AN INVESTIGATION INTO THE INFLUENCE OF CULTURAL DIVERSITY AND THE APPLICABILITY OF ADR METHODS IN IRISH ORGANISATIONS

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Abstract

This research aims to investigate the phenomenon of multiculturalism in Irish workplaces and its impact on the occurrence of conflicts in those environments. Further, the researcher aimed to clarify to what degree workers from Irish organisations are aware of Alternative Dispute Resolution (ADR) methods and if such techniques have been utilised in the workplaces.

In order to collect the primary data, this research observes an interpretivist philosophy. In the form of a questionnaire, a quantitative approach was delivered to fifty-four employees of Irish organisations of eleven different nationalities, resulting in a considerable range of multicultural respondents.

The findings of this project confirm a strong presence of cultural diversity in Irish working environments and that most employees face it in a positive manner. It also indicates a lack of understanding in relation to the term ADR; however, most participants were familiarised with the process of mediation. The research also reveals that the comprehension of the term ADR was limited to HR employees and construction workers. Furthermore, it was demonstrated that the majority of Irish workplaces place the role of conflict resolution on HR workers and line managers, where only the minority of the participants appointed mediation as the approach adopted by their workplaces. Finally, no respondents demonstrated to utilise the services provided by the Workplace Relations Commission (WRC) to assist in the resolution of in-service disputes.

The size of the sample collected may represent a limitation of this project. Nevertheless, it contributes to a better understanding that Ireland's workplaces embrace diversity but still prefer conventional conflict management methods over ADR techniques.

Keywords: Cultural diversity; ADR; Mediation; Conflict management; Irish organisations

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There are a few people I would like to thank for believing in my potential and providing me emotional support while I was going through the journey of this thesis development.

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List of Abbreviations

AD – Anno Domini

ADR – Alternative Dispute Resolution

BC – Before Christ

CEO – Chief Executive Officer

CIPD – Chartered Institute of Personnel and Development

Dr – Doctor

EAT - Employment Appeals Tribunal

ET - Equality Tribunal

EU – European Union

HR – Human Resources

HRM - Human Resources Management

HPWS - High-performance Work Systems

LRC - Labour Relations Commission

NERA - National Employment Rights Authority

ODR - Online Dispute Resolution

RCS - Rights Commissioners Service

RIAI - Royal Institute of Architects of Ireland

UK – United Kingdom

UNCITRAL - United Nations Commission on International Trade Law

WRC - Workplace Relations Commission

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1 INTRODUCTION

1.1 Preamble

Alternative Dispute Resolution (ADR) is a relatively new terminology having its first appearance in the late 1970s (Menkel-Meadow, 2016); however, certain techniques that are comprehended by such term, as arbitration and mediation were originated in ancient times and introduced to the Irish community by the 1950s and 1980s, respectively. The present research will explore the literature regarding the three most utilised ADR methods in Ireland: mediation, conciliation, and arbitration. Additionally, it will also consider to what extent the Irish population is aware of ADR and its techniques available in the country and recognise if the understanding of this topic differs from industries and between employees who work in the HR department from those who work in other sectors.

Moreover, from the mid-1990s to the late 2000s, Ireland suffered an expressive economic growth named the Celtic Tiger. The country that was considered relatively poor shifted the economy from agriculture to industry (Cawley, 2005). Such transition resulted in Ireland becoming an attractive land to many organisations and foreign people who were seeking professional opportunities. Therefore, one of the effects of the Celtic Tiger has been the transformation of the country, turning it into a multicultural society with an extensive immigrant population (Fanning, 2015). Thus, cultural diversity is a fairly recent phenomenon within Ireland, yet it became a characteristic of most environments, including workplaces. This project will analyse the main aspects of culture and how multiculturalism can influence the relationship among employees and, consequently, on the performance of organisations. It also investigates the perception of employees of Irish organisations in relation to such theme.

Further, workplace conflicts are not an atypical matter; nevertheless, organisations continue to struggle to find effective management strategies to deal with such problems. This research will investigate what the literature found to be conflicts in the workplace's key features and what their principal causes are intending to elucidate what should be organisation's priorities in order to prevent conflicts from arising due to mismanagement and negligence towards employees' well-being. However, on many occasions, conflicts are considered inevitable. In such situations, organisations must have a solid conflict management approach to avoid the escalation of the problem and reach a favourable outcome.

The following chapter is related to the literature review, which will explore the most practised ADR methods in Ireland, then it will approach culture and its repercussions within working environments, followed by the definition and causes of conflicts in the workplace. Also, the researcher explored the role of the Workplace Relations Commission (WRC), providing an overview of how the institution has contributed to the establishment of ADR approaches regarding work-related disputes in Ireland. Lastly, this research analyses the influences between cultural diversity and the occurrence of conflicts in the workplace; subsequently, it observes the applicability and efficiency of ADR methods, especially mediation in such scenarios. Accordingly, the next chapter is focused on the methodology, illustrating the methods utilised by the researcher to conduct the process of data collection of this project, followed by the section dedicated to the presentation of the sample obtained, the findings of such material, the discussion where the researcher compared the information from the literature and the primary research. Consequently, the final chapter is focused on the conclusions and recommendations.

1.2   Aims of the Research

This research focuses on developing "an investigation into the influence of cultural diversity and the applicability of ADR methods in Irish organisations"; hence the present project seeks to explore the different sub-topics underneath such statement. The research will analyse the literature pertinent to the theme and provide a greater understanding of the current situation by analysing the data collected by the researcher and the contrast of the literature and the information offered by the respondents.

The researcher formulated the following questions and objectives to assist in the establishment of this study.

1.3   Research Questions

The emergence of the subsequent questions led the researcher to properly identify its objectives and the target audience of the project.

• To what extent multiculturalism is present in Irish workplaces?

• How the variation of culture influences conflicts?

• How often the difference of culture is an element of conflicts between employees?

• Are employees of Irish organisations acquainted with ADR methods and their applicability in the workplace?

• Is there a difference between employees who work in the HR department from workers of other company sectors regarding awareness of ADR?

• How Irish workplaces usually manage conflicts?

• Do Irish companies offer and provide ADR techniques for the resolution of disputes?

1.4 Research Objectives:

The comprehension of the issues by the researcher are essential for creating a relevant study that might contribute with awareness and perhaps offer new possibilities to those impacted by the problems under consideration. Therefore, the objectives of this research are:

• To examine the main ADR methods utilised in Ireland

• To evaluate the impact of cultural variation in conflicts

• To clarify the advantages and disadvantages of a multicultural working environment

• To identify the awareness regarding ADR methods among employees in Irish organisations[1]

• To investigate what are the most utilised conflict management approaches in Irish workplaces

• To develop a critical discussion of the role of mediation in disputes based in the workplace arising from cultural diversity.

1.5 Limitations of Research

The theme of cultural diversity is extremely broad and embraces various layers as analysed in the literature research; for this reason, the researcher decided to narrow the scope of the research, focusing on nationalities when dealing with the cultural matter. Nevertheless, there are approximately 235 different countries in the world (Worldometer, 2021), and according to the Irish Central Statistics Office, in 2016, there were people of 156 foreign nationalities living in Ireland, which also represents a limitation for the present research, since ideally, it would be necessary to collect data from employees of all of those nationalities to provide a precise generalisation. Thus, the findings are restricted to the sample provided by 54 respondents of 11 nationalities, representing a significant

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[1] A differentiation between HR employees and workers from other sectors was established to facilitate the analyse and provide a better understanding.

limitation. Also, such restriction was strengthened by the ongoing COVID-19 pandemic situation, characterising a greater challenge to the researcher to have access to the aimed variety of employees who could respond to the questionnaire and collaborate to this research.

Further, as will be further discussed, a lexical miscomprehension of the word 'mediation' was also observed among a few respondents. Such confusion occurs when the respondent deploys a different meaning of what was initially intended by the researcher (Hardy & Ford, 2014). Respondents also seemed to demonstrate a particular misconception when the term Alternative Dispute Resolution was brought into question.

Moreover, the timeframe of the research study prevented the collection of a larger sample, and finally, the researcher faced a considerably reduced access to data when developing the current project. Finally, due to COVID-19, libraries are closed and the range of access to online sources was also limited, resulting in a considerable restriction of valuable resources that could assist the researcher in elaborating this research.

2   LITERATURE RESEARCH

In this chapter it is intended to explore the relevant literature related to ADR techniques, multiculturalism, and conflicts in the workplace in order to provide a better understanding concerning these topics, representing to the researcher an opportunity to develop a greater critical sense, and offering reliable data that will contribute to achieving a relevant and coherent discussion and conclusions throughout this project.

Firstly, this section will consider the principal ADR methods utilised in Ireland, particularly mediation, conciliation and arbitration, so it will be possible to recognise which would be more appropriate to be utilised in the occurrence of conflicts arising from cultural diversity in the workplaces. Then, the concepts of culture and the advantages and challenges that multiculturalism may result in organisations will be investigated. Further, this chapter will provide an overview regarding conflicts in the workplace and the theories that investigate the leading causes for the occurrence of such disputes. Additionally, it will explore the role of WRC and the services provided by such statutory body. Lastly, the effective applicability of ADR techniques, especially mediation, to resolve conflicts involving culturally diverse co-workers will be analysed.

2.1   Alternative Dispute Resolution Methods

2.1.1   History of ADR Methods and ADR in Ireland

Several studies promote an understanding of Alternative Dispute Resolution (ADR) methods such as mediation and arbitration in ancient times. For instance, in 1800 B.C., in the Kingdom of Mari, what is now Syria, when conflicts occurred, the population would solve them through mediation and another process similar to arbitration. It was also found evidence of the utilisation of ADR methods in the ancient Egyptian city Amarna in 1400 B.C., in Phoenicia in the eastern Mediterranean (1200-900 B.C), as well as in India in 500 B.C., where a process alike arbitration named Panchayar was adopted to solve disputes (Cohen, 2020). Furthermore, in China, traditional mediation was originated

based on the ethics and concept of harmony taught by the philosopher Confucius (551 B.C to 479 B.C.) (Cohen, 2020).

In what concerns the Western World, the emergence of ADR transcended the Greek mythology where the concept of mediation was developed. From the end of the fifth century B.C., there were two laws to coordinate arbitration in Athens: private arbitrators and the other regarding public arbitrators (Harter-Uibopuu, 2002).

ADR is present in the history of various cultures in the world, including some religions such as the Koran and the Bible that mention the use of mediation and arbitration to solve disputes (Law Reform Commission, 2008). Mediators were called by numerous names by the Romans, to wit*: internuncius, medium, intercessor, phlantropus, interpolator, conciliator, interlocutor, interpress* and lastly as *mediator*. In some cultures, the mediator would be a holy figure, honoured and respected for that, not just for their wisdom (Miranda, 2014).

In the 7th century A.D., the laws were documented for the first time in medieval Ireland, such native indigenous system was titled 'The Brehon Law', or 'Fénechas' in the Irish Language, and the presence of arbitration is one of the main characteristics of it. The Brehons (or 'brithem') were professionals who had studied in a law school but were not elected by the king to occupy the position of judge. Thus, Brithem would have a role similar to an arbitrator, adjudicating disputes among parties aware that the decision made would be binding. Moreover, if the brithem neglected a process leaving it unresolved, he would be obliged to pay a penalty of eight ounces of silver (Law Reform Commission, 2008).

In 1698, the first Irish Arbitration Act was established and named the "Act for Determining Differences by Arbitration, 1698". Its purpose was to resolve conflicts between merchants, traders, and others who agreed to obey the award decided by the arbitrator (Law Reform Commission, 2008). One of first Ireland's documented arbitral bodies was the Ouzel Galley Society, created in 1705 and

wound up in 1888, having its functions incorporated into the Dublin Chamber (Stokes, 2013). Moreover, inspired by the English Arbitration Act 1950, Ireland developed its Arbitration Act 1954, which remained its structure for the following 56 years. The Arbitration Act 1954 suffered two amendments over that period: The Arbitration Act 1980; and the Arbitration (International Commercial) Act 1998, which would rule international arbitrations (Doyle, 2010). Finally, in June 2010, the Arbitration Act 2010 was introduced, abolishing the aforementioned jurisprudences and implementing the UNCITRAL (The United Nations Commission on International Trade Law) into the Irish legal structure.

In regard to the origin of Mediation in Ireland, it became a feature of commercial disputes, particularly in the construction field by the 1980s. Eventually, in 2003, the Commercial Court declared that mediation was an approach of dispute resolution (Keogh, 2016). Furthermore, in 2008, the European Union (E.U.) published the Direct 2008/52 E.C. of the European Parliament (the Mediation Directive); however, such regulation was only implemented in the Irish judicial structure in May 2011 (Irish Statute Book, 2011). In 2017, Ireland finally provided the Mediation Act 2017, specifying its principles, highlighting the importance of such method of alternative dispute resolution to minimise the damages that a conflict may cause, and more importantly, connecting it to the traditional legal system.

Concerning the introduction of conciliation in Ireland, in 1946, the Labour Court was founded by Sean Lemass with the intention of controlling the wages according to the post-war economic policy. The Court offered conciliation and adjudication assistance, culminating in a voluntary approach to solve disputes emerging from industrial relations (Teague, et al., 2015). In January 1991, The Industrial Relations Act. 1990 established the Labour Relations Commission (LRC), transferring to such institution the conciliation function previously provided by the Labour Court for collective disputes. It also assumed the administrative role of the Rights Commissioner Service, an organisation created in 1970 focused on resolving individual and small groups conflicts. Until 2015, the Labour

Court, the Rights Commissioners, and the LRC were the major institutes responsible for ADR in the private and commercial public sectors (Teague, et al., 2015).

Lastly, in 2015, the Workplace Relations Act 2015 established The Workplace Relations Commission (WRC), which represents the main body responsible for advising employers and employees regarding employment laws. In addition to that, WRC also informs employment rights, provides guidance with codes of practice, offers conciliation, mediation, facilitation, adjudication, and advisory services, as well as monitoring employment conditions (Citizens Information, 2020).

2.1.2   Mediation

According to Goldberg, Sander, and Rogers (cited in Isenhart & Spangle, 2000, p. 72), "mediation is usually a by-product of failure – the inability of disputants to work out their own differences. Each party typically comes to mediation locked in a position that the other(s) will not accept". In other words, the prerequisite for the necessity of mediation rises from conflicts that the people that are involved were not able to solve by themselves. Complementing this idea, Moore says that mediation can be defined as the interference of a third party in a negotiation or conflict, such party is also known as mediator and among his role is the assistance to facilitate the communication between the parties involved so they can, voluntarily, reach a mutually satisfactory agreement. Additionally, through the identification of the issues, the process of mediation can also strengthen, rebuild, or even terminate relationships in a manner that reduces emotional traumas (Moore, 2003).

The definition of mediation embodies a number of criteria, as well as its principles. Mediation is a voluntary process, and such aspect is secured by section 6 of the Mediation Act 2017, stating that 'the participation in mediation shall be voluntary at all times' (Irish Statute Book, 2017). That because the efficiency of the process is directly connected to the cooperation between the parties in reach an agreement and solve the existing dispute. Another vital aspect of mediation is the confidentiality in

the process among the parties and the mediator. The mediator ensures that the parties are aware of such principle, so they feel that they are in a safe environment to share their vulnerabilities because they will not have them exposed to other people outside the session. Section 10 of the Mediation Act 2017 reinforces this characteristic and reveals the exceptions where the confidentiality does not take place, specifically if it is required by law, if a party confesses a criminal activity, if a party threat another party, to provide or enforce a settlement, to prevent psychological or physical violence against a party, or finally to prove or refute that the mediator neglected or misconducted throughout the process (Irish Statute Book, 2017).

Further, the mediator has a fundamental role in the mediation, and his/her values and posture are highly relevant to the outcome of the process. The mediator must be impartial and act with integrity, not allowing that his/her personal affinities interfere in the conduction of the session and the manner that he/she interact with the parties (Mediation Act 2017, section 8). An empathic mediator demonstrates interest in the feelings and concerns of the parties, not with the intention to approve or disapprove, and such unbiased behaviour can lead the parties to feel more confident and get involved in the process, increasing the chances of a positive outcome. Consequently, the manner that the mediator conducts the process, for instance, focuses on problem-solving, and the questions that are made to the parties may also help determine the resolution of the dispute (Isenhart & Spangle, 2000).

Some conditions underneath the conflict may influence the effectiveness of the mediation. Notwithstanding the fact that a conflict is needed for the necessity of mediation, the measure of its intensity may ruin the process since usually, in a high level of conflict, the communication between the parties is badly affected. The commitment in the process and the motivation on reaching an agreement are decisive for the success or failure of mediation, considering that the mediator's role is to facilitate the communication between the parties, and the power of decision belongs exclusively to the parties. Other aspects that may intervene on the result of the process are the scarcity of resources, collision of principles and the inequality of power between the parties (Kressel, 2006).

Mediation has been developed and shaped in most various fields, and it has proven to be a flexible, cheaper, and quicker approach to resolve conflicts. Mediation was found successful in scenarios such as labour management, commercial relations, ethnic/ religious contexts, community disputes, conflicts between landlord and tenants, primary and secondary schools, institutions of high education, the criminal justice system, family disputes, public and private organisations, court-based, environmental or social policy issues, health care industry, and finally Online Dispute Resolution (ODR) (Moore, 2003).

As previously mentioned, Ireland's current and first legal framework is the Mediation Act 2017, which contains various provisions elaborated to facilitate the mediation's process design. Besides the voluntary, confidentiality and impartiality aforesaid, other specifications in the Act deserves to be observed. Section 16 affirms that a court may offer the disputants to consider mediation to solve the conflict and that invitation comes with consequences. If the Court considers that a party's motives to reject the mediation are unreasonable, it may impose a financial penalty, demonstrating the voluntarism's limitations (Mediation Act. 2017, Section 21). The mediation followed by the court proposal can also affect the confidentiality, since the mediator must provide a report informing the outcomes of the session, including a justification of why an agreement was not reached by the parties, resulting in a final exception for the principle of the confidentiality (Mediation Act. 2017, Section 17). Also, section 14 states that the solicitor must advise the client about the possibility of mediation, informing about its advantages and benefits. The Mediation Act 2017 clearly suggests that mediation works along with the traditional legal system; it "seeks to promote mediation as an effective and viable means of resolving disputes" (Mediation Bill 2017: Second Stage, 2017). It is also essential to notice that, even though mediation is a non-binding process, which might be seen as a deficiency in its effectiveness, such a characteristic can be transformed into a binding outcome once the parties stipulate it on their final agreement. Through the analysis of the Irish legislation concerning mediation, the researcher concluded that the Mediation Act 2017 was appropriately developed, and

it does provide enough information and clarification regarding its process, it also clearly demonstrates to support the population on the adoption of such system.

2.1.3   Conciliation

Conciliation is an alternative method of dispute resolution which may be considered similar to mediation in a few aspects.

The initial role of the conciliator is to assist the parties in their negotiation, reaching a satisfactory agreement. The impartiality aspect is still present, yet the conciliator has a more active function, having his/her neutrality affected since once the parties cannot find a resolution for themselves, the conciliator must develop and propose a settlement solution. Such recommendations are not binding if rejected by either party within a specified time frame. Besides, the parties often opt for conciliation because they seek advice and guidance to find a solution for their impasse (Sgubini, et al., 2004).

The conciliation process is voluntary and confidential; it is also conducted on a "without prejudice" foundation; in other words, any information or documentation shared cannot be used in subsequent dispute resolution processes (Fehily, 2020). As well as mediation, conciliation is flexible, the parties can withdraw from it at any point, and they have dominion over the outcome, meaning that they will not have to deal with an imposed decision that usually leads to a "win-lose" scenario.

Especially in Ireland, conciliation has been primarily used in the construction industry since the mid-1990s, appearing in many contracts as an obligatory stage prior to arbitration (Engineers Ireland, 2019). Conciliators elected in the construction industry are primarily experts in the field, such as engineers, architects, quantity surveyors and lawyers (Law Society of Ireland , 2018); undoubtedly, this aspect collaborates for the elaboration of the best recommendations for the disputing parties. Institutions such as The Royal Institute of Architects of Ireland (RIAI) and Engineers Ireland have their own conciliation procedure (RIAI, 2016; Engineers Ireland, 2013). In July 2016, the

Construction Contracts Act 2013 was enacted, introducing the adjudication approach for payment concerning construction disputes. Adjudication is cheaper than Arbitration and Litigation, but it is still an expensive process compared to mediation and conciliation (Byrne, 2017). Section 6 of the Construction Contracts Act 2013 mentions the possibility of initiating an adjudication procedure 'at any time' (Irish Statute Book, 2013), which implies that other dispute resolution methods are not excluded.

Hitherto, there are not enough data to measure the adoption of adjudication instead of the traditional conciliation in the construction field. However, the WRC offers a broader perspective of the application of conciliation in the workplace in Ireland, stating that the Commission provided 5,327 conciliation conferences between 2015 and 2019. One thousand two hundred two of those occurred in 2019, with a resolution rate of 86% obtained (Workplace Relations Commission, 2020). Based on the data provided by the WRC, the researcher considers that conciliation certainly is a viable and effective form of ADR and should not be restricted to the construction industry.

2.1.4   Arbitration

Arbitration is the third and last modality of ADR that will be explored in this chapter. Arbitration was once defined as "an extra-judicial legal mechanism for resolving disputes by referring them to a neutral party for a binding decision, or 'award'" (Dowling-Hussey & Dunne, 2018, p. 1); arbitration is mainly known for its peculiarities that turns it attractive and an excellent alternative to court litigation.

According to the chartered arbitrator Mauro Rubino-Sammartano (2001), there are two main concepts regarding the nature of the arbitration. The first one would be a contractual nature, originated through clauses or agreements; the other is the jurisdictional nature, considering that it represents a judicial process composed of various formalities. Moreover, the professors Sarah Rudolph Cole and Kristen

M. Blankley (2012) argue that arbitration can also arise from labour matters, precisely in relation to collective bargaining terms.

Arbitration is a flexible process; for instance, the parties are allowed to negotiate the number of arbitrators they would like to appoint, the applicable law regarding their case, the location where the sessions will be held (Cole & Blankey, 2012), and it is a confidential procedure, which turns it appealing to businesses or disputes involving sensitive information. The possibility of choosing the arbitral tribunal, which is the professional or professionals who will decide the award, is undoubtedly convenient for the parties involved in the dispute since they can select someone who has experience in the matter or even an expert on the subject in question (Carrigan, 2019), they can decide it through recommendations and based in trust, these aspects are not likely to be found in court proceedings.

Also, it is crucial to observe that even though the parties choose the arbitrator, arbitration is not an informal process. The professional has the duty to act judicially, such as conducting hearings in the same manner that a judge would do, determining the award based on the evidence (written or oral) submitted by the parties perceiving the fairness of procedures (Dowling-Hussey & Dunne, 2018). As well as in conciliation and mediation, the arbitrator must be neutral and impartial. Furthermore, literature has stated that the arbitrator's duty comprehends by three mainly foundations: those imposed by the parties, others dictated by law, and the ethical one (Blackaby, et al., 2015). As abovementioned, the decision made by the arbitral tribunal is final and binding, being enforceable over the losing party and possibly having public legal outcomes; another relevant detail is that there are very restricted grounds for appeal in arbitration, and in addition to that, arbitrators, their employees or advisors are not liable for anything absent or done in processes held in Ireland (Doyle, 2018; Irish Statute Book, 2010), enjoying immunity from being sued in the Court. Such characteristic may be faced as an advantage, due to the speediness of the process when compared to endless appealings to higher instances in the courts and consequently resulting in a more inexpensive procedure; or, contrastingly to such idea, it may represent a limitation to the parties for not being able to request further analyses

and maybe obtain a different outcome, when they consider it inadequate to what was initially expected. "An agreement to arbitrate is not only an agreement to take part in arbitral proceedings, but also an agreement to carry out any resulting arbitral award" (Blackaby, et al., 2015, p. 26).

Arbitration is a long-established convention in Ireland, and the legislation framework responsible for its governance, both domestic and international, is the Arbitration Act 2010. Such Act embodies the UNCITRAL Model Law on International Commerce Law into the Irish legal system, and Ireland also participates of the Geneva, New York and Washington Conventions (Doyle, 2018). The Act has turned Ireland into a very attractive option to international arbitrations, and with the recent execution of the Brexit process in December 2020, Ireland is the only English speaking country and based on the common law in the European Union, which certainly will influence the escalation of the number of international arbitrations in the country (O'Donnell, 2020; O'Riordan, 2020).

Regarding the utilisation of arbitration in disputes arising in the workplace, section 30 of the Arbitration Act 2010 states that such a process cannot be followed in relation to the terms or conditions of employment or concerning the remuneration aspect (Irish Statute Book, 2010). According to the researcher's judgment, arbitration aims to satisfy a significant need on the national and international degrees. However, regardless of the motives that led the parties to opt to resolve their conflicts, under ideal conditions, arbitration should only occur when other methods of ADR, like mediation or conciliation have failed.

2.2   Cultural Diversity in the Workplace

2.2.1   Culture Defined

Defining culture has concerned anthropologists, sociologists, and psychologists for the past decades since it is a broad topic. For this reason, there are different theories, varying from authors to authors, that aim to establish the limits of such subject. According to Freud (1930), the evolution of culture

was not an enigma, it could be described as the battle of humans for surviving. Furthermore, from a diverse perspective, Franz Boas, who was considered the "father of American anthropology", considered that "culture embraces all the manifestations of social habits of a community, the reactions of the individual as affected by the habits of the group in which he lives, and the products of human activities as determined by these habits" (1930, cited in Kroeber & Kluckhohn, 1952, p. 43).

Geert Hofstede, a social psychologist, and professor affirmed that culture is a collective phenomenon and that people learn culture throughout their lives. However, it has a remarkable influence during the first years, when values are absorbed. Hofstede refers to culture, personality and human nature as a mental programming, and the professor illustrated the three levels of such theory as follows:
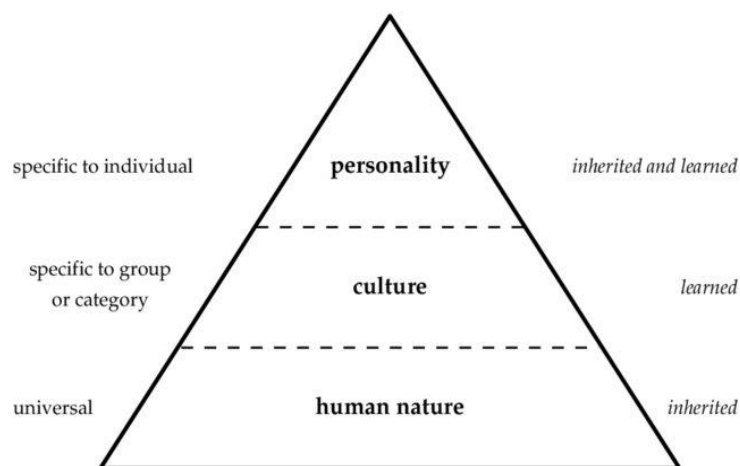
Figure 2. 1: Three Levels of Uniqueness in Mental Programming (Hofstede & Hofstede, 2005, p. 4)

Particularly, the researcher agrees with the author regarding the description above. It is reasonable to consider that all three spheres impact differently on the development of a human being and that it is impossible to avoid such influence. While human nature is innate to us, the capacity to feel fear, love, shame, anger, joy, sadness, the necessity to connect with others and the ability to express ourselves belong to all human beings and are represented by the pyramid's base. The personality is composed

of the emergence of culture, personal experiences and the person's exclusive set of genes (Hofstede & Hofstede, 2005).

According to Hofstede, culture shapes how people think, feel and act. Further, it has several layers, to name a few: national level, regional, ethnic, religious, linguistic levels, gender, generation, social class level, and even the organisational level for those who work in an institution (Hofstede & Hofstede, 2005).

Hofstede worked on a research relating to workplace values for over six years with employees of the multinational IBM in 50 different countries. Based on the survey results, he made an analysis and developed six dimensions where cultures can differentiate from one another. Such dimensions are (Hofstede & Hofstede, 2005):

   a) Power-distance: which relates to the rate of dependence relationships in a nation;

   b) Individualism versus collectivism: concerns to the degree that individuals are connected to society;

   c) Masculinity versus femininity: demonstrating the antagonistic principles inherent to the gender, where men tend to be more assertive and competitive whereas women are generally humble and caring;

   d) Uncertainty avoidance: the tolerance of the ambiguous and unpredictable;

   e) Long-term versus short-term orientation: distinguishing values that are oriented by future goals and values that are oriented by past and present;

   f) Indulgence versus restraint: tolerant society stands for free gratification of human needs related to appreciating life, while a restrained society represses free gratification and is guided by rigid social norms.

Another very well-known author in the field is Fons Trompenaars, and he states that people with the same culture will not always share equal values and principles. According to him, what characterises

culture is the manner that a group of people solve its problems. Trompenaars together with Charles Hampden-Turner developed 7 cultural dimensions, as follows: universalism/ particularism, individualism/ communitarianism, affective/neutral, specific/ diffuse, achievement/ ascription, sequential/ synchronic, and finally, internal/external control (UKEssays, 2018).

Trompenaars, as well as Hofstede, aims to investigate the universe of culture and the layers underneath such theme. Both theories are highly utilised by organisations, offering a form of support for them to deal with cultural diversity. Studying both theories is possible to notice a strong sense of competitiveness between both authors, Trompenaars stated that "Hofstede's approach has several serious limitations. Here also we see that business reality and culture are mapped as positions on a line" (Hampden-Turner & Trompenaars, 1997). Whereas, in his book, Hofstede criticises Trompenaars's book 'Riding the waves of culture', stating that "the book shows no validation of Trompenaars's seven dimensions, which without country scores would have been impossible anyway" (Hofstede & Hofstede, 2005, p. 32).

The present project does not aim to discuss the merit of either theories previously mentioned; both studies constitute a powerful impact on culture studies. Culture is impermanent, varies from people to people, and will always be an ongoing subject of studies.

Usually, in our everyday language, culture and nation are considered the same. When someone mentions a different culture, the other person will likely comprehend it as a different country, even though most people know that a single country can incorporate diverse cultures, such as religion, values, ethnicity, and much more variants. A nation is a political term to refer to the government and legal system established in a determined area that coordinates the population's behaviour (Spencer-Oatey, 2012), the historical aspect of each country is a fundamental element that influences how such terms are established. It is undeniable that nationality contributes to people's development, and it is impossible to avoid it.

Notwithstanding the fact that Hofstede's and Trompenaars's researches clarify and bring considerably good reflections concerning the different dimensions of culture, how it differs from country to country and the impacts that it causes in the workplace, in the researcher's view, such method can be utilised to investigate cultures; however, in his study, Hofstede considered as the national cultures were uniform, which may open gaps to mistakes. As Elizabeth Kummerow and Neil Kirby nicely observe it "research is also needed to examine the influence of social factors, which may change over generations, on national culture" (Kummerow & Kirby, 2014, p. 206).

2.2.2 Advantages of Cultural Diversity in the Workplace

Organisations across industries are adopting a culturally diverse policy, and such attitude has been considered key to those who aim to grow in a long-term perspective. Emigration and, consequently, immigration affect multiple societies and may slowly modify the mindset of people who share the same environment and come from different backgrounds. The same happens in the workplace when people with diverse culture are put to work together, preferably in a collaborative manner, or even when a local company seeks to negotiate with international businesses and or emigrate to different nations. When done correctly, investments in diversity produce positive outcomes, as it will be discussed in this section.

Gareth Morgan once wisely said that "creativity thrives on diversity" (Morgan, cited on White, 1999, p. 477). In fact, the multiplicity of perspectives and personalities along with personal and professional experiences lead to new possibilities, being considered the source of creativity and innovation. A study from Forbes in 2011 revealed that "the best way to ensure the development of new ideas is through a diverse and inclusive workforce" (Forbes Insights, 2011, p. 19). Multicultural teams also have a better performance on problem-solving, organisations are more likely to find solutions and adapt to new markets and offer better customer service.

Cultural diversity can assist in the effectiveness of marketing strategy. For instance, for multinational companies, having local employees can contribute to offer the best product for that specific community, whereas national companies can also take advantage of diversity when expanding their businesses abroad or even to reach a wider variety of customers. Confirming such theory, Cox and Smolinsky (1994, p. 36) pointed out that "this type of diversity-leveraging to improve marketing is reported by a variety of other organisations in a variety of industries ranging from local grocery stores to newspapers and cosmetics".

A recent survey conducted by Glassdoor reported that 76% of job seekers and employees consider diversity in the workplace an important aspect when analysing job offers and organisations (Glassdoor, 2020). Furthermore, diversity broadens the number of candidates' workforce and allows the company to recruit the best talent available. An ethical culturally diverse workplace tends to be considered a better environment to work, resulting in retainment of employees, reduced cost derived from turnovers and less absenteeism (Morley, 2018). A further study organised by BCG in 2017, a survey answered by employees of more than 1,700 companies allocated in 8 different countries and across various industries and sizes, demonstrated that culturally diverse management resulted in higher incomes for the company. Companies that reported above-average leadership management accumulated a revenue 19 percentage higher when contrasting with companies with below-average diversity of management (Lorenzo, et al., 2018), as is indicated below:

Figure 2. 2: Companies with More Diverse Leadership Teams Report Higher Innovation Revenue (Lorenzo, et al., 2018)

Cultural diversity turns the differences into a competitive advantage. Under the same circumstances, how someone deal with it may vary according to their background, experiences, and culture, which indicates that a range of possibilities is presented. A wider skills base facilitates adaptability in various scenarios, a multicultural organisation can develop new products and find solutions faster than homogenous companies. As Hofstede cleverly confirmed, "the principle of surviving in a multicultural world is that one does not need to think, feel and act in the same way in order to agree on practical issues and to cooperate" (Hofstede & Hofstede, 2005, p. 366).

An organisation that invests in culturally diverse employees and creates a healthy environment for them to work their best may, as a consequence, provide the highest level of cultural awareness, named as integration, which happens when people are open to different values and ideas, they actually enjoy being with other cultural groups and are expert in discerning their own and other's mindsets (Kimmel, 2006, p. 635).

The benefits of the diversity of culture in the workplace surpass the better income for the company and the healthier work environment, coexist with people from different nationalities, ethnicity, race

and gender influences on the emergence of a mental flexibility. It potentially leads to positive impacts on how to respond to emotional reactions and moral judgments. Culture does prescribe limits and guidelines; however, it also allows an excellent autonomy range (Matsumoto, 2007).

2.2.3   Challenges of Cultural Diversity in the Workplace

As a result of the studies regarding the effects of cultural diversity in the workplace, the researcher has opted for the term challenges instead of disadvantages. The reason is that the aspects that will be approached in this section only become a permanent negative matter when challenges are not properly managed by the organisation's leadership together with its human resources (HR) department. Among the problems in the workplace derived from the difference of culture are prejudice, discrimination, ethnocentrism, stereotypes, miscommunication, turnovers, and absenteeism.

Prejudice is defined as a bias and preconception of someone based on characteristics, and it is not based on facts but beliefs. Technically, prejudice can be both positive and negative. On the other hand, discrimination happens when a person or a group of people are treated differently due to their identity, such as nationality, age, skin colour, sex, sexuality, etc. (White, 1999).

Cox and Smolinsky (1994, p. 21) argue that "Stereotyping is a process in which characteristics are ascribed to individuals on the basis of their assumed membership in a group to which the characteristic is thought to apply". Stereotypes are mainly focused on the psychological and personality traits of minorities. An example where positive stereotype can be noticed is when it is said that Germans are committed to work and reliable people, whereas a negative stereotype would be that French people are lazy, rude, and have a hierarchical culture. Although these are not characteristics of most of these populations and probably exist people with such attributes in every country, those stereotypes may influence the impression that people will have of a French or German person in a foreign environment.

Kimmel (2005) sensibly advised about the necessity of being exposed to intercultural experiences and training. Otherwise, we will tend to maintain our mentality according to our own culture, perpetuating stereotypes.

Ethnocentrism is also among the main challenges faced by a multicultural organisation. It can be comprehended as a lack of cultural awareness, which leads people to believe that their values and ways of thinking are the best. Ethnocentric people consider their culture and native country superior to others, as Hofstede (2005, p. 326) pointed out, "ethnocentrism is to a people what egocentrism is to an individual: considering one's own little world the centre of the universe". Such phenomenon is a group-level form of individual prejudice, generating favouritism toward in-group members and rejection of out-group members (Cox & Smolinski, 1994; White, 1999).

Mismanaged cultural diversity in the workplace may trigger dissatisfaction among workers, resulting in higher numbers of turnover and absenteeism, and those are mainly caused by the occurrence of the conducts mentioned above of intolerance (Jackson, 1996). In such cases, not only the atmosphere is affected, but organisations suffer from financial impact and lower productivity. The CIPD's H.R. practices in Ireland 2020 survey illustrated that a quarter of all the 502 participants declared that the number of absenteeism increased the previous 12 months, and the main causes are acute illness, stress, and mental health issues (CIPD, 2020). Interestingly, the CIPD Ireland's COVID-19 survey demonstrated that 43% of the 341 respondents declared the absence due to sickness had decreased, 41% said that it remained at the same level, and only 12% had a higher number of absenteeism (CIPD, 2020). Such surveys illustrate the practical impact that the workplace environment has on employees' performance.

Furthermore, misunderstandings are not rare in culturally diverse workplaces, especially when people involved have different native tongues or even due to their communication style. Also, Cox and Smolinsky (1994, p. 33) establish the lack of trust as an additional cause for miscommunications

since it is easier to communicate when people feel psychologically comfortable and when trust is high, and both might be more challenging to obtain in culturally heterogeneous groups.

Diversity of cultures demand investment from organisations in training programs, seminars, and courses to provide a development of cultural awareness. Firstly, the leadership members of the company must acquire such knowledge so they will know how to address barriers that arise from culture and how to manage a diverse team effectively. Moreover, offering cultural awareness training to employees can prevent many inconveniences in the workplace, they should cover topics such as explaining the advantages and challenges that culturally diverse environments have over homogenous workplaces, helping employees to understand the impact of different backgrounds, demonstrating that intolerances as prejudice and discrimination are not accepted and are passive to punishment, and finally, including information regarding employment laws (Kamales & Knorr, 2019). Further, the researcher also believes that the development of an organisation's policy may represent a significant contribution in respect of the company's culture and values, these elements assist in the creation of a "common culture" among employees of diverse cultures.

2.3   Conflicts in the Workplace and Multiculturalism

2.3.1   Conflicts in the Workplace

Workplace conflict may be defined as "involving differences of view and conflict between individual employees and their employer; among individuals; and between groups of employees, whether unionised or not, and their employer" (Teague, et al., 2015, p. 2). Such definition can be enhanced with two more levels of conflict in organisations developed by the professor of psychology W. Warner Burke, they are: conflicts between organisational units with other units and interorganizational relationships (Burke, 2006).

An individual or inter-personal conflict may occur between an employee and the company or between co-workers, and various motives can trigger it, and in fact, its number has increased over the past years in Ireland. It is believed that the reduced number of people represented by unions, the rise of individualisation as a value to be followed by workers, the growth of employment rights in the legal system and employees feeling empowered to claim for new rights, the intensification of pressure and amount of work, the presence of well-educated workforce, and clash of personalities are among the reasons of why individual disputes have arisen in the country since the early 1990s (Teague, et al., 2015; Curry, et al., 2016). In the case of interpersonal conflicts, Jerry Harvey created the theory of the "Abilene Paradox", and it distinguishes conflicts in two types: real, where substantive differences are the cause; and phony conflict, which emerges when an agreement is mismanaged, in other words, when the parties act differently of what was previously established between them (Harvey, 1974).

The difference of personalities and styles may cause conflicts among co-workers. Unfortunately, conflicts between line managers and employees are also included in the workplace's primary motivations for conflicts. Line managers often experience significant pressure to deliver the work with excellence of performance; consequently, such pressure is automatically shared with employees, which means that employees will face the line manager as the source of stress and conflicts (Teague, et al., 2015). The CIPD in U.K. (United Kingdom) conducted a study in 2015 focused on exploring the causes of workplace conflict and its consequences; the same research pointed out that the predominant effects of individual conflict in the workplace were a decrease in motivation, the growth of stress, absenteeism, and turnover (Gifford, 2015). All these effects are symptoms of unsolved conflicts, and the survey performed by the Irish CIPD confirmed such a statement when 39% of its respondents answered that work-life conflict was the cause of employee's turnover (CIPD, 2020).

Dr Burke mentioned the existence of an internal conflict that many employees suffer due to the nonreciprocity from the organisations; for example, the fact that an employee works hard and is loyal to the company does not mean that the organisation is loyal to him and will provide job security

(Burke, 2006). In some cases, not managed intrapersonal conflicts can escalate to conflicts between the employee and the company.

In relation to collective conflicts in the workplace in Ireland, industrial disputes suffered a dramatic decline from the 1990s, and such drop is justified due to the reduced number of "strike-prone sectors, the decline in union density and coverage of collective bargaining, changes in levels at which collective bargaining takes place, changes in priorities of union members, changing competitive environment, legal restrictions on industrial action, and growth in legislation on employment rights" (Teague, et al., 2015, p. 38).

Regarding intergroup conflicts, Ronald J. Fisher explains that the mismanaged differences between different sectors or between groups within the same department may suppress morale, produce competitiveness and a hostile atmosphere among employees, resulting in a lack of motivation and less productivity (Fisher, 2006). Daniel Katz, a precursor theorist on conflict, created a typology that recognises economy, value, and dissimilarity of power as the principal elements in an intergroup conflict (Fisher, 2000).

The fourth level of conflict in the workplace is the interorganizational, and it can arise from various scenarios, and "mergers, acquisitions, strategic alliances, joint ventures, consortia, and partnerships represent the main ones" (Burke, 2006, p. 800). Organisations would be tempted to work through collaboration and develop their businesses to increase the capital, grow the company size, and create or enhance its reputation; despite that, such move comes with risks and challenges, which could probably be translated as conflict among them. Biggart and Burke pointed out six conditions where interorganizational transactions are likely to fail: firstly would be the absence of clarity about goals and the strategy planned to reach them; secondly, when the power and control between the companies are not harmonious; moreover, when one of the partners has more prestige and or expertise; also when one of the partners is overconfident or unrealistic about the future success of the partnership,

predicting to control external factors; or even when there is not a contingency plan for not expected events; and finally, the relationship may deteriorate if there is a lack of perceived equity, for instance, just distribution of critical jobs (Biggart & Burke, 1997).

2.3.1.1 Causes of Conflicts in the Workplace

Aiming to help to address the causes of conflicts in the workplace, the psychologists Art Bell (2002) and Brett Hart (2000) suggested in separate articles, the eight most common triggers to bring tension and disputes in the working environment, which would assist employees and employers to have a better understanding of the root of the problems rather than deal with its surface. Although there are not many reliable sources concerning such literature, their suggestions are of great importance and can generate substantial impact, especially to leaders and H.R. employees on recognising the problem and work on the solutions.

The first cause would be conflicting resources. The scarcity of resources, regardless of the resource under consideration, is office supplies, meeting rooms, help from co-workers, the boss's time, or even the absence of recognition can lead to conflict (Hart, 2000).

The second cause is conflicting styles. People have different personalities and styles of working; for example, an employee is very organised and prefers to work with schedules and deadlines. Another employee is more relaxed and often delivers his or her jobs at the last minute. When put to work together, their personalities may clash, and they are likely to experience negative feelings towards one another, and conflicts could arise from that (Xu & Tuttle, 2004).

The third situation is the conflict of perceptions. People see the world through their lenses, and such lenses are obtained through values, experiences, and culture, which implies that two people will not have the same perception about everything, they are likely to diverge at some point. That is why employees can have dramatically different views about the same situation in the workplace, and these incidents can result in disputes (Mergan, 2018). The key to preventing this kind of problem is to work

on open communications, trying to be as clear as possible not to create gaps for doubts and misinterpretations.

The following scenario happens when there is a clash of goals. For instance, when a manager determines that the employees must focus on the speed of the delivery of services. In contrast, another manager decides that employees should provide the highest quality of service possible (Farnsworth, et al., 2019). Probably, as it is impossible to reconcile both goals simultaneously, such situation may lead employees to confusion and maybe causing conflicts among them. Carlo Salvato and Claus Rerup (2018) pointed out two possibilities that would result when employees face conflicting goals: the creation of a new routine, which is usually idealised by senior managers, aiming to reduce the number of disagreements that may surge from the confusion of which goal the employee should focus on, and such new routine will produce a new common organisational goal, and the second approach would be the separation of the conflicting goals across time and space. Both conditions seem to be adequate when a situation of conflicting goals arises; however, it is noticeable that both scenarios are avoidable, and leaders must define coherent goals to prevent unnecessary conflicts in the workplace from occurring.

Conflicting pressures are the fifth condition presented by Bell and Hart, and they are similar to conflicting goals, but it consists in urgent tasks, while the other focuses on long-term situations (Mind Tools, 2014). An example would be when a duty is stipulated to an employee, and to finish it, he or she may need the assistance of a colleague; however, the colleague is busy working on a different errand with the same deadline. Once again, the situation can trigger conflicts. Looking deeper into the subject, other literature refers to the theme as goal interdependence. For instance, the social psychologist and pioneer of the field of conflict resolution, Morton Deutshch (1973), created the theory of cooperation and competition, which state that how people comprehend goal interdependence depends on their "social value orientation and social motivation" (Dreu, 2010, p. 995). In other words, sometimes employees can cooperate or compete with one another when dealing

with goal interdependence in the workplace; still, on many occasions, such dilemmas are caused by mismanagement and inattention from managers and leaders in relation to the delegation of duties and its deadlines.

Conflicting roles can occur when an employee is asked to work in a different role or expertise function. This situation can promote a sense of competition for territory among employees (Farnsworth, et al., 2019). Role ambiguity is another matter that is often studied along with conflict role (Boles & Babin, 1996; Jackson & Schuler, 1985; Stout & Posner, 1984), and it can be understood as a lack of clarity concerning a particular function. "Role ambiguity and role conflict may have both psychological (e.g., self-efficacy, satisfaction) and behavioural (performance) implications not only for role occupants but also for the rest of the team" (Beauchamp & Bray, 2001, p. 134).

Another case appointed would be the difference of personal values. Personal values are composed of the union of a person's ethics, morality and values, and such principles are generally influenced by culture. When personal values are not respected, disputes become a reality and a problem to be solved. This possibility, which Hart (2000) included, demonstrates how important organisations are to provide information concerning diversity and inclusion and create a mentally healthy working environment for employees.

The eighth and last possibility among the most common causes of conflicts in the workplace is when organisations have unpredictable policies (Hart, 2000). It is essential that leaders ensure that employees are aware of and understand the company's policies, values, and culture. Otherwise, people might feel uncertain of what is expected and accepted in their workplace, leading to confusion and conflicts.

The literature concerning disputes in the workplace is vast since conflicts can appear in many different forms and levels, and they affect people's lives inside and outside of the worksite. Conflicts can

remain in practical matters, as they can surge or escalate in (or to) employees and employer's mental health.

2.3.2   The Workplace Relations Commission

The Workplace Relations Commission (WRC) was established on 1 October 2015 under Part 2 of the Workplace Relations Act 2015. Such Act transformed Ireland's employment rights system and standardised the procedures that should be followed in case of conflicts in the workplace. The WRC assumed the roles and duties previously performed by The National Employment Rights Authority (NERA), Equality Tribunal (E.T.), Labour Relations Commission (LRC), Rights Commissioners Service (RCS), and complaints and referrals functions of Employment Appeals Tribunal (EAT) (Citizens Information, 2020).

According to the Minister of State for Business and Employment, Gerald Nash, the objective of the Commission is "to deliver a world-class workplace relations service providing an integrated industrial relations, adjudication and enforcement service which is simple to use, independent, effective, impartial, cost-effective and provides for workable means of redress and enforcement, within a reasonable period" (Houses of the Oireachtas, 2015). Employment disputes of every nature shall now be delegated to the WRC. In the first instance, all appeals from the WRC are forward to the Labour Court. Finally, the High Court deals with appeals from the Labour Court; however, the high Court covers matters of law exclusively.

The WRC board is constituted of a chairperson and eight other members, which include representatives of employees and employers and experts on equality, employment law, and disputes in the workplace (McDonagh, 2020). For assuming the responsibility of a number of different institutions, the Commission has a variety of functions, to wit: to instigate the improvement and maintenance of workplace relations; encouraging and inspecting compliance with employment

legislation; offering guidance through codes of practice; organising or empowering researches regarding workplace relations; providing information and advice concerning to any subject in relation to workplace relations to employers, employees, representative bodies of employees and trade unions (Workplace Relations Commission, 2020). Along with that, WRC deals with every dispute that originated in industrial relations and provides the previously mentioned advisory services, conciliation, mediation, and adjudication for disputes in the workplace.

The resolution rate of the conciliations conferences conducted by the WRC in 2019 was 86%, and the principal motives for disputes were payment issues (34%), organisational structure (31%), and industrial relations issues (21%) (Workplace Relations Commission, 2020, p. 17). These numbers indicate that conciliation was utilised only for bureaucratic concerns, which clearly limits the potential of conciliation as a method for dispute resolution.

An interesting fact of the advisory role of the Commission is that The Industrial Relations (Amendment) Act 2019 determined that members of An Garda Síochána are authorised to forward any industrial relations disputes to the WRC and to utilise the services of the Labour Court when needed. Thus, in 2019 the WRC advisory team provided a training programme to guarantee that Garda's members can effectively use the Commission's services (Workplace Relations Commission, 2020). Although the establishment of the partnership between the two institutions is very new, of 4,804 inspections, some 402 were realised with Garda (Workplace Relations Commission, 2020, p. 28). According to the researcher's judgement, if properly conducted, Garda can contribute to the functioning and better range of the applicability of the WRC services throughout the country, especially when workers are having employments rights violated and are not aware of the assistance offered by the Commission.

In terms of mediation, the support is provided in two forms: pre-adjudication mediation and workplace mediation. The former occurs after a complaint has been made to the Adjudication Service,

and the parties accept to engage in a mediation session that would happen through phone calls or in-person, depending on the necessity of each dispute. In 2019, there were 2,000 interventions; of these, 1,024 progressed to full mediation, of which 75% happened through phone calls, and 25% were face to face. Over 45% of those 1,024 claims did not proceed to adjudication. The workplace mediation modality occurs when there is interpersonal conflict or dispute among small groups of co-workers; in 2019, only 77 workplace mediation sessions were provided by the WRC (Workplace Relations Commission, 2020, p. 19). Workplace mediation is provided for free to the parties; its mediators are State employees (Kenny, 2019), confirming the convenience of taking part in a process and the intention of the State to empower employees and employers on the maintenance of their relations.

Moreover, the adjudication service "investigates disputes, grievances and claims made by individuals or small groups under employment and equal status legislation" (Workplace Relations Commission, 2020, p. 21). Throughout 2019, the Commission received 8,309 complaint application, which resulted in 20,939 individual complaints, such number was 7.6% higher than in 2018, and the most common types of claims concerned about hours of work, payment, unfair dismissals, discrimination/equality, terms and conditions and trade disputes (Workplace Relations Commission, 2020). All the decisions made by adjudicators are published on the internet, the parties are not identified, and in case of discontentment, the parties can appeal the decision to the Labour Court within 42 days (Citizens Information, 2020).

Further, the WRC organises personalised training programmes according to each institution's necessity to enhance the organisation's ability to solve conflicts. For instance, in 2019, 18 training programmes were provided, and subjects as dignity in the workplace and conflict in the workplace were among the approached modules.

Interestingly, there are not many reliable sources about the WRC apart from its own website, which is intriguing, considering the impact that it has caused on the whole Irish employment system.

Considering that the Commission's institution is recent, it is possible to notice that a lot has been done throughout four years[2]. Analysing the numbers informed by the 2019 Annual Report developed by the WRC, it is possible to observe that conflicts of rights are the priority of the WRC mediation services, and there is probably a lack of knowledge of employees concerning the provision of workplace mediation.

2.3.3   Conflicts and Cultural Diversity in the Workplace

The challenges that cultural diversity generates in the workplace were previously studied. Now, the present research will focus on how multiculturalism impacts the occurrence of interpersonal conflicts between individuals or small groups of employees inside an organisation.

Unfortunately, companies only tend to give more attention to how cultural diversity is managed when its negative aspects start influencing the effectiveness, resulting in inferior outcomes than formerly expected. According to Holmgren and Jonsson (2013, p. 19), "cultural diversity also tends to create conflicts, miscommunication, misunderstanding, increased tension, and lack of cohesion, commitment has negative effects on the organisation performance". Even though most people are aware that homogenous culture in contemporary society is steadily being eradicated, tension and conflicts commonly arise from the clash of cultures.

Among the most common causes of intercultural conflict in the workplace are: the presence of ethnocentrism, since the person will not be open to recognising the validity of the other person's culture; the prejudgment and evaluation of someone's behaviour when the person is a foreigner and may behave differently in some aspects or events; and the ignorance cultivated by the lack of knowledge concerning other cultures (Stepanovienė, 2020). Usually, conflicts are only materialised

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[2] The WRC Annual Report has not been published until the present date.

when parties externalise them[3], such expression is mainly expressed through communication, and it is often suggested that personal qualities as superstitions, egocentrism, obstinacy, career-driven nature and competitivity. Furthermore, vague instructions concerning a job that must be done by a diverse group of employees, ambiguous roles, competencies and responsibilities, (Stepanovienė, 2020) confusion regarding the company's policies and values also represent a fertile ground for conflicts.

The social psychologists Deutsch (1991) and Fisher (1997) have observed that our perceptions vary according to the reality we are facing; in addition, culture plays a significant role in the constitution of perceptions and how people deal and react to a problematic situation. Moreover, such "culturally-driven behaviour can contribute to the emergence of new conflict or make the resolution of an existing conflict more difficult" (Bercovitchy & Foulkes, 2012, p. 33).

Some studies show that interpersonal conflicts in the workplace involve mainly two types of conflicts: regarding tasks or relationships. Task conflict comprehends misunderstandings and disputes caused by the clash of goals, decisions, distribution of resources or due to a specific situation, while relationship conflict occurs due to the difference of personalities and emotions among co-workers (Tootoonchy, 2012). Curiously, when studying the empowerment of employees, the researcher realised that such theory is also divided into two categories: psychological and structural. Psychological empowerment is related to the feeling of empowerment that employees have at work; such approach can happen through opportunities, provision of resources, recognition, autonomy, and flexibility, to name a few. Structural empowerment refers to organisational policies, values, the active participation of employees in all dimensions of the company (Mills & Ungson, 2003; Seibert, et al., 2004; Spreitzer, 2007; Yasmeen, et al., 2020). When analysing both theories, it is possible to notice the duality of concepts in relation to workplace conflicts, the practical and physical aspects, as well

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[3] As it was previously noted, internal conflicts may also happen in the workplace, for instance when the psychological contract is broken or when there is no reciprocity from the organisation to employees; however, there is a considerable chance that such conflict is externalised when the employee cannot handle the frustration by himself anymore.

as the influence of psychological discernment that have great importance on the performance and well-being of employees inside an organisation. To complement such view, David W. Pitts (2005) argue that the employee's empowerment and participation in the organisation is a great tool for managing diversity.

The connection between interpersonal conflicts and cultural diversity is a reality. The differences between individuals from a collectivistic society may trigger conflicts with people from individualistic societies since their beliefs concerning fairness, equality, values, and recognition may collide (Hofstede & Hofstede, 2005; Wang, 2015). In addition to that, companies that invest in structural empowerment per se tend to have the number of disputes higher, and such incidences may be more frequent when the organisation is composed of a multicultural workforce, since that locals may feel threatened by the differences, resulting in a defensive behaviour towards immigrant co-workers; furthermore, organisations in a high-power distance would challenge the expectations of employees that come from low-power distance cultures (Yasmeen, et al., 2020).

The facilitator, educator and mediator Beth Fisher-Yoshida (2005) wisely observed the antagonistic aspects underneath cooperation and competitiveness:

> Some characteristics of what cooperative behaviour looks like are fostering a sense of trust, sharing similar beliefs and attitudes, having commonalities and a desire for both sides to be satisfied in the relationship or interaction. Characteristics typical of competitive behaviour are those marked by deception, poor communication, intolerance and hostile attitudes. (…) This is particularly relevant here because when we encounter difference in others it may be a reaction to an explicit difference, such as race or nationality. (p. 3)

Moreover, the author Ira William Zartman (1993) defends that culture is a detail when conflict arises, other aspects as power, resources, and others such as those present in the aforementioned study of Brett and Hart, may be the actual cause of conflicts; whereas, other studies support that the difference

of culture may be the reason of issues, consequently triggering the emergence of conflicts and disputes (Cohen, 1996). As far as the researcher is concerned, the development of a conflict constitutes of the junction of various elements, such as the State of mind, working styles, personalities, life experiences, and obviously, culture, but culture itself cannot be the only nominated guilty to justify the existence of disputes.

2.4 Alternative Dispute Resolution Approaches for Resolving Conflicts in the Workplace Arising from Cultural Diversity

2.4.1 ADR as Strategic Conflict Management

Strategic conflict management has been present in various forms throughout the years, varying its approaches according to the development of industries, employment legislation and even the world globalisation may have influenced its configuration.

Firstly, the most traditional models would be formal disciplinary, grievance, and dispute procedures, usually composed of several formalities that must be followed by the parties of the dispute (Lewin, 1999). It is understood that a more significant part of organisations adopts formal procedures to deal with conflicts (Wood, et al., 2014), unionised organisations proceed through the interaction between trade unions and H.R. managers; while non-unionised companies are known for preferring to resolve conflicts via informal management methods, the external legal changes regarding employment as well as the more educated workforce, and the intensification of the amount of work are among the reasons that have impacted on the adoption of formal procedures when facing disputes (Lewin, 2001; Teague, et al., 2015). The escalation of the numbers of formal disciplinary, grievance and dispute procedures indicates that organisations have struggled to solve their conflicts internally and informally.

Another approach utilised by companies is placing the role of conflict management on line managers, expanding their functions of problem-solving with a more active responsibility (Purcell, 2014), thus

incorporating some aspects of Human Resources Management (HRM). The fact that line managers are daily involved in the dynamics of the organisations having direct contact with employees and seniors/leaders, it is believed that they would be able to act as mentors and coachings aiming to prevent conflicts. In addition to that, they would have the ability to notice the weaknesses and strengths of the company and its workforce, being encouraged to make effective interventions when necessary. Further, it is also expected from line managers the performance of problem-solving role once conflicts arise. However, it is important to observe that depending on how the organisation design such approach, it may result in problematic situations; for instance, line managers can consider the conflict management duty as secondary to their operational function or even not have their culture aligned with HRM managers not implementing the policy as expected by the organisation, and finally, as previously mentioned, in some cases line managers are considered the cause of conflicts which makes unreasonable to have them as the individual responsible for solving the dispute under consideration (Teague, et al., 2015).

Henceforth, the present research will focus on the presence, development, and considerations in relation to ADR methods as a tool for conflict management in the workplace. In fact, many contemporary studies concerning conflict management are investigating the growth of ADR and why it is considered a better means for dealing with workplace disputes (Lipsky & Seeber, 2000; Hann, et al., 2019). For instance, in the book "Emerging systems for managing workplace conflicts", David Lipsky, Richard Fincher, and Ronald Seeber (2003) defend that the principal motive underneath the exponential growth of ADR is the search for a quicker and more flexible process compared to the traditional forms as grievance and litigation; while others would sustain that the reason for its rise would be simply possibility avoiding litigation (Colvin, et al., 2006).

Furthermore, complementing the aforementioned idea of giving line managers the role of problem-solving, Roche and Teague (2014) indicate that line managers are great influencers on the adoption of ADR in organisations, proposing a proactive instead of reactive approach towards conflicts.

However, such theory is continuously compromised since studies have suggested that organisations often do not provide the necessary support and resources for effective engagement with ADR methods (Nash & Hann, 2020; Saundry, et al., 2014), and the reason behind it may be that only few managers opt for major changes, such as new strategies of conflict management diverse than the conventional practices (Fevre, et al., 2012), they also believe that there is no antidote to conflicts, and they may reoccur every so often (Teague, et al., 2012). The researcher understands such mentality as a clear demonstration of a setback on the development of an organisation, given that when managers do not take initiatives to enhance strategies and approaches of conflict management, employees will feel that they are not the organisation's priorities; consequently, more disputes are likely to happen, and eventually, their performance may decrease too.

Companies driven by high-performance work systems (HPWS) may face a more significant number of conflicts, and such conflicts can possibly constrain productivity (Godard, 2004). Thus, organisations that implement HPWS tend to deal with conflict management as key for their success, investing in policies relating to inter-employee conflicts in manners to minimise its occurrence, as well as the utilisation of ADR (Colvin, 2004; Nash & Hann, 2020). This scenario illustrates that the attention given to conflict management turns to be a strategy to achieve a certain balance regarding the number of disputes faced by those that adopt high-performance since their initial approach and culture would potentially be among the main reasons for the emergence of conflicts.

The professors and specialists in Labour Relations David B. Lipsky, Ariel C. Avgar and J. Ryan Lamare (2020) wrote a brilliant article where they discussed the underlying reasons for the adoption of ADR methods:

> As a growing number of organisations adopted ADR, it became clear that other motivations
> drove employers to use these practices, including their recognition that they could improve

their ability to recruit and retain employees, and their belief that ADR could lead to more durable resolutions of their disputes than could litigation (p. 433).

Moreover, the authors developed three causes that may persuade employers to choose ADR over other methods, and they are: the will to improve the organisational efficiency; the enhancement of the sustainability and satisfaction on the resolution of conflicts; and finally, the limitation of the susceptibility of the organisation to litigation processes.

More than the decision of opting for ADR methods, the manner that the organisation implements it is decisive on the effectiveness of such procedures. Thus, the commitment to ADR is represented by the extent to which the company invests in its application, such as through the provision of funds, resources, and the human workforce. According to studies, there are five fundamental ways to demonstrate the mentioned commitment (Lipsky, et al., 2020):

a) Accessibility: represented by the degree that these practices are provided to its employees;

b) Compulsory use: referring to the extent that employees are forced to use such practices;

c) Well-established policy: the inclusion of ADR in the organisation's policy, rather than utilising it only in an ad hoc mode, or even when imposed by courts or contracts;

d) Due process: assuring that employees are aware of the peculiarities of the processes that they may be involved, intending to guarantee their fair treatment;

e) Dimensions: organisations may opt to delimit the range of the application of ADR; for instance, it might be a narrow coverage, limiting it to few situations as discriminatory and health and safety complaints; as well as it might have a broad scope, reaching a variety of topics such as wages, hours, and working conditions.

It is important to emphasise that the different methods of ADR available cover from interest-based possibilities, as mediation and conciliation when seeking informal proceedings and mutuality (Avgar, 2016; Latreille & Saundry, 2014); to rights-based possibilities, like arbitration, a formal process,

where a third party has the role of making a decision considering the presented evidence and the merits in question (Colvin, et al., 2006), such option usually attracts employers when finality and certainty are required, but they are not willing to suffer the exposure and delay associated to litigation.

The researcher completely agrees with Lipsky (2007, p. 13) when he stated that "It is my conviction that the ultimate success of ADR techniques and systems hinges on whether they actually do provide employees with a fair and equitable means of resolving their complaints".

2.4.2 The Applicability of Mediation in Conflicts caused from Cultural Diversity in the Workplace

The current research explored how cultural diversity impacts the workplace environment and performance and demonstrated the effectiveness of the applicability of ADR methods to solve work-related disputes. Thus, even though the difference of culture may not be the reason for a conflict, it certainly will affect how people who are involved in it behaves, and the current research will explore how mediation can positively intervene in such scenarios.

"Culture influences what is emotionally important or relevant for the involved parties, establishes parameters for the strategic orientation of parties to conflict, circumscribes communication patterns, and defines appropriate and proper disputant behaviour" (Moore, 2003, p. 205). Such influences acutely explained by Moore cannot be ignored when a multicultural conflict arises in an organisation; therefore, mediation would be the most suitable approach among the available methods.

Mediation has in its core a humanitarian characteristic, its fundament is based on communicating and being heard; however, literature has indicated the importance of the role of the mediator, conflicts in the workplace involving cultural differences are more likely to have unique attributes, proving that there is no magic formula to be followed, an experienced mediator tends to be culturally aware of his own biases (LeBaron, 1998; Moore, 2003; Sher, 2015) and this particular feature has been

denominated as part of cultural competence. Culturally competent mediators take into consideration the impact of the parties' cultures, they reaffirm the importance of dealing with ambiguous and different mentalities in a comfortable and natural manner, inducing the parties to engage in the process in the same way. Further, they encourage the parties to face the mediation process as an opportunity to learn about other cultures and points of view, including how and why the opposed party communicate in a particular form, consequently helping them to overcome possible prejudices (LeBaron & Zumeta, 2003; Medina, et al., 2017; Schuler, 2016). This type of approach can transform and improve relationships.

The mediator, through his communication skills, good use of information concerning the parties' cultures, and the building of trust among the parties, will develop a safe and non-judgemental environment, nurturing the curiosity and openness between the parties in relation to one another. The researcher agrees with professor Michelle LeBaron (1998) when she asserted that:

> Flexibility in responding to difference is essential in large systems that lean toward bureaucratisation and homogeneity. Mediation as a tool will be less likely to perpetuate racism and privilege if it is dispensed by a diverse group of practitioners who have the skills to adapt the process to users and a complex appreciation of culture. (p. 3)

Twenty-three years later, her assumption remains an accurate description of the contemporary world, especially in the business context. Although ADR methods have a superior capacity of adaptability than traditional processes as litigation and grievance, mediation surpasses conciliation, arbitration, negotiation, and adjudication. Differently than those other possibilities, mediation can result in a win-win outcome, preserve, or even rebuild the relationship between the parties, which turns it even more attractive on the adoption in the workplace. Further, it may represent the possibility of achieving equality and justice as previously studied, and such philosophy is supported by the Irish legal system,

which makes the researcher wonder why some organisations are still reluctant to introduce it in their culture and management strategy.

Mediation is culturally sensitive (Curran, et al., 2016), it respects, recognise, and validates the parties' values and feelings, it does not impose or enforce them to reach any agreement (Irving, et al., 1999), and granting them the power might be the key to a long-lasting effectiveness process and turning it the best tool available to prevent, de-escalate and resolve conflicts, including those arising from cultural diversity. The researcher implies by prevention the fact that employees that work for an institution that has mediation properly embraced in its organisation's culture will have equality, dignity, and diversity as part of the set of rules that are expected to be respected by them, they may also feel empowered and free to express themselves when misfortune or miscommunication happens, and those elements are likely to cooperate to a reduced number of conflicts.

Diversity in the workplace implicates challenges as being a source of friction and disagreements. However, it also offers many advantages to employees and the company, providing the opportunity for self-development and better outcomes to organisations (Stahl & Maznevski, 2021). Furthermore, the adherence of mediation to solve conflicts in the workplace may collaborate on the creation of a third culture through a proper engagement on the process; the parties might realise that despite the existing differences between them, they agree in relation to some other aspects, and from that, they develop a new sense of acceptance, affinity, and respect.

Strengthening what has been explored, Caroline Costigan (2015), the H.R. director of Aramark Ireland, wrote an article to the journal Irish Times confirming that the adoption of mediation impacted positively the multinational, and in addition to that, she highlighted the key initiatives to maintain the commitment to mediation, to wit: the alliance among CEO, leaders and H.R. department; introducing mediation in the company's politics and providing information to employees about the process; trainings; and workshops.

2.5   Conclusion

This literature review found that although signs of arbitration were first observed in medieval Ireland, the country has only recently embraced ADR methods into its legal framework. As a result of such fact, a certain hesitation on opting for resolving disputes through ADR instead of traditional means, as litigation and grievances in the workplace might be the feeling of most people living in Ireland. Further, confirming this preference for traditional approaches, it was also found that line managers are usually responsible for resolving conflicts in the workplaces (Purcell, 2014; Wood, et al., 2014).

This chapter also explored the broad concept of culture and the subjectivity inherent to such term. The cultural dimensions proposed by Hofstede (2005) represent a significant contribution to business concerning the management of culturally diverse teams; it can assist organisations in the awareness of peculiarities that change according to the person's nationality. The literature also elucidated that when neglected, multiculturalism can result in disadvantages to organisations, affecting employees' well-being and causing a higher number of turnover and absenteeism (Jackson, 1996). However, when properly managed, culturally diverse workplaces are likely to have happier employees, and consequently, better performances and higher incomes when compared to homogeneous working environments (Matsumoto, 2007).

Moreover, this chapter investigated what the literature suggests being the five most common types of conflicts in organisations (Burke, 2006; Teague, et al., 2015) and the leading causes for such adversities (Hart, 2000; Mind Tools, 2014). The study established the importance of a conflict management strategy in organisations, especially when a survey conducted by the CIPD affirmed that 39% of the respondents appointed that work-life conflict was the reason for employee's turnover (CIPD, 2020). The impressive services provided by WRC shows the significant benefits that it can bring to employers and employees; nevertheless, its report illustrated that its potential has not been

fully applied, particularly in regards the provision of mediation sessions (Workplace Relations Commission, 2020).

The literature also indicated the underlying motives that lead organisations to adopt ADR methods (Lipsky, et al., 2020); in addition, it declared that its effectivity depends not only on the utilisation of such techniques but the level of commitment that the workplace has with the method adopted. Finally, it was established that among the ADR techniques available, mediation was found to be the best suited for resolving conflicts in the workplace, inclusive when the dispute arises from cultural diversity (LeBaron, 1998; Moore, 2003; Sher, 2015) due to its culturally sensitive aspect (Curran, et al., 2016).

3 RESEARCH METHODOLOGY

This chapter will be dedicated to clarifying the aspects of the proper research methodology for this study, the rationale for opting for a determined type of methodology that provided the opportunity to collect appropriate data and how such data was analysed.

The professors Mark Saunders, Philip Lewis, and Adrian Thornhill (2019) developed the Research Onion Model, which illustrates the possibilities of choices when conducting a research and its stages, as it can be seen below:
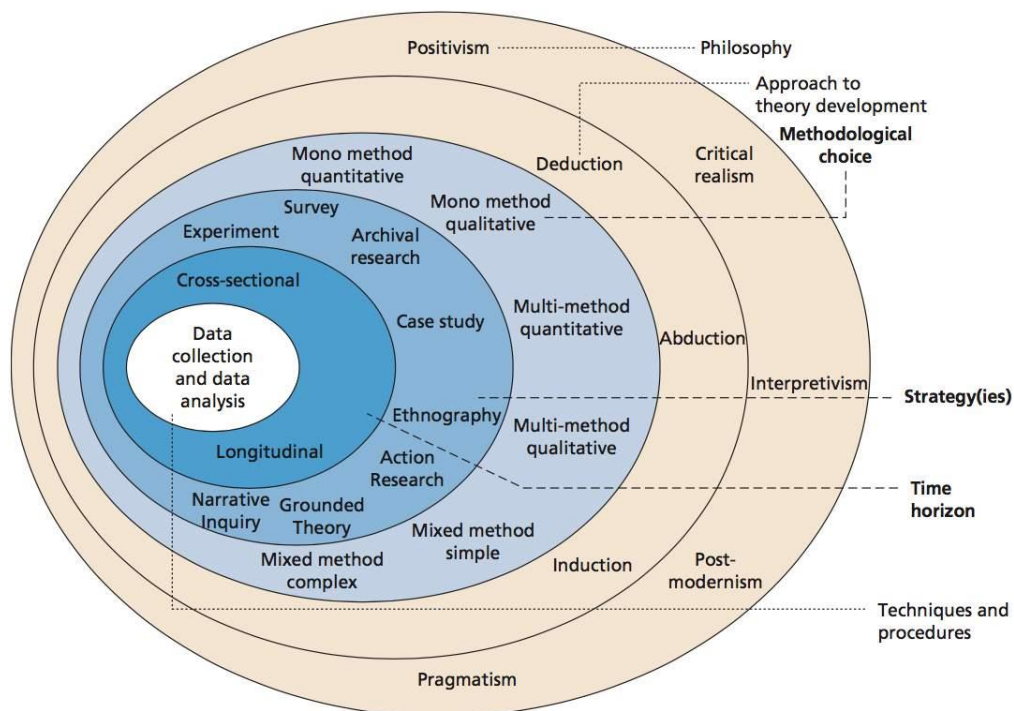
Figure 3. 1: The 'research onion' (Saunders, et al., 2019, p. 130)

Through the observation of these six layers, it is possible to formulate well-structured and good research. We will explore each of them to demonstrate the motives that led the researcher to conduct the present study in such a manner.

3.1   Research Philosophy

For a better understanding in relation to the research philosophy, the researcher must utilise self-examination to acknowledge her own beliefs and biases concerning the object of the research, taking into consideration that the participants of the research will suffer similar influence and answer it according to their own set of beliefs and assumptions.

According to Saunders, et al. (2019), all researchers observe three main assumptions in order to recognise research philosophies; these assumptions are: ontological, epistemological, and axiological. Ontology refers to the concepts concerning the world and reality, what will be the object or occurrences that the study will focus on; epistemology addresses those assumptions about knowledge, such as how the research will improve and contribute to knowledge; and finally, axiology has relation to how ethics and values impact the research process.

Saunders, et. al. (2019) suggested five different types of research philosophies: positivism, critical realism, interpretivism, post-modernism, and pragmatism. For this particular research, the researcher has opted for the interpretivism approach. Interpretivism highlights that human beings diverge from physical phenomena due to the creation of meanings. The literature previously explored mentioned that people are impacted by culture differently, and each person recognises the world and may face the same situation in different ways because their view will vary accordingly to the lenses that their lives have provided, such as their background, previous experiences, personality, and culture (Hofstede & Hofstede, 2005). For this reason, the researcher believes that the subjectivism that embraces human's perspectives and judgments obstruct the possibility of the creation of a universal

law based on the data collected for the present study. "All knowledge is a matter of interpretation" (Quinlan, et al., 2019, p. 59). Even though the collected data will be analysed objectively, the psychological aspect underlying the participants' mindsets must be considered; therefore, understanding that such phenomena are intricately interpretive shall also be acquired (Westerman, 2006).

It is crucial to consider that according to the traditional literature, the positivist philosophy is directly attributed to quantitative research. In contrast, interpretative philosophy leads to the presumption of qualitative research. The author Alan Bryman (1998) wisely reflects about such caricatures:

> Why treat positivism as the central focus of a discussion of the nature of science, and why not give much more space to apparently more accurate accounts? In fact, although the positivist account has been questioned by some philosophers of science, it is misguided to believe that there is some absolutely definitive version of the nature of science. (p. 17)

Further, the identification between positivism and quantitative data induces the assumption that social scientists presume the existence of an objective reality and that they have the ability to transfer such knowledge accurately through the statistical analyses provided (Babones, 2015). This type of presupposition is more likely to fail when applied in studies related to social aspects since society's dynamics are impermanent. Hence, the statement of the sociologist and professor Salvatore Babones (2015, p. 462) translated the feeling of the researcher when he said that "an interpretive approach to statistical modelling is likely to result in statistical analyses that are mathematically less complicated but understandings that are substantively more interesting than those that result from positivist approaches". The interpretive philosophy understands that the data is composed of peculiarities of each participant. These singularities may change at some point throughout the time, bringing to light that some biases are inherent to the information provided and that conclusions regarding societies cannot be faced as static and permanent truths.

Through the analyses of both philosophies, positivism and interpretivism[4], and their application in the present study, the researcher has concluded that the interpretivism approach is the most adequate to the present research.

3.2   Research Approach

Regarding the approaches to theory development, it will be evident during the verification of the findings and conclusion of the study. The Research Model proposed by Saunders, et al. (2019) indicates three possible approaches: deductive, inductive and abductive. The deductive approach is primarily defined for the utilisation of a research strategy to validate a theory; contrastingly to such idea; the inductive approach is characterised for the exploration of a specific phenomenon and the creation of a new theory based on the research; lastly, abductive approach concerns to the elucidation of patterns, creation of a new theory or modification of an existent theory.

The nature of this research lies in the deductive approach since the data collected was utilised for the authentication of an existing theory. Furthermore, such proposal contains several characteristics that are embraced by the present study, wit: "the search to explain causal relationships between concepts and variables" (Saunders, et al., 2019, p. 154), the adoption of a structured methodology to establish the reliability of the research, the measurement of facts through the quantitative method, the reductionism of the generalisation triggered from a general situation to the generalisation of a specific aspect. The proposed research questions sought clarification through the literature review and the analysis and measurement of the data presented on the primary research questionnaire.

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[4]The researcher did not ignore the existence of the other three philosophies when deciding which one was the most suitable for this study, positivism and interpretivism were the ones that seemed to be more pertinent to the study's objectives.

3.3   Methodological choice

The methodological choices available comprehend whether the researcher opted for quantitative, qualitative, or mixed methods research format. The primary way of distinguishing quantitative from qualitative research is to differentiate numbers and non-numeric data. While the quantitative focuses on collecting data that utilises or results in numerical data, qualitative research will adopt the collection of non-numerical data, such as interviews (Saunders, et al., 2019).

Saunders, Lewis, and Thornhill also developed the following diagram to facilitate the researcher on which method would be the more pertinent accordingly to the objectives of each study:
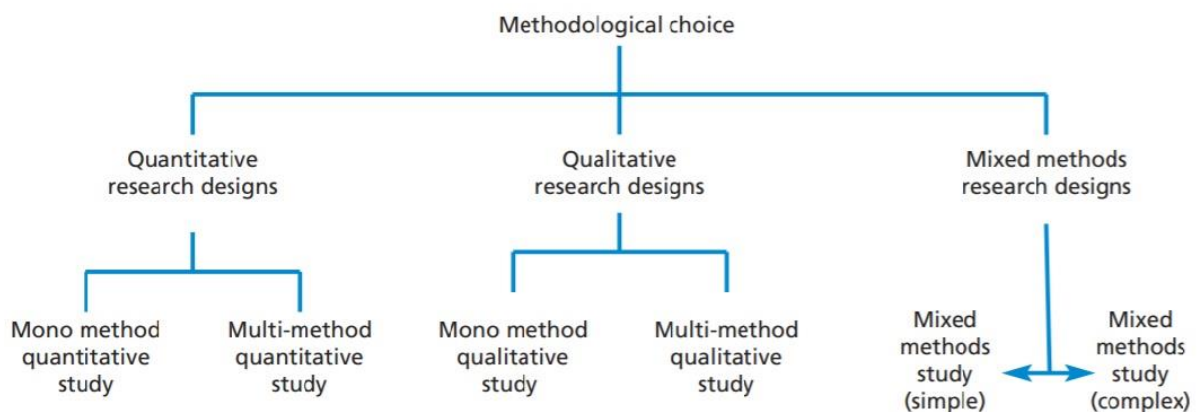

Figure 3. 2: Methodological choice (Saunders, et al., 2019, p. 176)

The researcher opted for the mono method quantitative study through the use of a questionnaire, and as previously observed, even though there is a philosophical caricature connecting the quantitative method exclusively with the positivist philosophy (Bryman, 1998; Saunders, et al., 2019; Walsh, et al., 2015), the application of quantitative data and interpretivist philosophy in the same study may be

appropriate in some instances such is the case of the present research, where the collection of quantitative data represented the most beneficial to the objectives designed by this study.

Quantitative research would help collect the numerical data and examine the connection between variables, and the analysis is done through statistical and graphical techniques (Saunders, et al., 2019). Due to the uniformity and neutrality characterised in the quantitative method towards all respondents, the questions must be clear, so the probability of misunderstandings is minimised. The researcher is also independent of the respondents. Contrastingly to qualitative research, quantitative research is suitable to observe and reach large groups of people, which suggests a better representativity of a broad perspective of reality (Queirós, et al., 2017), simplifying the generalisation process. However, depending on the object or situation under analysis, especially if it is derived from social aspects and people's point of view, the traditional meaning of quantitative research may face some difficulties since it is impossible to control the variables under study. For this reason, they can unexpectedly change and modify the reality previously found. Therefore, once more, the importance of an interpretivist approach reveals its relevance when combined with quantitative analyses, considering that it provides a better understanding of social realities through the reinforcement of a solid rhetorical foundation, which researchers can employ to support the straightforward propositions of their studies' outcomes (Babones, 2015).

All things considered, the mono quantitative method proved to be aligned to the objectives of the present research since the researcher aimed to reach as many employees as possible from various nationalities who work in different industries in a relatively short time frame. Hence, the questionnaire was recognised as an effective tool to accomplish the desired outcome.

3.4   Research Strategy

The research strategy consists of the researcher's plan to answer the questions presented by his or her research. It may be considered the methodological link between the philosophy and the chosen form of collecting and analysing data (Denzin & Lincoln, 2017). The researcher must be aware of the strengths and weaknesses of each strategy; the choice of pertinent approach establishes a guideline for achieving the objectives of the research. Saunders, et al. (2019) mention in their book the existence of eight main strategies that can be utilised individually or mixed among them, depending on the goal of each study, such approaches are experiment; survey; archival and documentary research; case study; ethnography; action research; grounded theory; and, finally, narrative inquiry.

As professor Bryman once stated, "The survey's capacity for generating quantifiable data on large numbers of people who are known to be representative of a wider population in order to test theories or hypotheses has been viewed by many practitioners as a means of capturing many of the ingredients of a science" (Bryman, 1998, p. 11) In terms of this research, the strategy elected was a survey in the form of a questionnaire. The survey is commonly associated with the deductive approach (Saunders, et al., 2019) and it is one of the most adopted quantitative techniques since it permits to gather information regarding a certain subject through the creation of standardised questions that will reveal the "opinions, perceptions and behaviours of a group of individuals" (Queirós, et al., 2017, p. 381). Questionnaires can be conducted in different manners such as online, by mail/post, in person or by telephone, and by selecting an online survey tool; as is the case of the present study, the chances of obtaining a larger sample size are higher than questionnaires carried in person, for instance. Further, online surveys also represent a cheaper method when compared to other options available.

Among the advantages of using questionnaires as the strategy research is the short time frame, its cost-effectiveness, the fact that it is relatively simple to collect the data and to do the analysis through statistical methods, the possibility of reaching more respondents, its high representativeness, and the researcher is not bias and do not interfere on the outcome of the study. In contrast to what has been

said, such a strategy also embodies some disadvantages; for example, its reliability leans on the quality of the questions made and the answers provided. Additionally, the inflexibility of its structure restrains the appearance of different possibilities and realities and does not reproduce the feelings and behaviours of the respondents at the time (Queirós, et al., 2017).

It must be noted that every survey is susceptible to error. It can be extremely difficult to collect information from every person who is associated with the object under consideration, and according to Quinlan, et al. (2019), the non-response error is among the main sources of inaccuracies in online surveys, and such category includes people who were not contacted or declined to participate in the survey. In this particular research, it was not possible to reach every member of organisations to collect the desired information; however, relatively small samples can still precisely reflect the reality being explored, constituting a valid and reliable form of representativeness, originating trustworthy data for the analysis and resulting in solid conclusions and generalisations.

3.5   Time Horizon

Saunders, et al. (2019) pointed out that researchers usually have two option concerning the length of time the research will take. The authors use the analogies of the 'snapshot' (cross-sectional), which happens when the researcher focuses on a specific point in time, or the 'diary' perspective (longitudinal), which generally investigates change and development, consequently demanding considerably a longer period of time to gather enough data.

Considering the time constraint involved in the academic research process, the nature of this research is cross-sectional. Saunders, et. al (2019) also affirm that cross-sectional studies commonly adopt the survey strategy and that researchers who opt for such a method may be persuing to describe a particular episode in a specific moment, or they may seek to "explain how factors are related in different organisations (Saunders, et al., 2019, p. 212).

3.6 Research Techniques and Procedures

3.6.1 Sample Considerations

As aforementioned, limitations of time, money and resources might restrain the access to all data available to answer the research questions and reach its objectives. Depending on the subject under analyses, it might be impossible to collect information from everyone who is represented by the phenomenon being studied, and that situation reflects the case of the present research. In such scenarios, it is necessary to elect a sampling technique, where the researcher will be able to consider the data collected from a subgroup that will represent others who did not participate in the research. Furthermore, sometimes these subgroup analyses enable the researcher to generalise statistically (Saunders, et al., 2019) its findings and conclusions.

Considering the logical relationship between the research questions and the people that can collaborate for its elucidation, the target population of this study was active employees from diverse nationalities who work for different organisations and sectors based in Ireland.

For the purpose of this research, the researcher selected a non-probability sampling technique; since it was not possible to provide a complete list of the population who are active employees in Ireland, the researcher could not develop a sampling frame. Due to the fact that the researcher preferred to focus on the quality of the data accumulated rather than exclusively on the size of the sample, among the existent techniques, the purposive or judgemental sampling was the most appropriate technique because it allowed the researcher to select who was eligible to answer the questionnaire, representing key informants (Quinlan, et al., 2019) and offering a reliable and valuable contribution to it. The heterogeneous or maximum variation sampling was also observed, given that the researcher deeply engaged in the variety of nationalities and fields of industries when considering who could respond to the research, enabling the identification of singularities and "achieving a greater understanding"

(Etikan, et al., 2016, p. 3). By adopting these techniques, the researcher developed a sample comprised of 54 answers from individuals of 11 different nationalities and 17 fields.

3.6.2 Data Collection Process

The data collection techniques adopted by the researcher were primary and secondary data. The primary data consisted of an online questionnaire, while the secondary data was collected through a comprehensive literature review. The combination of diverse perspectives provide higher confidence for the researcher (Abutabenjeh & Jaradat, 2018), and allow the elaboration of more significant findings, discussion and conclusions when developing a comparison of the data acquired.

3.6.2.1 Primary data

The researcher approaches his or her object of study in a pragmatic manner by collecting primary data, developing an unprecedented analysis or even reiterating previous studies and theories with current information. The primary data for this investigation was established by utilising the software Google Forms to create an online standardised questionnaire composed of closed and open questions[5]. The link was sent through email by the researcher to predetermined individuals of various nationalities who work in different industries in Ireland, aiming to avoid unauthentic answers that could induce inaccurate, unreliable, bias and irrelevant information. The sample resulted in the collection of 54 answers.

3.6.2.2 Secondary Data

As Saunders (2019, p. 340) observed, "most research questions are answered using some combination of secondary and primary data". The secondary data may represent a starting point where the object under study was originated, or it might symbolise a moment in time that can be seen for comparison purposes that will contribute to the illustration of changes throughout time. Moreover, additional

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[5] The open questions also led to objective answers to facilitate the posterior analysis.

findings may occur during the reanalyse of secondary data. In this research, the secondary data was explored by the study of well-established literature, academic journals and articles, reports, statistics and surveys provided by private and public institutions; such information was presented and analysed in the literature review chapter.

3.7 Reliability and Validity

Reliability refers to the consistency of the results presented by the research, "if a measurement device or procedure consistently assigns the same score to individuals or objects with equal values, the instrument is considered reliable" (Lakshmi & Mohideen, 2013, p. 2753). In other words, reliability is concerned with the findings of the research and its replicability. For instance, if another researcher is studying the same topic under an identical basis and methodology, would he or she obtain the same results? If the answer is yes, the research is defined as reliable.

In terms of this research, its interpretivist nature may be taken into consideration since subjective meanings influence the respondents' answers, and such peculiarities might change and impact how they deal with the object under study. In this case, the central questions are how they face a multicultural environment in the workplace and if they are aware of the utilisation of ADR methods to solve conflicts, including when the clash of cultural differences caused them. Therefore, if another research is carried simultaneously, it is probable that the results will be equal to those obtained by the present study, confirming its reliability; however, suppose another similar research is conducted in the distant future. In that case, it is impossible to predict that the outcome will be the same provided by this research since its responses lie on subjective matters that may change throughout time.

Regarding the validity, it might be considered the key of every research; once "the validity of the research is established, the research is accepted as making a contribution to knowledge" (Quinlan, et al., 2019, p. 65). The validity comprehends the study's capacity to accurately reflect reality and answer

the research questions (Saunders, et al., 2019). It refers to the ability of the questionnaire developed by the researcher to collect appropriate and accurate data to elucidate the concerns initially proposed. To ensure this project's validity, before the researcher started working and collecting data effectively, she developed an initial proposition, established the questions, and the methodology that would be followed to guarantee the best result possible, ensuring that the data collected was aligned with its objectives.

4   PRESENTATION OF THE DATA

The preceding chapter informed and explained the methodology adopted and suitable to the type of research being conducted. This chapter aims to present the questionnaire results composed of twelve questions sent to the fifty-four respondents who work in various sectors in Ireland. It is expected that the information gathered through those answers provide the researcher with the answers to the questions raised at the beginning of this research, representing a valuable contribution to the greater subject that is cultural diversity in the workplace and the utilisation of ADR to solve conflicts arising from such differences.

The first question was an open question related to the nationality of the respondents. The researcher collected answers from employees of 11 different nationalities, being the majority of them Irish workers, as can be seen in the chart below.
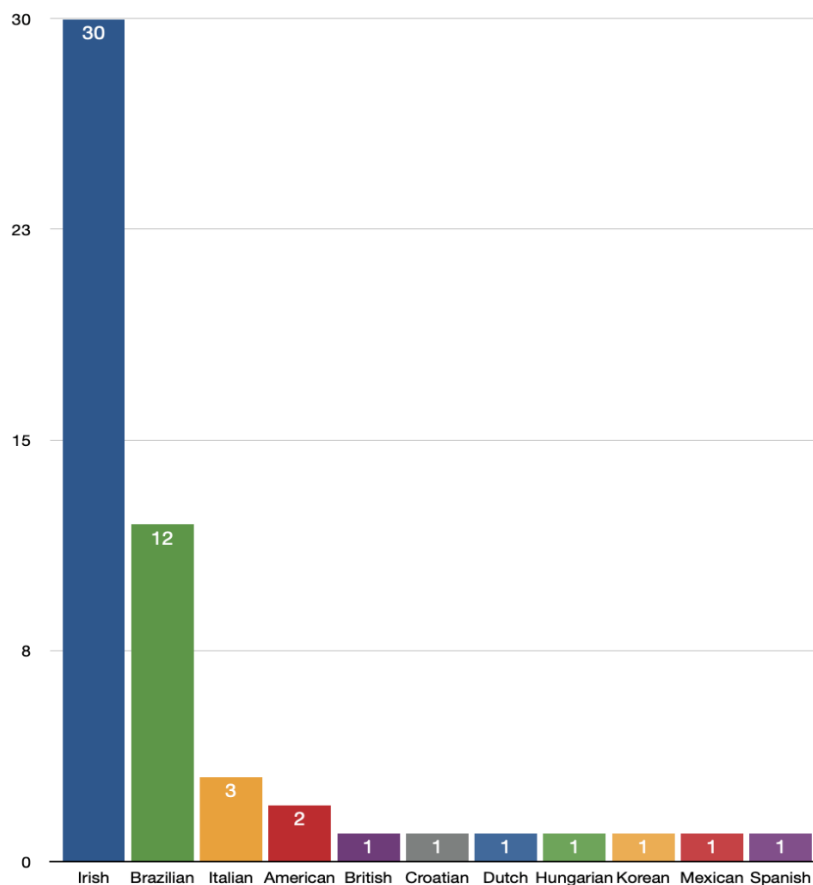

Figure 4. 1: Nationality of the Respondents

On the second question, the respondents informed the category of the industry they work in. As can be noticed in the chart below, all the respondents are distributed among 17 different sectors. Most of the answers were derived from hospitality, followed by technology, commerce, and education fields.
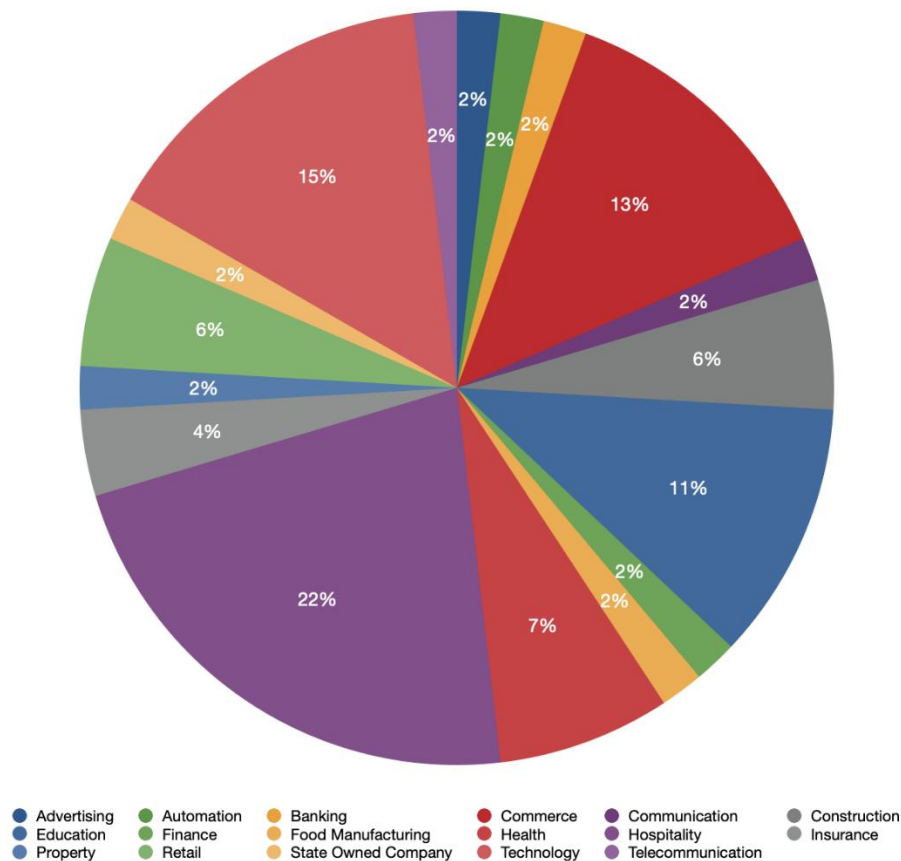

Figure 4. 2: Respondents' Industries

The third question asked if the respondents worked in the Human Resources department. The researcher decided to include such question due to the influence that employees from Human Resources have; they are usually responsible for dealing with conflicts between employees and can greatly influence the adoption of ADR in the workplace. As can be observed in the chart, 7 out of 54 respondents work in the HR department.
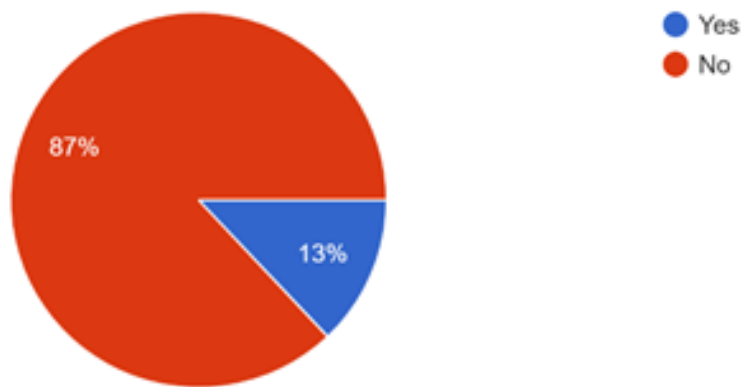
Figure 4. 3: HR Employees

The following question sought to comprehend if the respondents were included in a multicultural environment in their workplace, and 2 of them work in a homogenous environment, specifically hospitality and commerce, composed of only Irish workforce.
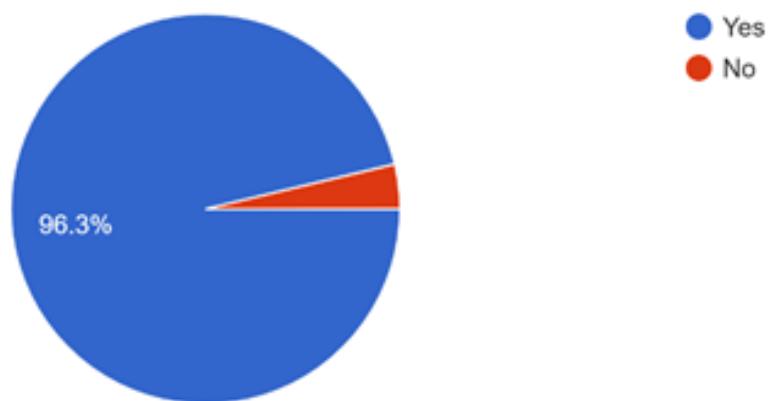

Figure 4. 4: Multicultural Workplaces

The responses to the fifth question were unanimous, and all of the respondents consider it positive to work among people of diverse cultures, as is illustrated on the chart below.
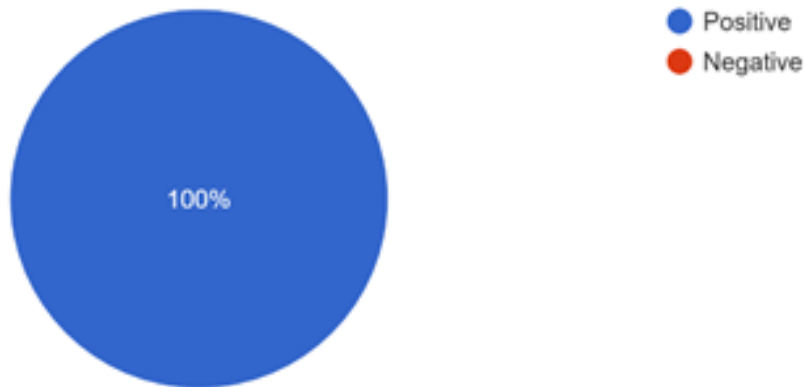

Figure 4. 5: Perception Regarding Cultural Diversity in the Workplace

As explored in the literature review, everyone experiences conflicts throughout their lives, and such misfortunes are not rare in the workplace. Therefore, the sixth question of the questionnaire concentrated on measuring how many of the respondents have experienced conflicts with co-workers, and the result, as it can be seen in the chart below, was that 28 of them (equivalent to 51.9%) have never been involved in disputes in the workplace.
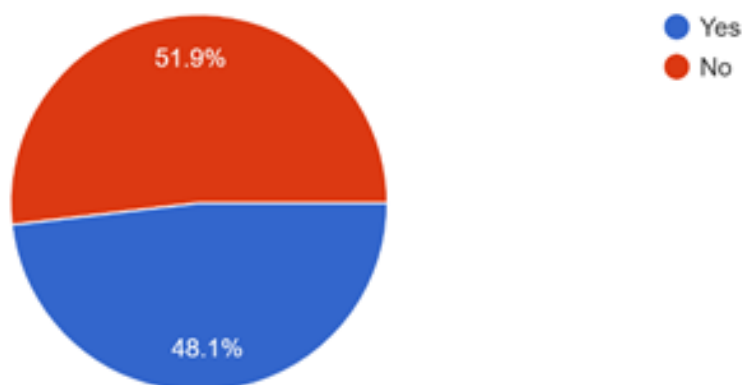

Figure 4. 6: Experiencing Conflicts in the Workplace

The next step was intended to measure if the cultural difference, in this case, the multiple nationalities, was an element present in the disputes that they were involved. 36 (equivalent to 66.7%) of the respondents affirmed that the difference of nationality was not present in those disputes; thus, the other party was originally from the same country, as is displayed in the chart below.

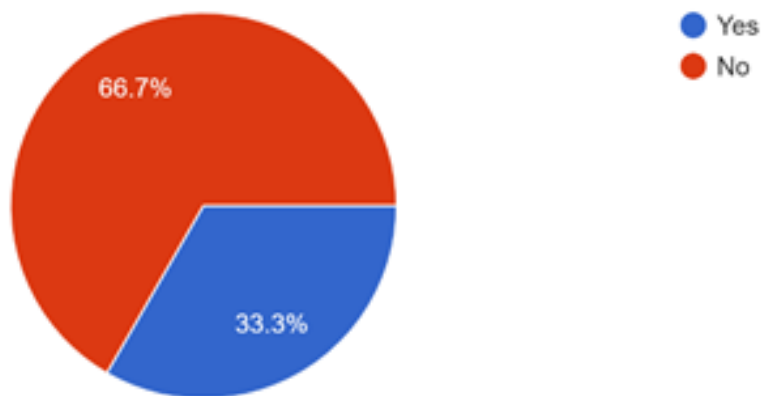Figure 4. 7: Experiencing Multicultural Conflicts in the Workplace

On the 8th question, the researcher asked if the respondents consider multiculturalism as a factor that could contribute to conflicts in the workplace from arising. As shown in the chart below, 81.5% (equivalent to 44 employees) responded that they do not believe that culture is a trigger to generate conflicts in the workplace.
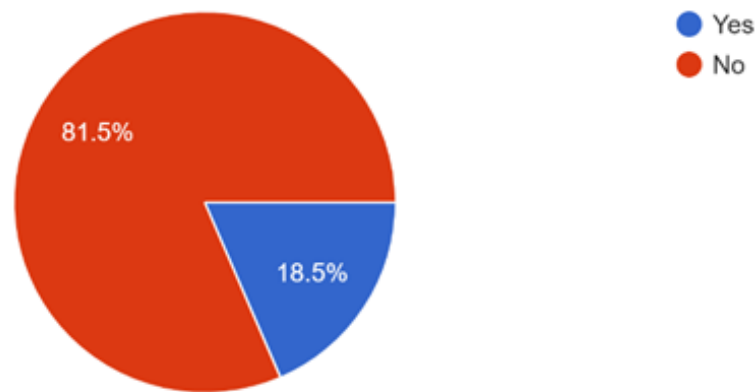
Figure 4. 8: Perception Regarding Multiculturalism and Conflicts in the Workplace

On the next question, the researcher asked if the respondents are acquainted with any of the ADR methods and, if so, which one would that be. The final sample of the questionnaire revealed that 48 of the participants are not familiarised with ADR; three are aware only about mediation; one has some understanding of mediation and arbitration; and finally, two of them have some knowledge regarding mediation, arbitration, and collaboration, as demonstrated in the chart below. It is relevant to mention that four out of these six people aware of one or more ADR methods work in the Human Resources department, and the two remaining respondents work in the construction industry.
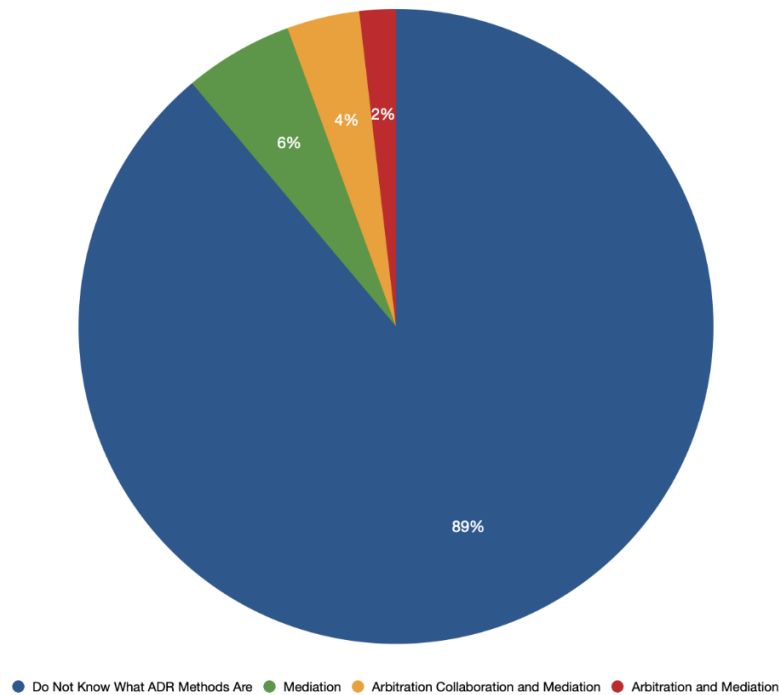
Figure 4. 9: Awareness of ADR Methods

The 10th question was related to the introduction of mediation as a form to resolve conflicts in the workplace. The researcher sought to acknowledge if the mediation was being offered to the respondents, demonstrating if such technique was being at least considered in Irish organisations as a tool of dealing with internal disputes. As the following chart describes, the survey showed that 20 of the respondents confirmed to have been advised about the possibility of the use of mediation in the workplace; however, it was observed that 3 of those participants might have misinterpreted the question, configuring the lexical miscomprehension approached in the literature review, the researcher on the next chapter will profoundly analyse such answers. Also, it is important to point out that 5 of the respondents who confirmed to be advised about ADR work in the HR department.
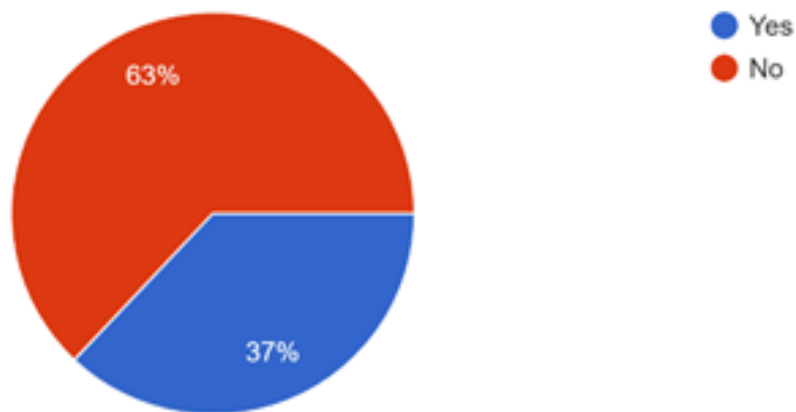
Figure 4. 10: Proposal of mediation to resolve conflicts in the workplace

On the penultimate question, the researcher intended to measure if the respondents have experienced ADR methods in the workplace to solve disputes arising from cultural differences. As shown in the following chart, from all the participants, only one answered yes. However, a certain doubt concerning his or her comprehension emerged since there were signs of miscomprehension when the answers from that questionnaire under consideration were fully analysed. The researcher will deepen such analysis in the next chapter.

Figure 4. 11: Experiencing ADR methods to resolve multicultural conflicts in the workplace

On the 12th and last question, the researcher requested the respondents to select or explain the usual approach chosen by them, depending on the case, by the managers and Human Resources employees when a conflict arises in their workplaces. The researcher suggested five answers, precisely:

a) You pretend that the conflict does not exist.

b) You do not communicate to your supervisor/manager/HR and try to solve it directly with the other party.

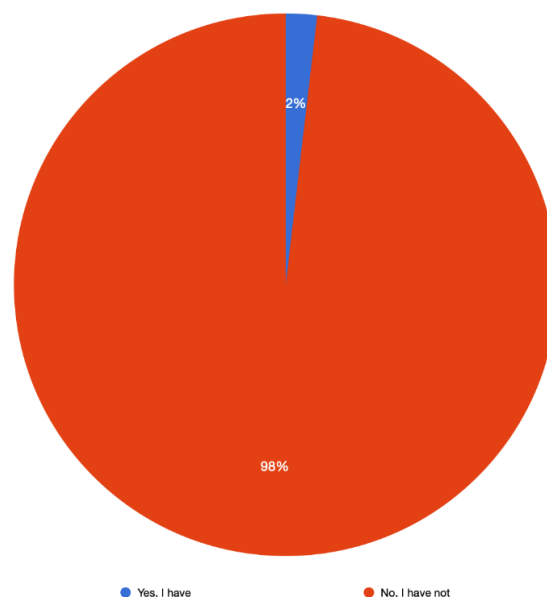c) Management/HR talks to you and the other party and try to resolve the conflict.

d) Management/HR offers mediation as a mean to deal with the conflict.

e) Other

According to the final sample, five of the respondents selected the first option, saying that they avoid dealing with the conflict, pretending it does not exist. Further, six participants opted for the second proposed answer, affirming that they would try to solve the issue directly with the co-worker, not informing a supervisor/manager or HR immediately. Then, the majority of the respondents, specifically 32 of them, appointed that the third option was the most appropriate to describe how they manage the situation when involved in a conflict in their workplaces, which is communicating with a manager or HR employee. These workers would interfere in the dispute and try to resolve the problem under discussion. Also, seven participants chose the fourth alternative, confirming that mediation was offered to resolve the dispute; however, the researcher noted that 6 of those responses might have suffered a miscomprehension of the term mediation.

Furthermore, four respondents selected the last option, preferring to customise their approaches in such situations. Two participants defined it as "unknown". One participant, an Irish worker in the Retail industry, described it as "try to solve myself first if not too serious, if more serious or talking to them did not work I would go to HR/manager". Finally, the last respondent, an Irish employee in

the HR department who works in the Banking sector, explained her approach as "Informal Route – aims to resolve issues quickly, involves mediation with line manager and with a third-party partial mediator present. Formal Route – An investigation manager will be appointed by Employee Relations to liaise with all parties involved and coordinate all activities around the process".

The chart below statistically demonstrates all the answers collected regarding this question.
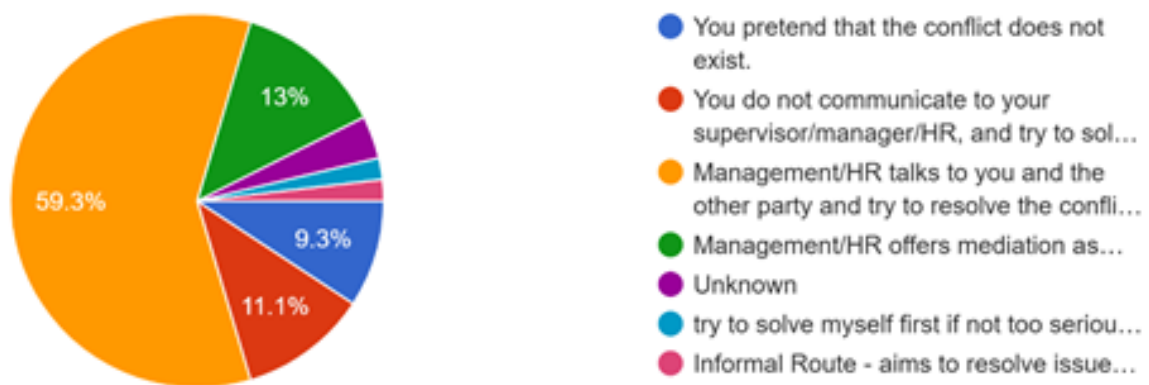

Figure 4. 12: Usual conflict management approaches utilised in Irish organisations

5   FINDINGS AND ANALYSIS

The questionnaire developed by the researcher followed a line of thought that would establish the theme proposed for this project, which is an investigation into the influence of cultural diversity and the applicability of ADR methods in Irish organisations. The answers collected provided a clarification regarding the questions and objectives of the research submitted at the beginning of the study. This chapter is dedicated to the analysis and conclusions that the researcher found in the primary research presented in the previous section.

Through the analysis of the data, it was possible to notice that even though not all the respondents work in a multicultural workplace, absolutely all of them consider positive the difference of culture. Further, it was found that most participants understood what conflicts in the workplace are, leading the researcher to assume that conflicts in the workplace in Ireland are frequent episodes and employees are familiarised with it. Also, a minority of people demonstrated to link conflict and multiculturalism. They believe that the difference of culture has caused conflicts, being Irish the participants that most selected that answer, to the researcher that provides evidence of a limited mentality, most likely caused by the fact that Ireland has open its borders to the world only recently. Nevertheless, one cannot ignore the fact that even though the more significant part of respondents does not face cultural diversity as a source of disputes, it is inevitable that occasionally conflicts in the workplace may happen between co-workers of different cultures, such as it is appointed in the sample collected, where one-third of the participants informed that the difference of nationality was an element present in the dispute.

Regarding the awareness of the terms Alternative Dispute Resolution and mediation, the data collected manifested that the respondents suppose that both terms are different things when they are the same. A total of twenty participants confirmed to be advised about the possibility of mediation in case of conflicts in their workplaces, curiously fourteen of those respondents had answered not to be aware of what ADR means, leading the researcher to draw in fairness that there is an idea of

conceptual confusion in relation to the term Alternative Dispute Resolution. Additionally, seven employees from various industries and nationalities informed that the approach utilised in case of conflicts in their workplaces was the suggestion of mediation; however, five of those participants had previously informed not to be advised about the possibility of mediation to resolve conflicts. Thus, the interconnection between both questions offered enough data to recognise the presence or the lack of familiarity with the term "mediation" and its application in Irish workplaces, which in this instance, provides the obvious deduction of lexical miscomprehension regarding the term mediation since the effective application of mediation depends directly on the prior suggestion of its utilisation to solve disputes. All things considered, the researcher can logically assume the existence of a misconception in relation to the term of ADR, since nearly half of the respondents would have a comprehension of mediation; but they do not acknowledge that mediation is a method of ADR, the fact that mediation is present in various aspects in real life in Ireland, for example, car insurance, construction contracts, and family-related disputes, and ADR is a very new and formalised concept might possibly indicate the motives of why most respondents do not recognise such term. To a much lesser extent, compared to ADR, the sample also appointed a certain miscomprehension of the term mediation among some respondents, which is probably caused by the disassociation of intervening in a conflict with the process of mediation under consideration.

Another evidence concerning the limitation of understanding ADR methods was that among the six respondents who demonstrated acquaintance with one or more ADR approaches, four worked in the Human Resources department, and the two remanent are in the construction field. Furthermore, two other HR employees and one construction worker had confirmed that they were advised about the use of mediation in their workplaces, indicating, once again, a conceptual confusion regarding the term ADR. Hence, the sample collected proves that certain fields provide more information to their employees; in this case, workers in HR departments and the construction sector demonstrated a greater understanding of ADR than participants from other industries. Based on the analysis of such

data, the researcher realised that most employees in HR are aware of ADR; however, the same understanding is not provided to other employees. Also, the tradition of the construction industry and the utilisation of ADR methods in Ireland resonates with the awareness of the theme among its workers.

Intriguingly, when analysing the acknowledgement of ADR by sectors, the researcher noticed that despite the fact that the industry of technology had the second biggest number of respondents (8 employees), only one of them was aware of ADR, and that person works in the HR department of an organisation. All the remaining participants did not know what ADR means and were not advised of mediation in case of conflicts in the workplace. To the researcher, this information characterises evidence of the lack of knowledge in relation to ADR in the technological sector in Ireland.

Given that the vast majority of respondents indicated that their managers or HR representatives would be responsible for intervening in the case of conflicts, it clearly demonstrates an archaic approach on the resolution of conflicts in the workplace, leaning on those employees the duty of acting as a mediator without proper training may result on the permanence of the conflict and future litigation processes. Such responses provide the reliable conclusion that the Irish mentality concerning conflicts in the workplace is still very sympathised with the conventional thought of bringing disputes into courts, even though the utilisation and efficiency of ADR methods would represent a better advantage for them.

Withal, the researcher noticed that there was no signal of the utilisation of the Workplace Relations Commission services by the respondents, absolutely neither of them mentioned the possibility of making a complaint to the commission when a dispute arises in their workplaces. Such a scenario results in the logical judgment that employees are not fully informed concerning the possibilities available to assist them in case of conflicts in the workplace. Further, it also reinforces the traditional mentality still present and strong in Irish organisations previously observed.

6   DISCUSSION

In this chapter, the researcher will compare and analyse the findings regarding the literature review and those provided through the consideration of the sample collected.

The findings of the primary data are consistent with the literature in relation to employees considering working in a multicultural environment a positive aspect. In fact, it was the only question with unanimous reaction, and when analysed together with the literature, it proves that people are aware of the benefits that cultural diversity can offer to employees and organisations. Additionally, the previously presented survey led by Glassdoor (Glassdoor, 2020), where it stated that employees prioritise organisations composed of a multicultural team when seeking new positions, confirmed the reliability of the data collected by this research.

Further, even though nearly one-fifth of the participants considered culture as an element on the occurrence of conflicts in the workplace, which may signalise a certain narrow-mindedness among Irish workers, literature also mentioned that as a matter of fact, sometimes culture can aggravate conflicts for many reasons, such as miscommunication, discrimination, stereotypes etc. That said, contrastingly to such idea, most of the respondents do not consider that multiculturalism contributes to conflict, leading the researcher to link this mentality with the study developed by Bell and Hart aforementioned in the literature review chapter, which explored the most common possibilities that can instigate conflicts to arise; likewise, the concept that other aspects as power and resources can be the actual cause of conflicts defended by Zartman (1993) follows similar rationale. Such analysis induces the researcher to recognise a connection between the sample developed and the literature explored; it is crucial to take into account that the subject culture and how people face it is directly dependent on interpretation, and it may vary from person to person. Therefore, the viewpoints presented were supported by the literature. Hofstede's study (Hofstede & Hofstede, 2005) provided the necessary acknowledgement for the realisation that culture is composed of many layers and each person absorb it differently. From these arguments, the researcher found evidence that both opinions

are supported in the literature; still, each response's specific motives are unknown due to the subjectivity and wide possibilities that led the participants to hold those judgments.

Moreover, the findings of this study pointed out that the majority of employees affirmed that the HR representants or their managers are responsible for the resolution in case of conflicts, indicating to be harmonious with the scenario presented in the literature considered by Purcell (2014) and Teague, et al. (2015) where companies often place the role of conflict management and problem-solving on line managers and HR employees, which can possibly result in mismanaged disputes since those employees usually do not receive proper training and do not have the same abilities and expertise than a mediator would, to deal with the conflicts under consideration, especially if the conflict involves cultural diversity.

Another point that should be highlighted is that according to the sample collected by the researcher, people who were aware of ADR were from either the HR department or the construction industry. This data led the researcher to reflect about the literature explored (Nash & Hann, 2020; Roche & Teague, 2014; Saundry, et al., 2014) when it mentioned that usually, HR employees have a significant impact on the adoption of ADR techniques by organisations, such insight induced the researcher to conclude about the essential role that HR workers have regarding the clarification of what ADR methods are to other employees and leaders and seniors, encouraging them to seek deeper information in relation to the application of ADR methods in the workplace and perhaps embracing mediation as a tool to deal with conflicts. Concerning the fact that every worker from the construction industry was aware of at least one method of ADR, the literature had mentioned that since the mid-1990s, ADR appears in construction contracts as an obligatory phase before formal procedures (Engineers Ireland, 2019), which demonstrate to foster a consciousness among employees of such sector up to the present moment.

Withal, the indication of major non-utilisation of mediation in Irish workplaces and zero respondents mentioning the support provided by the WRC as a manner to resolve conflicts in the workplace reveals the consistency of the data presented by the WRC survey (Workplace Relations Commission, 2020), which clearly demonstrates a lack of comprehension respecting the commission's role and possibilities of utilisation of its services by employees and employers. Especially in the case of small organisations, as they may not be capable of affording the services of private mediators, or employees that are familiar with the particularities of mediation, the WRC can represent the chance of resolving conflicts in an effective way, including when matters of multiculturalism are involved in the dispute.

Lastly, the findings demonstrated a scarcity not only regarding the utilisation of mediation in Irish workplaces but also in relation to the use of such ADR method in disputes involving multiculturalism; the same lack of information was found in the literature, where few sources would specify the advantages of mediation in such particular scenarios as the one being focused on this research. Concerning its application specifically in Ireland, the result was even worse, where no data was found, corroborating to the deduction that Irish organisations and academics have not worked on the association of mediation and multiculturalism can represent an advantage to workplaces.

7   FINAL CONSIDERATIONS

7.1   Conclusion

The research sought to answer a number of questions arising from its objectives. The findings have clarified multiculturalism in Irish organisations, conflicts in the workplace, awareness and utilisation of ADR in such environments. Those results express a snapshot of the mentioned topics of fifty-four employees. Nevertheless, the study's sample represents a small portion of the population, it manifests relevant data that may contribute to future studies and perhaps influence organisations on the investment of acquiring knowledge regarding ADR practices, providing such information to its employees, and possibly considering the adoption of mediation.

A notable finding was the major conceptual confusion among workers in Ireland in relation to ADR. The sample revealed that employees are familiarised with conflicts in the workplace, and most of them would have a comprehension respecting mediation; fewer would have some understanding of arbitration; however, most participants did not know what ADR means, which leads the researcher to draw in fairness the presence of a lack of clarity among employees about the term ADR in Ireland. Such a scenario represents an important topic for future studies since no literature was found exploring the awareness of the Irish population in terms of Alternative Dispute Resolution. Supplementing this theme, based on the analysis of the data collected combined with the literature, this research also discloses an absence of acknowledgement regarding the WRC services, especially about the provision of mediation that the statutory body offers to employees and employers.

Among the aims of this research was to recognise if employees were surrounded by multiculturalism in their workplaces and their perception of the matter. The result was that a greater part of respondents worked in culturally heterogeneous environments, and one hundred per cent of the participants consider positive to work with people of diverse cultures. Notwithstanding the fact that few respondents judge culture as an element that can trigger the occurrence of conflicts, which the literature demonstrated that depending on the circumstances, it really may cooperate to instigate

disputes; the sample reported that people predominantly do not consider that cross-culturalism cause conflicts, resulting in the evidence that Irish workplaces positively face cultural diversity.

Contrastingly to such openness, Ireland may still be attached to a certain traditionalism regarding conflict management in its workplaces. The research showed that in most Irish organisations, the responsibility for the resolution of disputes relies on managers and HR employees. Nevertheless, the confirmation if they receive proper training to manage these situations remains unsure and would be beneficial to develop further empirical studies regarding this question. Yet, one cannot ignore the fact that literature states that oftentimes managers are involved in conflicts with other employees and that usually neither HR workers nor line managers do not receive training focused on conflict management approaches. Furthermore, the findings appointed that HR employees are among the rare respondents aware of ADR techniques. The literature also indicated that such workers could greatly impact the adoption of ADR methods by companies. Based on these evidences, the researcher could logically conclude that HR employees and line managers perform the role of resolving conflicts informally; further, although they represent the group of the population that have an understanding of ADR procedures, the same knowledge has not been offered to employees of different sectors in Irish organisations. Considering the sample size of this research, a large-scale study focusing on line managers and HR employees would corroborate for a deeper investigation and provide an elucidation of the actual applicability of ADR methods in the workplaces in Ireland.

As reported on the findings, it is expected that workplaces composed of cultural diversity may face conflicts involving employees of different nationalities. Such disputes might possibly characterise a more significant challenge on its resolution when compared to conflicts between people of homogeneous culture since culture can affect how people feel, think and behave (Hofstede & Hofstede, 2005). Mediation represents a beneficial alternative of conflict management to these environments, for being a culturally sensitive approach can assist in de-escalation, maintenance, and even rebuild relationships. Further, it can result in financial advantage to organisations since non-

resolved conflicts may culminate in litigation processes, and such procedure is considerably more expensive and demanding than ADR methods, especially mediation.

Teague, et al. (2015, p. 6) proposed the following reflection: "if mediation brings such positive benefits why is it adopted by only a minority of organisations?". This question remains with no conclusive answer. The literature mentioned that the scarcity of resources and the lack of financial support could impede managers and HR employees to adopt the use of mediation effectively; likewise, it also demonstrated that the success of such implementation varies accordingly to the level of commitment that the company will have towards the technique (Lipsky, et al., 2020). The Irish legal system has clearly encouraged the population and organisations on the utilisation of ADR methods, aiming to reduce the number of unnecessary litigation processes and offer a better solution to the disputing parties.

7.2   Recommendations for Further Research

Through the analysis of the findings and discussion of this project, the researcher successfully answered the questions raised at the beginning of the study and reached the initially proposed objectives, resulting in a reliable snapshot of a broad view concerning the current scenario in Irish workplaces regarding multiculturalism, conflict management strategies, awareness of ADR methods and its applicability in the occurrence of conflicts in the organisations. However, throughout the research development, new questions and concerns were propounded, fostering the motivation for the following suggestions.

The research demonstrated the influence that HR employees and line managers have over conflict resolutions and the management of the working environment, such as the organisation's culture, policies, and values and how cultural diversity is recognised and embraced. Therefore, considering that Ireland has only recently become a cosmopolitan country and Irish organisations are mainly

composed of a multicultural workforce, a necessity of implementations of training focused on cultural diversity should be provided not only to HR employees and managers but also to employees of every other sector in the company under consideration, so the differences may not represent challenges but strong advantages. On this account, a further large-scale study focusing mainly on the HR department and line managers asking about training touching multiculturalism, conflict strategies, and awareness respecting ADR methods would provide a better understanding in relation to how people who are responsible for those matters are used to deal with them and what is their level of comprehension.

According to its sample, the present project revealed that ADR techniques are not extensively implemented in Irish organisations. Moreover, it also demonstrated that most HR employees know about ADR differently from workers from other sectors that indicated understanding what mediation is but showed certain conceptual confusion in relation to the term ADR, which implies that such acknowledgement is not being provided to all employees. Further research could be helpful to investigate the motives underlying such limitation of information towards employees from other sectors than HR. In addition to that, it could also explore why Irish workplaces have hesitated on the adoption of mediation as the approach of conflict resolution.

From the elucidation of those concerns, it would be possible to develop an efficient strategy that could instigate Irish organisations on the implementation of awareness regarding cultural diversity and the adoption of mediation.

7.3   Personal Reflection

The elaboration of this project represented a challenge for the researcher. Each chapter to be developed characterised a new field to be focused on, and in fact, the acknowledgement acquired throughout the process is immeasurable. The researcher opted to keep a personal journal to measure her most difficulties and the topics she enjoyed investing in a deeper study.

The theme of culture and everything that it embodies has always fascinated the researcher, and after years living abroad, travelling to diverse countries around the world and studying the theory developed by Geert Hofstede, her interest and better perception of how the difference of culture can impact people and their relationships became even stronger.

Having said that, during the research concerning culture, the researcher would face a certain ambiguity regarding the subject, feeling at times confused and unsure of how to provide a clear project as she had intended. Consequently, the decision of focusing exclusively on the nationality aspect seemed reasonable to avoid the mentioned ambiguity as much as it was viable, even though the nationality is composed of various layers and one nation may consist of distinct sub-cultures. All things considered, the researcher concluded that as culture is directly associated with humans and societies, its explanation will always be a matter of interpretation that may vary from person to person. Yet, it was found that the project offered the necessary reliability to provide a certain clarification as it was aimed by the researcher from the beginning of the study.

Moreover, the first time the researcher had access to the theory formulated by the psychologists Bell and Hart was during the lectures of Workplace Dispute Resolution, and the researcher promptly recognised the study as highly relevant and helpful on the assistance of the management of disputes for HR employees and managers. However, when investigating such theory, the researcher faced a considerable lack of sources in relation to those eight causes of conflicts in the workplace, which led the researcher to wonder if she should or should not include that information in this project. She arrived at the conclusion that since the topic was taught during the course of the masters in Dispute Resolution and considering its pertinence regarding the theme and objectives of this research, she opted for keeping the study in the research.

Considering that we are going through a historical moment, a global pandemic and most populations were and still are highly affected by it, including the researcher, a certain emotional instability due to

the lack of certainty would emerge periodically. Along with it, the scarcity of online sources provided by the institution definitely impacted the constancy of the provision of the amount of work done by the researcher, since she would have to obtain the necessary information by other means; for instance, her supervisor would send her materials that she could not have access by herself, or she would utilise the services offered by another institution where she is also a student. Happily, the researcher managed to access the appropriate material for the establishment of this project.

Lastly, the researcher is enrolled in a course to obtain a CIPD certification, working simultaneously on both projects, representing one more academic responsibility and the finding that the researcher unquestionably enjoys such field and would appreciate working in the HR department, perhaps contributing to the adoption of ADR methods or even engaging in a new academic study to explore the new questions raised from this project.

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Appendix

Research Questionnaire

An Investigation into de Influence of Cultural Diversity and the Applicability of ADR Methods in Irish Organisations

MASTER OF ARTS IN DISPUTE RESOLUTION

* This research has an academic purpose only. *

The present survey aims to collect data regarding the impact that a multicultural working environment has on organisations, consequently analysing if it may contribute to the occurrence of conflicts. It also embraces if employees are aware of Alternative Dispute Resolution methods and their efficiency in the workplace.

This research is being carried out by Fabieny Wiegmann Sanches with the supervision of Glenn Lynch as a part of the requirements for the conclusion of the Masters Degree in Dispute Resolution (Independent College Dublin).

CONFIDENTIALITY

Any answers provided will be sent to a link at Google Forms, and the data collected will be stored online in an electronic format protected by a password. The platform will not collect information such as name, email address or IP address. As a result of this, all responses are completely anonymous, and no identification is required.

DECLARATION

This research is being carried out in accordance with 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/)

CONCERNS

In case you have any doubts or concerns in relation to this research, you are welcome to contact the researcher Fabieny Wiegmann Sanches ███████████████████

And if you believe this research is not able to maintain ethical principles, please contact Independent College Dublin ████████████████

Proceeding with the questionnaire, you are automatically indicating that:

- You have READ and AGREED with the above information;

- You agree to participate in this research VOLUNTARILY;

- You are 18 years or over.

Thank you so much for your collaboration on my project.

Fabieny

1. What is your nationality?

   _____

2. What category of industry do you work at?

○ Commerce

○ Construction

○ Education

○ Hospitality

○ Other __

3. Do you work in the Human Resources Department?

○ Yes

○ No

4. Do you have co-workers of different nationalities?

○ Yes

○ No

5. Do you consider positive or negative to work in a multicultural workplace?

○ Positive

○ Negative

6. Have you ever been involved in a conflict in the workplace?

○ Yes

○ No

7. Have you been involved in a conflict with a co-worker from a different nationality?

    ○ Yes

    ○ No

8. Does a multicultural workplace contribute to conflict?

    ○ Yes

    ○ No

9. Do you know what Alternative Dispute Resolution methods are? If yes, which one are you aware of?

    _____

10. Were you advised in your workplace about the use of mediation in case a conflict arises?

    ○ Yes

    ○ No

11. Have you experienced Alternative Dispute Resolution used as a methods to solve multicultural issues in the workplace?

    _____

12. How are conflicts usually solved in your workplace?

○ You pretend that the conflict does not exist.

○ You do not communicate to your supervisor/manager/HR and try to solve it directly with the other party.

○ Management/HR talks to you and the other party and try to resolve the conflict.

○ Management/HR offers mediation as a mean to deal with the conflict.

○ Other _____