the fact that the vast majority consider that they consider the Irish labour market to have good opportunities. This also shows that the vast majority did not need to seek any kind of conflict resolution, be they Alternative Dispute Resolutions or even Cortes.

Nevertheless, for those who answered 'Yes' to question number 10, question number 11 tried to ask openly what conflicts these people had already participated in or witnessed. Of the respondents who have witnessed some type of conflict directly or indirectly, the responses indicating what those conflicts were were: abuse of power; bias; bullying; harassment; social exclusion; low qualified tasks; breach of privacy; conflicts with co-workers regarding the duties performed; conflicts of interest; religious prejudice, conflicts caused by communication barriers, about language; conflicts related to violations of the rules imposed by the Government due to the pandemic - Covid 19;

conflicts related to discussions regarding labour rights, such as overtime pay and salary adjustments; cultural discrimination; customer complaints; conflicts due to lack of communication or aggressive communication between boss and staff; moral and sexual harassment; conflicts related to salary negotiation, since the boss understands that the employer should receive less than others due to the status of the visa carried by the employee; gender discrimination; and xenophobia. Thus, although many responded that conflicts in their work environment were not part of their experiences in Ireland, we can see that another large number of conflicts were also witnessed.

Question 12 was a more specific question related to immigrant status: "Have you ever experienced any situation in your workplace in which you have witnessed or experienced any type of discrimination due to your immigrant status?". This was because the research aims to analyse 'immigrant' status specifically. More than 35 per cent of respondents answered 'yes. Moreover, in question number 13, they were able to explain how this happened. Below are the different responses:

"I would not remember exactly what that was, but I heard something about being a Brazilian, and then we should go back to Brazil".

"Disadvantage over other colleagues. I was the only "non-EU.

"I have suffered racist harassment by a Russian man."

"About how many hours we could do as a student."

"In a job interview, they asked what kind of visa I have, and when I said stamp two, they said the position was just for stamp 4 to European citizens".

"Well, it can be seen the immigrants have a different treatment compared with Irish people, for example, more work given and careless with immigrants in the workplace."

"Because I did not speak English that time and the staff and manager treated me very bad."

"When the resident did not want assistance for his morning care with an African caregiver, our supervisor talked to him but with no good result."

"The situation was intense, but after I show them some respect and how to respect me as a Brazilian person who was learning English, they accepted better".

"Students are not preferred".

"Skin discrimination".

Racism between people from a different country".

"Since I am only a student, manipulating me into not reporting wrongdoing by saying I might be fired".

"It was very bad as I used to work at Centra shop as a staff, and that time the manager was racist and used to try speaking English very fast in order to mess with me. He also did not have any contact with immigrants and used to be out of the law giving more than 20h a week for students".

"I was speaking with a Brazilian college while we were working, and another college stated that we were not allowed to speak in our mother language as we are in Ireland. If we wanted to speak in Portuguese, we could go back to our country."

"About language, about nationality".

"Romanians and Poles were left with the easiest jobs".

"Nothing happened, whether the employee agrees or lose his job".

"The manager told us that we are fucking lazy Latin people, and it was my second day".

"My previous manager usually mocking my accent in front of the others".

"I was treated differently from the native employees. It happened when I lived in the USA".

"I have been a victim of prejudice for being an immigrant. I have also witnessed colleagues suffering from this and other types of prejudice".

"Xenophobia".

"I heard from a waiter that her friend could not touch me because I was kitchen porter".

"Harassment working as a cleaner".

"It is not explicit and only in the lower level of jobs".

"A seven-year-old child said to me: Go back to your country, this is not your country. I hate your colour".

"Your qualifications and experiences are questioned for not being in Ireland".

"Once one told me 'you are a fucking immigrant' He was pissed off because I got promoted instead of him".

"The manager treats the immigrants differently, and he is rude with them".

"I said to my colleague that he should wear a hairnet because we found his hair on the food, and he said I should speak in English, which I was, by the way".

"Drunk people saying go back to your country and things like that".

Such responses show that, although it was not the majority of respondents who witnessed directly or indirectly some type of conflict in their work environment, the experiences reported in the surveys are words with very pejorative bias.

Question number 14 'Have you heard of Mediation?'. Showed that more than 65 per cent of respondents have heard of Mediation but showed that more than 34 per cent have not heard of this critical conflict resolution tool.

Question number 15 'What would be most important to you in resolving a conflict in the workplace?' Showed that over 93 per cent of respondents prefer 'find a way out of which the parties involved are satisfied' than 'show that they are right '. In a brief analysis, we could understand that people are willing to find a way out of conflicts.

Question number 16 'Mediation is an alternative tool that can be used to resolve conflicts in the workplace. In it, the mediator, a completely neutral and impartial third party, will be able to assist the parties involved in the conflict to resolve their issues autonomously, leading the parties to reach an agreement in which they will be satisfied, if possible, without such complaints needing to be resolved be taken to the Court. In your workplace, has Mediation been presented to you as a clear and efficient way to resolve conflicts? 'Explains more clearly and briefly what Mediation is like

ADR. In addition, it also asks respondents whether in their work environment, in the face of the conflicts they face, whether Mediation was ever presented to them, as employers. Here we obtained three types of responses: more than 31 per cent said 'Yes, that Mediation has already been presented as an efficient ADR; more than 40 per cent responded that 'No', that Mediation was not presented to them as ADR and more than 28 per cent of respondents stated that they had never heard of Mediation in their work environment.

Question number 17, 'If you experienced any conflict in your work environment, with a primary focus on your experience as an immigrant, would you accept to try resolving this situation through Mediation?' showed that more than 85 per cent would be willing to go to Mediation as an alternative to resolve their conflicts in the workplace; more than 7 per cent would not be willing to use Mediation, and more than 6 per cent would prefer to resolve their conflicts directly in the Cortes. Thus, after presenting the data found with the qualitative research, we now move on to the more profound analysis of the data obtained.

4.3. Strengths and Weaknesses

However, before entering other research properties, it is necessary to highlight some of the difficulties encountered in the course of this research. The first one concerns personal experience as there was always the fear of mixing some singularity of personal indignation to compromise the research with a simplistic bias or even a bibliographic character. The attention to the data collected with the questionnaires and the extensive bibliographic research (theoretical/reflective/factual) aims to avoid that this research is only the personal history within the process.

The second methodological concern concerns the period analysed. Due to the topicality of the facts, the processes are still in progress, spanning the analysed period. Amid the extension of the reality of concrete actions, there is a marked change of mistakes and uncertainties, in addition to the possible specific bibliographic scarcity and statistical data. Therefore, there was caution during the research in the sense that the immediate impact of the present time had a minor interference in understanding

the problem.

5. DATA ANALYSIS / FINDINGS

When analysing the responses presented by the interviewees through quantitative research, it is understood that immigrants in the Irish labour market face many difficulties.

This study suggests that currently, the conflict resolution system in the workplace does not offer the same opportunities for immigrants as it does for Irish people. The findings made here also suggest that Mediation is the best option for resolving conflicts faced by immigrants in the workplace.

Many organisations in the United States have adopted alternative dispute resolution (ADR) to settle workplace conflicts (Roche and Teague, 2011). To reduce the caseload of courts, China encourages parties to resort to ADR (i.e. Mediation) to settle labour disputes (Minzner, 2011).

Prior literature has demonstrated divergent ideas regarding whether Mediation is an effective vehicle for disadvantaged workers to resolve labour disputes. (Xie, Wang, and Cheng, 2017). Moreover, prior mediation literature suggests that power, whether equally or unequally distributed, will affect the outcomes of mediated disputes (Olekalns, 1997).

Mediation is shown as a democratic process. It gives access to all who seek it; that is, it is not accessible only to a portion of the population, such as, for example, only for Europeans. Immigrants can and should use it in their work environment. However, it does not seem that this resource is clearly disseminated within companies to their employees when they conflict, and this research confirms this situation.

Immigrants come to Ireland, and here they find an accessible labour market that inserts them into it. Throughout their journeys, immigrants face numerous challenges such as harassment, racial prejudice, cultural prejudice, communication difficulties due to language differences, wage inequality, among other situations that make them hostage to situations precisely because of their immigrant status. Over time, new ways of resolving conflicts in the workplace have been

unravelling, in addition to the disputes that were directly resolved in the Courts. Precisely because of the need to find shorter, less expensive and less emotionally draining paths, Mediation was also developed as an Alternative Dispute Resolution.

Interpersonal relationships are significant in the work environment, as it is made up of people, in its logic. People make companies grow, people develop products to be consumed, people set goals and so on. If the work environment is made up of people, obviously conflicts are inevitable, because people are different from each other. However, immigrants should not be targeted by other people because they are culturally different. However, this does happen, as previously reported by many of the interviewees. Thus, differences are established, conflicts are configured and, if not adequately resolved, companies will suffer these consequences to be successful in their business due to this disharmony (Bendersky, 2003). Furthermore, on the other hand, companies that have an efficient way to manage their internal conflicts are much more likely to have their employees committed to its development (Costantino and Sickles Merchant, 1996).

As it was possible to notice in the answers given by some interviewees to the survey, many of the conflicts were generated by abuse of power and, even undesirable, if not illegal, behaviours, as it can be said of the managers concerning the employees, frequently, managers will have this type of behaviour in order to try to discipline employees strictly, due to problems such as aggressive behaviour, non-compliance with working hours and so on (Teague, 2011).

Some studies claim that the practice of ADR in companies provides an environment of more excellent facilities in a company (Colvin et al., 2006; Ewing, 1989) since employees feel more secure. Consequently, employees who feel more secure are more loyal to their employers. However, it is clear from the interviewees' responses that they are far from feeling safe within their companies (obviously for those who have already witnessed some type of conflict, directly or indirectly), and much is because they are immigrants. Mediation, having as one of its main characteristics, the search for an agreement that is practicable by all parties involved in the conflict could efficiently, if

more widespread, serve as a fundamental tool within companies for employees to see it as a safe strategy that would show them that companies are interested in listening to them and care about their problems.

However, it may be essential to note whether companies do not offer Mediation as a tool because they are unwilling or because Mediation has not been widespread in Ireland. According to Teague (2011), in his study on the diffusion of ADR within companies in Ireland, 'Emulation of best practice in leading firms is not found to significantly influence the diffusion of ADR practices for managing individual grievances and disputes in firms in Ireland'.

6. CONCLUSION / DISCUSSIONS

In conclusion, we focused here on two main situations, namely, whether immigrants face many conflicts in their workplaces due to their immigrant status and whether, when facing such conflicts, they have access to Mediation as ADR, that is, if they make use of Mediation as an essential tool in resolving these conflicts.

People tend to congregate in societies. There is not always an agreement of ideas, as they often have different creations, have been subjected to different values or simply disagree on some subject. It is human nature that conflicts occur. Thus, the quarrels arise and must be resolved, as the relations need to be maintained so that there is a peaceful and harmonious coexistence between all. The solution to these conflicts can be found through a simple consensus between the parties or through the methods of conflict resolution, whether judicial or extrajudicial.

The role of the mediator is crucial and the most important function of a mediator is the creation of an atmosphere conducive by the facilitation of communication that leads to loosening tensions. The assistance of a neutral third party in a mediation is designed to support communication hampered by a conflict. The third party would create good faith and confidence in reaching reasonable compromises by aiding their communication. Parties are allowed to express their concerns and

feelings directly or indirectly at meetings organized by mediators. Mediators should pay attention to issues, both hidden and overt, and be aware of how a negotiation process is affected by power and values (Ho-Won, 2010).

Furthermore, it will be, in the methods of solving extrajudicial conflicts, that Mediation will be found. Undoubtedly, the mediator will bring the parties together and lead the discussion in an urban and elegant way. Making it easier to expose natural desires and confront ideas will provide a more incredible opportunity for consensus and maintenance of intersubjective relationships. Its activity translates into an essential instrument of pacification and harmonisation of relations, dignifying and educating to face conflicts with serenity and cooperation.

Thus, this study has provided evidence that it was not the majority that had already suffered or witnessed any conflict, some discrimination due to immigrant status. However, we can affirm that, even if not the majority, many people have already suffered discrimination due to their immigrant status in their work environment or have already witnessed such a situation.

The classic structure of the social sciences was used to organise the research discussion, which was developed in a theoretical framework for the collection of data on the contact of immigrants with conflicts in the workplace and their contact with the workplace mediation, in order to data to be presented, analysed and discussed together with some results.

To carry out this research, several immigrants who are part of the workforce in Ireland were identified and, through their responses, identify how widespread workplace Mediation is as part of company policies and procedures.

Ireland, since 2004, has included in its social welfare system some criteria for immigrants to have access to some of these benefits; as examples, we have Jobseeker Benefit, Maternity Benefit, Carer's Benefit, Disability Benefit and Contributory Old-Age Pension. (Maître, B., Joyce, C. and Barret, A., 2011). Moreover, with that, the country's effort to guarantee immigrants some fundamental rights already offered to the Irish is remarkable. However, it is still notable that there is

a long way to fight against discrimination within companies in Ireland. As previously reported, Ireland has many laws against discrimination in the labour market (Employment Equality Acts 1998-2015, 2015). It has moved towards the pursuit of equality and respect for employees in the workplace. Thus, we have worked hard against all types of discrimination, whether by race, gender, religion, culture, nationality, among others. Still, it was noted that much is still needed to ensure equality for immigrant workers. According to O'Connell and McGinnity, 2008, discrimination is even more significant in the workplace with people from countries that do not have English as their official language.

Thus, as we have seen that a wave of immigration has been happening in Ireland since 2004 and that these immigrants are already part of the composition of the Irish labour market, within companies, bosses, managers, and employees need to be aware that difficulties will arise such as barriers imposed by different languages and cultures. However, companies need to have clear policies for managing such conflicts.

In conclusion, we saw that the number of companies that offered Mediation to their employees as a tool to resolve these conflicts is minimal. The low incidence of the use of Mediation in Ireland - compared to the use of Mediation in the USA, for example (Teague, Roche, and Hann, 2011) - leads us to reflect that companies have opted for the use of more common resources to resolve conflicts in the Desktop. These resources such as procedures managed only by the Human Resources departments (Teague, Roche, and Hann, 2011) or even asking the Courts.

Thus, one has the impression that Mediation, as a tool in conflict management, is not widespread within companies in Ireland. Furthermore, if not widespread within companies, it explains the fact that few people were introduced to this tool when they faced conflict situations.

However, we try to emphasise here the importance of workplace Mediation since it offers substantial opportunities for interaction to people in their workplaces, leaving in every person who has contact with it the satisfaction of having been heard in a conflict or a dispute. Today, more than

ever, work environments are becoming increasingly complex and being challenged to a dynamism never seen before in employees' interests, rights, and relationships. Thus, it is argued here that Mediation is of fundamental importance in these conflict resolutions to guarantee what is already provided for in law, 'dignity at work'. In addition, Mediation has been seen as cheaper and faster than litigation, negotiation or arbitration (Kenny, 2019).

According to Kenny (2019), conflict resolution rates through Mediation have ranged from 75 to 80 per cent in the workplace. Thus, the medium-term results were entirely satisfactory concerning cost savings, time spent in the process and support for the agreements. Some long-term results have also been identified, such as implementing organisational procedures, which influence training and further development in the management of companies, more improved work environments and more remarkable development in processes and relations with employees.

Finally, it is understood that the spread of workplace mediation practice has taken a long time to be implemented in Ireland as a conflict resolution culture. However, the success with the results obtained through Mediation practices in the workplace is increasingly clear, demonstrating that companies can and should include Mediation in their policies and procedures as an effective way to resolve conflicts. This practice is growing more every day and if the search for positive results in conflict resolutions combined with a lower cost than other practices to reach these results are objectives to be achieved by companies, Mediation, without a doubt, is an excellent way for that, since "new institutions are not created from scratch but are built upon older institutions and must replace or push back pre-existing institutional forms" (Holm, 1995: 400).

Therefore, it is understood that there is a long way to be faced, both in the fight against discrimination in the workplace, as well as in the spread of the use of Mediation in the workplace due to the countless benefits already presented in the course of this research. Therefore, the Irish labour market has excellent attractions for immigrants to get here, and immigrants are already an essential raw material for developing the economy in the country. There are important laws that

guarantee equal access to work for these immigrants, as far as for the Irish. There are tools, such as Mediation, so that when conflicts arise in the workplace, as these are inevitable in human relationships in general, the dignity, privacy, and rights of immigrant workers are kept in the workplace. As already mentioned, this work does not intend to exhaust these issues here, but rather to contribute with data and research on how Mediation can still be implemented and improved within the workplace, as much about it can be disseminated as a way of conflict resolution.

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8. APPENDICE

8.1. Applied Questionnaire

RESEARCH DISSERTATION: What are the main challenges and conflicts faced by Immigrants in the Irish workplace? Has Mediation been seen as a useful tool to solve such conflicts?

MASTERS OF ARTS IN DISPUTE RESOLUTION

THIS RESEARCH HAS AN ACADEMIC PURPOSE ONLY.

IMPORTANT NOTES

You are being asked to take part in a research study and the researcher's focus is demonstrating the Mediation as a useful tool to solve conflicts faced by immigrants in the Irish workplace.

This Research is being carried out by Claudia Costa de Souza as a part of requirements for conclusion of a Masters Degree in Dispute Resolution at Independent Colleges Dublin, with Klaus Walter as a Supervisor.

In this study, you have been invited to answer some questions about your professional life as an immigrant in Ireland.

The study typically takes 5-7 minutes to be completed.

Your participation is voluntary, confidential, anonymous, and no identification is required.

You may decide to stop being a part of the research study at any time without explanation required from you.

You have the right to ask that any data you have supplied to that point be withdrawn / destroyed.

You have the right to omit or refuse to answer or respond to any question that is asked of you.

You have the right to have your questions about the procedures answered (unless answering these questions would interfere with the study's outcome. A full de-briefing will be given after the study).

CONFIDENTIALITY

The responses will be sent to a Google Forms link and the data collected will be saved online in an electronic format protected with a password. Information as name, email or IP address will not be collected by the platform.

This Research is being carried out in accordance to the WMA Declaration of Helsinki Ethical Principles (Available at <https://www.wma.net/policies-post/wma-declaration-of-helsinki-ethical-principles-for-medical-research-involving-human-subjects/>)

For further information the researcher will be glad to answer your questions about this study at any time and you may contact her at souzacclau@gmail.com. And in case you feel this research is not maintaining ethical principles you may contact Independent Colleges Dublin at info@independentcolleges.ie.

Please, make sure you have READ and AGREED with the all information above, you are agreeing to participate VOLUNTARILY of this research, and you are 18 years or over.

Thank you for your time assisting me on this project.

Claudia C. Souza
Independent Colleges Dublin

Questionnaire:

1- What is your age group?

- ☐ 18 -25 years
- ☐ 26 - 34 years
- ☐ 35 - 42 years old
- ☐ 43- 55 years
- ☐ Over 55 years

2- What is your gender?

- ☐ Female
- ☐ Male
- ☐ Others

3- What is your level of education?

- ☐ Incomplete elementary school
- ☐ Complete primary education
- ☐ Incomplete high school
- ☐ Complete high school
- ☐ Incomplete higher education
- ☐ Complete higher education
- ☐ Incomplete graduate course
- ☐ Complete graduate course
- ☐ Doctorate degree
- ☐ Phd

4- How long have you been in Ireland?

- ☐ Less than 6 months
- ☐ Between 6 - 11 months
- ☐ Between 1 - 2 years
- ☐ Between 2 - 3 years
- ☐ Between 3 - 4 years
- ☐ Between 4 - 5 years
- ☐ Over 5 years

5- How would you describe your professional life in your country of origin?

Satisfied with the job and salary.

Satisfied with the job, but the salary was bad.

Dissatisfied with the job, but satisfied with the salary.

Dissatisfied with job and salary.

6- Why have you chosen Ireland to live and work?

- ☐ Better jobs
- ☐ Better salaries
- ☐ Better safer life
- ☐ Better health system
- ☐ Better education system

7- Do you work in your area of training or profession previously exercised in your country of origin?

☐ Yes

☐ No

8- What is your current profession in Ireland?

9- Considering your experience in Ireland, in general, do you believe the Irish labor market as an example of good opportunities for immigrants to develop professionally?

☐ Yes

☐ No

If your answer was 'No' could you please tell us why? _____

10- Do you consider that you have already experienced or witnessed some type of conflict in the workplace?

☐ Yes

☐ No

11- If you answered yes to the previous question, what kind of conflict was this?

12- Have you ever experienced any situation in your work environment in which you have witnessed or experienced any type of discrimination due to your immigrant status?

☐ Yes

☐ No

13- If you answered 'Yes' in the previous question, could you explain to us how this situation went? _____

14- Have you heard of Mediation?

☐ Yes

☐ No

☐ Never heard of

15- What would be most important to you in resolving a conflict in the workplace?

☐ Show that you are right.

☐ Find a way out of which the parties involved are satisfied.

16- Mediation is an alternative tool that can be used to resolve conflicts in the workplace. In it, the Mediator, a completely neutral and impartial third party, will be able to assist the parties involved in the conflict to resolve their issues autonomously, leading the parties to reach an agreement in which they will be satisfied, if possible, without such complaints needing to be resolved be taken to the Court. In your workplace, has Mediation been presented to you as a clear and efficient way to resolve conflicts?

☐ Yes

☐ No

☐ Never heard of

17- If you experienced any conflict in your work environment, with a primary focus on your experience as an immigrant, would you accept to try resolving this situation through Mediation?

☐ Yes

☐ No

☐ I would prefer to take the matter directly to the Court