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Module Name:	<input type="text" value="Dissertation"/>
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Assignment Title:	<input type="text" value="Is Mediation a tool for resolution of disputes caused by workplace bullying in Ireland?"/>
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Due Date:	<input type="text" value="21/05/2021"/>
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IS MEDIATION A TOOL FOR THE RESOLUTION OF DISPUTES CAUSED BY WORKPLACE BULLYING IN IRELAND?

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Registration number: 51705265

To obtain the Master's degree in Dispute Resolution

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May 2021

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Acknowledgements

To my husband for his infinite patience and invaluable support in the fulfilment of my goals.

To my lectures. Thank you for your dedication to education and work, especially for sharing your knowledge with pleasure and professionalism.

To Independent College Dublin. Being the house of studies allowed me to complete a master's degree in Dispute Resolution in this beautiful country.

To the Mediators' Institute of Ireland. For supporting me during the collection of data and information provided for the conduct of this research.

I am infinitely grateful to all the people who gave me their time and shared their experiences in answering the survey, vital information for the culmination of this dissertation.

Maria Lucia Rodriguez

Mediation is one of the most commonly suggested ADRs in Irish workplaces when disputes occur between employees. They do, however, require a deeper and more thorough understanding of the advantages it provides in terms of workplace bullying. It is precisely where this research is gathered.

This research aims to demonstrate whether Mediation is a process used as a tool to resolve conflicts caused by workplace bullying in the workplace in Ireland.

The investigation is based on the Saunders method, supported by a survey to conduct the study and qualitative data analysis.

The study examines how Mediation varies from other methods of resolving workplace conflicts and how Mediation can be used to resolve disputes arising from workplace bullying in Ireland.

The research demonstrates that Mediation is one of the ADRs ideally suited to resolving this type of dispute since it allows for the resolution of disagreements between the parties. Furthermore, it has been shown that the value of such processes will aid in the repair of conflict-damaged workplace relationships. Mediation is essential for people to restore damaged situations in their work and personal lives because it provides a space where they can defend themselves by feeling like they can acknowledge past events and admit mistakes.

While the Mediation Act of 2017¹ and the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work support its strengths, this ADR must be widely disseminated, emphasising its advantages to all parties concerned, including employers and workers. This research offers suggestions that could help in spreading the strengths and benefits that this ADR offers in resolving conflicts caused by workplace bullying in Ireland.

¹ <http://www.irishstatutebook.ie/eli/2017/act/27/enacted/en/pdf>

Research published in 2014 ranked Ireland as the seventh worst country in the EU for workplace violence². The European Foundation carried out the study for the Improvement of Living and Working Conditions. (Eurofond, 2013)

In Ireland, the Industrial Relations Commission³ is responsible for investigating and monitoring these types of disputes. One of the ways they use to resolve these types of conflicts is through Mediation. (WRC, 2020)

However, it is essential to keep in mind that there is a distinction between harassment and bullying, in that sense and to enter into context, and it is necessary to define both of them:

Harassment is described as behaviour that has the intention or effect of infringing on a person's integrity and creating a threatening, aggressive, degrading, humiliating, or offensive atmosphere for the person, including words and acts homophobic or otherwise biased. (HSA, 2019)

Harassment in the workplace is repetitive misconduct that undermines a person's right to dignity at work and is intended to make one person or group feel inferior to others. In this sense, abuse, including sexual harassment, is addressed through the Employment Equality Act of 1998⁴; that is, the law protects it (HSA, 2019)

On the other hand, bullying is an aggression subtle that can be perverse, which constitutes behaviour based on premeditation. The specific objective is to torment the victim and finally

² <http://cdn.thejournal.ie/media/2014/02/workplace-violence.png>

³ <https://www.workplacerelations.ie/en/>

⁴ <http://www.irishstatutebook.ie/eli/1998/act/21/enacted/en/html>

give up their activities (Oade, 2015). There is bullying in all social settings; however, I will focus specifically on the workplace in the present study.

According to the book *Free Yourself From Workplace Bullying* (Oade, 2015), three elements have to be present to make a complete definition:

- The threat is deliberate and intended to remove or diminish the person's strengths and put them in favour of the bully.
- The bully is authoritarian and is determined to sabotage the victim's ability to handle the work, damage their position or disintegrate their confidence and courage.
- The victim suffers regular or repeated personal attacks that hurt them emotionally or professionally.

Bullying refers to excessive pressure and token violence exerted on a person who is intimidated and tormented with malicious comments or exaggerated criticism of their performance or ability repeatedly. Bullying in the workplace is a deliberate attempt to scare people emotionally, damage their reputation, or damage their self-esteem and self-confidence. (Oade, 2015) In general, the bully's intention is for the victim to leave their job or change their behaviour, contrary to their interests.

To highlight the difference between the definitions of harassment and bullying, I can say that: on the one hand, harassment has a strong physical component and generally revolves around unwanted, offensive and disruptive behaviours, which may include a sexual, racial, physical feature, homophobic or discriminatory in all its forms, including intrusion into personal space and damage to possessions. And on the other hand, bullying seems to be an accumulation of several minor events. Each appears insignificant when taken in isolation and out of context; masks the target, such as rivalry or popularity. The bully tends to make unjustified attacks and

unfounded accusations since bullying may be subtle and cannot be evident when it happens. (BFI, 2021)

Although the use of Mediation in Ireland has increased, it is crucial to investigate the results when using it in workplace bullying cases. In this sense, it is necessary to question whether Mediation is considered a tool and how much it helps resolve conflicts that have arisen because of workplace bullying.

Therefore, to answer these questions, it is necessary to analyse how effective the use of Mediation was in the workplace in solving these conflicts.

The Health and Safety Authority⁵ supports people who have been victims of bullying. As a first step, they recommend reviewing the organisation's Anti-Bullying Policy (if it exists) and following its guidelines. It is then necessary to report the fact to the HR department to solve and stop the bullying activities; otherwise, they will require Mediation. (HSA, 2019)

This research aims to consider Mediation as a tool for resolving disputes caused by workplace bullying in Ireland.

The main objective of this research is to investigate if Mediation is a tool to resolve conflicts derived from workplace bullying. The objectives of this research are:

1. To highlight how Mediation differs from other forms of workplace dispute resolution caused by bullying.
2. To determine the way mediation is a tool for resolving workplace bullying disputes in Ireland.

⁵ <https://www.hsa.ie/eng/>

3. To recommend a strategy on applying Mediation as the form of resolution on Irish workplace bullying.

CHAPTER 1

1 Literature Review

1.1 Introduction

This section addresses the definition of workplace bullying and the different types of alternative dispute resolution (ADR) used in the processes associated with it. Also, it is about answering the central question of this study through the fulfilment of the objectives.

There are several different ways to be bullied, but they all affect the person and its whole workplace operation, even though the goal was not to do so. To be bullied have many faces, and in that matter, I would like to mention a personal experience on the subject, something that happened to me.

When all started, I was working for a company in the administrative area, but during the time that I was employed there, I continued studying to develop my skills and to improve my educational degrees to get a better job and, in consequence, a better paycheck. But I consider it to be something that most ordinary people with the desire to improve themselves do.

At that time, I decided not to look for another position for a different job. Perhaps, because the one I had at the moment allowed me to study and do a good performance; and, at the same time, allowed me to see all the areas involved in the administrative procedures of the entire company. Then, I was in charge of assisting the coordinator with all the offices involved in the process, which allowed me to see and learn what and how they used to do their job in the offices around me. That allowed me to acquire more knowledge and experience in office administration.

People around me realised that I was studying for a higher educational degree and knew a little more about my background. I had the disposition to work and learn better ways to do my job and help anyone who needed me.

When I finally finished and got my degree that added to my resume, I was able to apply for a better position in some other company; however, at that moment, a vacancy arose in one of the offices where I worked. Consequently, I decided to apply for it. I don't want to sound arrogant, but I think it's okay to say that I was better suited for the position than the other people who also applied. Due to my experience and knowledge of the company, I was well prepared and perfectly covered the profile required for the position.

I managed to pass the exams and to obtain the job that I was applying for. You can imagine how satisfied and happy I was with my accomplishments and, even more so, with the fact of climbing one more step as part of the company where I worked.

I wanted to share with everyone who knew me the emotion and happiness that I felt at that moment. I thought that my colleagues would be happy for me too, that they would appreciate and recognise my courage and effort to obtain my new position and role in the administration department. But I never imagined how little that feeling of success and happiness would be since it was not to the liking of several of my colleagues, who worked there longer than I without any change had. My thoughts of happiness began to change, and I realised how wrong I was, assuming that all of them would celebrate my success. As time went by, I discovered that many of my coworkers thought I was just someone addicted to work and a nerd with no ambition to develop a longer and more successful career within the workplace.

Now I know that I experienced what it is like to be bullied.

When it all started, I did not even notice it. At first, I thought it was because I was new to that job. Fulfilling the functions on my new position and role that had been entrusted to me, I began to feel changes in the way of being and acting of my coworkers, and I will explain that little by little:

First, I started to feel a lot of pressure in most of my colleagues at the same hierarchical level. I thought that because they knew me and my way of working, they would treat me with the same respect they had treated me before. However, I was wrong since they considered me inferior to them.

Then they started throwing unfounded lies and rumours against me, and that was damaging the work environment. I felt the glances and discreet giggles on my back. All of that made it much more challenging to do my job day after day.

After a long time and working against the grain, I learned that many employees believed false stories that were spread within the offices about how I got the position.

One person, in particular, bullied me the most; he was also a department manager, so we were on the same level but from different areas.

What I experienced was covert, systematic and relentless bullying, that is, every day.

As in any company, management depends on all its departments working together and in an orderly manner. Moreover, for obvious reasons, my work depended on this person. One of his tactics was to give me his work with errors and late. So when applying it to mine, the result would be wrong, and then exposing myself in front of everyone, making fun of me: “look at the new manager”, which made me feel stupid and ashamed.

Going to work became an ordeal; I did not want to go. I started to get headaches, cry about anything, and even regret applying for the position and believed that I was not qualified enough. Every time I had to meet with him and do the reports’ integration, I was sweating cold, I felt totally out of place, self-conscious, sad, and discouraged, so I would end up at the end of the day exhausted and devoid of self-esteem. It made me feel helpless and foolish. It almost convinced me that the “chair was too big for me”; It was getting more challenging for me to join the team. The pressure continued, and every day it was more difficult for me to go

to work, which made me think many times about quitting my job, which had cost me so much effort.

At that time, I did not know what I was suffering has a name and could also do something about it.

1.2 How Mediation differs from other forms of workplace dispute resolution caused by bullying

1.2.1 Definition of workplace bullying

Workplace bullying is a process of mistreatment and hostility over time through behaviours and attitudes in the workplace. It is repetitive; that is, hostile actions and attitudes are repeated for months, which follow a constant repetition pattern, causing people to be damaged, emotional, physical and intellectual wear and tear. (Cobo, 2013)

Also, Mendizábal, who coincides with the definition, affirms that whoever exercises it can be an employer, an immediate or immediate boss or superior, a coworker or a subordinate, and that it has the objective of eliminating the victim from the organisation or the aggressor's work environment (Ibarra, Escalante and Mendizábal, 2014).

According to Bullying in the Workplace: Survey Reports, 2007⁶, there are four different ways in which workplace bullying develops (Philip J. O'Connell, Emma Calvert and Dorothy Watson, 2007):

- They are descending type or moral. The bully is a person who occupies a position superior to the victim, such as, for example, the boss.
- Horizontal bullying. It occurs between colleagues or coworkers of the same category or hierarchical level. The attack may be due to numerous causes: jealousy, envy, competition

⁶ <https://www.esri.ie/system/files/media/file-uploads/2015-07/BKMNEXT094.pdf>

or type problems personal. Here the bully seeks to hinder the colleague's work to damage their image or professional career; they can also attribute to themselves other people's merits.

- The bottom-up type. The person carrying out the workplace bullying occupies a position of less hierarchy than the affected. It is rare, but it can occur when a worker becomes subordinate to those who previously were colleagues; a new person joins a managerial position and ignores the pre-existing organisation or incorporates new management methods that are not shared or accepted by subordinates.
- And by the client

All of which can happen at any time in any organisation.

On the other hand, bullying has been conceptualising in two large dimensions (Olweus, 1993):

1. Direct bullying. Mainly uses physical violence or verbal attack; and
2. Indirect bullying. Refers to more subtle actions that include isolation and exclusion of the victim from the group.

Bullying at work is a worldwide phenomenon that currently affects thousands of workers. This type of behaviour has existed throughout humanity; violence, in its different forms of presentation, is, unfortunately, more prevalent in our society.

Fights, envy and bad personal relationships have always occurred at work. Workplace bullying is gaining much prominence, and they need strategies to avoid the risk of having employees who suffer from being bullied or bullies themselves.

Strong competitiveness in the world of work affects climate works. Workplace bullying is a complex problem to solve and is one of the many risks organisations face today. They must find a solution quickly and promptly, without affecting any of the parties.

In the UK, the journalist Andrea (1992), with the appearance of a book Informative Bullying at Work, promoted this phenomenon that drew attention from the general public and researchers (Adams, 1992).

Experts who have studied workplace bullying have concluded that for a situation of it to exist, must be met at least three conditions:

1. The effects of bullied people are physical and psychological and can occur in different ways and degrees.
2. The bullying or intimidation action is systematic and persistent.
3. Power differences: could be formal: of a superior or leadership, or informal: between colleagues or subordinates.

1.2.1.1 Phases of workplace bullying:

Bullying at work is an evolving process that has different levels or degrees of development, distinguished in four fundamental phases (Sullivan, 2015):

1. Critical Incidents: This is a specific incident that can create a bullying situation. Not all coexistence conflicts in the workplace cause it; only unresolved conflicts that get worse can lead to a future bullying situation.
2. Bullying and stigmatisation: in this phase, the victim begins to receive psychological attacks by the bully, which initially causes bewilderment and tries to avoid it. The victim's colleagues can also be surprised by this situation and not pay the required attention, downplaying and even denying what happens. These attitudes cause the worsening and prolongation of the problem.
3. The authority's intervention: the organisation's leadership begins to be aware of the situation's seriousness, which requires intervention measures. These may aim to resolve the

conflict or deny it, hiding the problem and increasing the severity of the case and the person's distress in question.

4. Exclusion: Because the situation persists, the victim may be labelled as a “difficult” or “problematic” worker or with health problems mental, which will end up leading to expulsion or abandonment of the job. Due to this condition, it is common for the worker to request sick leave due to the impossibility of continuing to perform regular tasks or ask for medical licenses that, in the long run, accumulate a status of incapacity for work and facilitates dismissal.

1.2.1.2 Workplace bullying degrees

Intensity, duration and frequency with which the different behaviours appear determine workplace bullying degrees. (Tehrani, 2012)

First degree: the person can cope with the bully's attacks and stay at the job. Some people ignore teasing, put-downs and confront their bullies. Despite this, the victim cannot help feeling bewilderment, anxiety and irritability at what is happening. Until now, the victim's relationships are generally unaffected. (Tehrani, 2012)

Second degree: at this stage, it is difficult for the person to avoid attacks and humiliations. Consequently, stay in the job or returning to it becomes more difficult. Some symptoms that manifest in this stage are depression, gastrointestinal problems, insomnia, substance abuse, behaviour avoidance of any situation related to the subject. In this phase, the relatives and friends tend to downplay what is happening. (Tehrani, 2012)

Third degree: return to work is practically impossible, and the psychological damage suffered by the victim requires treatment specialised psychological. This stage's indicator symptoms are severe depression, panic attacks, aggressive behaviours, and even suicide attempts. Also, family and friends are aware of the seriousness of the problem. (Tehrani, 2012)

In Ireland, the government has recognised the importance of workplace bullying. In fact, recently was approved the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work⁷. (Code, 2020). It replaces two previous codes that defined the responsibilities of employers concerning workplace bullying. They are the HSA's Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, published in 2007; and the Code of Practice Detailing Procedures for Addressing Bullying in the workplace, issued by the then Labour Relations Commission issued in 2002.

In this sense, the Task Force on the Prevention of Workplace Bullying, the Stationery Office in March 2001 published in its report the following definition:

“Workplace Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but, as a once off incident, is not considered to be bullying.”

1.2.2 Mediation and other alternative dispute resolution

Alternative dispute resolution, or ADR for short, refers to a range of methods for resolving disputes without resorting to going to court. It is to have a less formal setting for resolving organisational conflicts where the parties collaborate with a neutral individual or jury to reach a mutually acceptable decision. (Stipanowich, 2004)

ADR could be an alternative to going to court. The process could be cheaper and faster, where the resolution would be less stressful, and the result would be to the liking of both parties. In this way, instead of going to court, ADR is a better option than a court hearing.

⁷ <http://www.irishstatutebook.ie/eli/2020/si/674/made/en/pdf>

One of the main objectives of ADR is to provide a less formal environment in which organisations can resolve their disputes, where the parties work together to reach a decision, between most used are:

- Mediation is a method of settling conflicts in which an intermediary helps disputing parties have a dialogue to settle their differences. It follows an organic series that differs depending on the situation but has distinct phases. (Jennifer Beer and Caroline Packard, 2012) Mediation is often used in employment disputes where an intermediary allows opposing parties to have a dialogue to address their issues together, based on the principle of mutual problem solving, focusing on the future and rebuilding relationships, rather than apportioning blame. (Eurofound, 2014)
- Conciliation is a mechanism similar to Mediation, and it is used mainly in law disputes; the difference is that a neutral third party assumes a more interventionist role in bringing the two parties together. Although the conciliator may have an advisory position on the content of the dispute or on the result of its resolution, that role is not decisive.

Using Conciliation, if the parties are not in a position to find a mutually agreed solution, the conciliator will formulate a recommendation that will be binding on the parties unless one of them rejected it. (Cunningham, 2015)

- Arbitration is most commonly used in cases involving the construction and insurance industries. It is a long-standing process in which one or more neutral and impartial arbitrators make a binding and enforceable decision on the disputed agreement of the parties (Law Reform Commission, 2010).

In all cases, not all forms of ADR work the same in workplace disputes. If the complainant needs privacy while approaching the other person in workplace bullying and confidentiality, Mediation is the perfect option. (Snook, 2019)

Labour mediation can be a solution for the employer and the worker because it is resolved calmly and in a reasoned manner.

1.2.3 Mediation in workplace bullying

Mediation can always be used as long as the conflict has not become too destructive or has reached the limit where one party wants to destroy the other with aggression or violence.

In Ireland, they promote Mediation as an effective mechanism for workplace dispute resolution at both organisational and national levels (MII, 2019). The Workplace Relations Commission provides a mediation service to resolve disputes and disagreements in the workplace, particularly between individuals or small groups.

The Workplace Relations Commission can offer a mediation service to facilitate attempts to resolve issues related to workplace bullying. They give Mediation only if the parties agree; they do it through the Complaint Form, where claimants indicate whether they are willing to use mediation services to facilitate the conflict's resolution (WRC, 2020).

The mediator will help through dialogue to find a solution that suits both parties, where both of them have a confrontation. Only by talking and listening can the conflict be resolved quickly and effectively. Appealing to a mediator avoids a potentially lengthy and costly trial. Also, it will be impartial, confidential and neutral.

At the company level, it is possible to highlight three types of Mediation (Zumeta, 2000):

1. Transformative Mediation
2. Evaluative Mediation

3. Facilitative Mediation

Transformative Mediation: According to Zumeta (2000), this type is the three's newest. Improve the communication of the parties so that they can resolve their conflicts. Transformative Mediation focuses on the principles of empowerment of each of the parties to the greatest extent possible and recognising the wishes, concerns, values, and points of other parties of view.

It has the power to transform any or all parties or their relationships during the mediation process. In this type of Mediation, the parties structure both the mechanism and the result and the mediator directs them. Transformative mediators bring groups together and are the only ones who can recognise each other. (Shonk, 2021)

Evaluative Mediation: The Mediator assesses the situation and makes recommendations in the hopes of finding an agreement. They point out the flaws in their statements and reports how a judge or jury would fail, thus helping the parties reach an agreement (Zumeta, 2000).

Evaluative mediators use shuttle diplomacy to meet with the parties and their lawyers separately. They help parties and attorneys weigh the costs and rewards of going to court versus finding an agreement via Mediation. The evaluative mediator guides the process and has a significant influence on the outcome of the Mediation. (Shonk, 2021)

Facilitative Mediation: Facilitate Mediation mediators prefer to keep their perspectives on the conflict secret rather than make suggestions or force a decision. The mediator allows contestants to pledge themselves by looking at others' deepest interests. The parties are in charge of the final result. (Zumeta, 2000)

Facilitative mediators often have joint meetings with both parties to hear each other's perspectives, but they also hold assemblies regularly. The goal is for the parties to have a more significant say in the decisions made.

1.2.4 Benefits of Mediation

The following are the key benefits of Mediation as a dispute resolution method:

- The costs of Mediation are more secure and transparent from the start, making it cheaper than litigation or a claim with a government body. A relatively more affordable option than court proceedings.
- Through the Mediator, the parties find their own solution. At all times, the parties take the initiative and determine the course of the procedure. The mediator's position will not be to intervene, enforce their decisions, or have decision-making authority in the process; instead, it encourages negotiation to resolve conflicts.
- Both parties can have an opinion. Achieve equality in all processes and, as a result, generate trust in all parties, allowing them to present their positions in the face of the conflict.
- It is informal and confidential. Participants in Mediation have complete anonymity, and the promise that nothing said in a mediation session can be used in court (Oberman, 2012).
- It is flexible. Achieve equality in all processes and, as a result, generate trust in all parties, allowing them to present their positions in the face of the conflict.
- The solution is faster because the parties do not have to wait for the court to hear them, preventing problems from growing and getting worse. (Gorry, 2016)
- Mutual agreement. It leads to a negotiated resolution of the dispute because those involved must withdraw from their positions to reach a mutually beneficial arrangement.

1.3 The way Mediation is a tool for resolving workplace-bullying disputes in Ireland.

1.3.1 Workplace-bullying in Ireland

Workplace bullying begins in the workplace and defiantly manifests itself. These are situations that are not easy to detect by either the victim or their hierarchical superiors. As a

result, it is possible to say that words, lies, or humiliation can affect an individual. It is a form of psychological attack that destroys the victim's well-being and harms the organisation where the incident happens and the bullied person's social relationships.

In a study conducted in May 2020, under the name *The Value of Productivity Lost to Workplace Bullying in Ireland*, they calculate the cost of lost productivity due to workplace bullying in both the public and private sectors. In this study, they used official data and also estimated the annual value of lost production. They found that the losses in the public sector were 51.8 million euros, in the private sector 187.6 million euros and, in general, 239.3 million euros (J Cullinan, 2020).

In that study, they concluded that bullying is more common in the public sector, but it has a more significant impact on absenteeism in the private sector. Thus, as well as the higher total number of workers, productivity losses from bullying are much higher in Ireland's private sector. (J Cullinan, 2020)

In 2014, the European Foundation study put Ireland in seventh place concerning workplace bullying. It also highlights the experience of bullying in workplaces where workers compete or do the same job. (Eurofond, 2013)

Because companies are responsible for workers, suppliers, and customers, the statistics are not reliable since most bullying incidents are not reported or are resolved internally.

While it is difficult to tell for sure, particularly given the lack of current data on the topic, previous research on the facilitators of workplace bullying and data on prevalence rates across industries and contexts provide some insight. (Hodgins, 2020)

Overall, the evidence suggests that workplace bullying in Ireland is widespread and expensive. Bullying in the workplace is notoriously challenging to deal with, and there is a lack of evidence-based solutions.

In Ireland, however, a new code of conduct went into effect in December 2020, detailing how employers, staff, and representatives could handle and remedy workplace bullying. The Code was written by the Health and Safety Authority (HSA) and the Workplace Relations Commission (WRC), and it replaces and updates the organisations' previous independent codes of practice.

The Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work (Code, 2020) guides employers, workers, and representatives on best practices and procedures for handling and resolving workplace bullying problems.

The Code stresses the protocols that must be enforced with employers and reaffirm employers' responsibilities to manage grievances informally where possible and formally when necessary. It also offers employers practical advice on detecting, handling, and avoiding workplace bullying as part of their obligations under the 2005 Safety, Health, and Welfare at Work Act⁸ (Act, 2005). Employers must explicitly state that workplace bullying is not permissible and that allegations of bullying will be handled sensitively, according to the Code.

It also recognises that bullying can be carried out by non-employees, such as customers business contacts. For this reason, under the Code, a description of the employer's anti-bullying policy must be posted somewhere where non-employees can see it. (Code, 2020)

Irish labour law stipulates that a code of conduct would be admissible as evidence in any proceeding before a judge, the Labor Court or the WRC. According to the 2020 Code, any clause that applies to the case will be used during the process. However, failure to comply with the 2020 Code is not an offence in itself. (Code, 2020)

⁸ <http://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print>

1.3.2 Rebuild working relationships between coworkers through Mediation.

The longer a dispute goes on, the more likely it is for people's relationships to break down or for formal complaints to be raised. However, after structured conflict resolution proceedings through Mediation, the mechanism will aid in rebuilding relationships.

Incidents of bullying can have severe repercussions for their perpetrators, such as official warnings or dismissal, and the alleged victim may feel too powerless to participate fully.

To function efficiently, Mediation requires all parties' voluntary involvement and cooperation. Workplaces can use Mediation to resolve disputes between colleagues on the same team, from different ranks, of seniority, even when there is a breakdown in interpersonal contact.

Mediation creates communication when there is bullying at work. Using it as a tool for these types of disputes can be very positive since the objective is to bring people together in a neutral environment where they can express their problem with the confidence that an intermediary is not directly involved in the dispute.

Mediators serve as intermediaries and facilitators in a dialogue between the parties involved in a dispute. They assist them in reaching a mutually acceptable compromise and avoiding being derailed or trapped in an argument.

Mediation contributes significantly to reconciliation between people in the workplace and helps them get back on the right track to working together with mutual respect. In this way, the employer shows interest in their employees' well-being, which helps avoid hasty decisions that can negatively affect the business. (Chaput, 2018)

1.3.3 Solving conflicts originated from workplace bullying through Mediation.

With Mediation, it is possible to find a solution to this type of dispute since:

- It Contributes to the emotional stability of the parties. One of the main challenges mediators face is emotions, an unfortunate by-product of conflicts. Still, they are undoubtedly a critical factor in their resolution, as they provide both information and motivation to those involved.
- It avoids an imbalance of power between the parties. One of the main benefits of Mediation because it requires a different discipline: the work is not finished until the parties agree, where there is no difference of power. Suppose feelings influence the perceptions of the facts and the fairness of the parties. In that case, the mediators should deal with those emotions until the facts' perceptions and the parties' right coincide enough to reach an agreement. (Farrington, 2016)
- It allows clarifying different interpretations. One of the mediator's responsibilities is to enable all parties to present what they believe is the truth and desired result of the conflict. The mediator can also pose questions to get a deeper understanding of the conflict and its complexities. (Kerwin, 2020)
- Besides, it helps prevent a negative impact on the organisation. Workplace Mediation is a simple, informal, but organised method of resolving conflicts. Mediation's non-threatening nature allows it to be implemented quickly and early in a dispute until it escalates. It can even be used even though formal proceedings are already underway. (Kurtuldum, 2017)

1.4 How works Mediation as a tool in conflict resolution for workplace bullying.

1.4.1 Highlight the benefits of Mediation in workplace disputes.

Companies are increasingly seeing Mediation as a quicker and less expensive alternative to conventional conflict resolution approaches; it has been proved that it lowers the risk of losing good workers due to occupational tension.

Mediation is a viable option for addressing problems at an early stage. It is a non-formal, voluntary forum in which individuals work through dispute or disagreement with the help of an unbiased and professional third party in order to improve their relationship. It's a valuable tool at any point of the procedure, and it is advantageous at the beginning of the problem. It has been shown that the sooner a mediation procedure is used, the better the chances of a satisfactory resolution. (Gifford., 2021)

The main benefits of Mediation in the workplace are:

- It is voluntary and confidential. Conversations are kept private rather than made public. Mediators do not provide advice or answers; instead, they facilitate a dialogue in a safe and respectful environment, share various points of view, and assess needs and assistance in negotiating a way forward. (Kurtuldum, 2017)
- The mediator is an autonomous and neutral person who helps two or more parties find a compromise acceptable to all.
- The mediator can speak individually or jointly on both sides. Mediation will usually start different sessions for each party, and everything said in the caucus will be kept private. On the other hand, the mediator cannot repeat or say anything that the parties do not authorise. After providing this assurance, the mediator gathers information on each party's interests. (Kerwin, 2020)

- Mediation can be used when there is a dispute between a line manager and a team member or between groups of workers, between coworkers in the same role or grade and colleagues with different jobs and levels of seniority.
- It can be used at any time during a dispute. Even after the issue has been resolved as a method of restoring employment relationships.
- It has the advantage of preventing a conflict from worsening in the early stages. Mediation strategies may assist people in resolving disputes at an earlier level.
- The parties take ownership of their agreement's production and execution, which increases satisfaction with the result and leads to more long-term settlements. (Camody, 2016)
- Mediation may also be effective when administrators aren't in a good position to deal with a conflict, such as when they're involved in it or don't have the experience to handle it on their own.
- It can be used to resolve a variety of issues in the workplace, including bullying, relationship deterioration, interpersonal conflict and communication issues.
- The process helps the parties preserve their integrity and build respect for one another in a secure atmosphere, leading to stronger long-term relationships. (Camody, 2016).

1.5 Summary of the literature

Bullying at work is a significant problem in today's workplace, and it is described as offending or socially excluding anyone or negatively influencing someone's work tasks. Bullying is usually defined by repeated and persistently directed actions at one or more people rather than by single or isolated events. (Stale Einarsen, 2011)

Parties choose Mediation because it offers a greater chance of reaching an agreement than Arbitration, Conciliation or other processes involving third-party decision-makers.

Mediation creates a secure atmosphere in which members can discuss solutions and change their positions without fear of losing face in front of their peers or colleagues. In Mediation, parties meet in a private, neutral venue with a third party to discuss their dispute and negotiate a resolution that satisfies all parties' needs and interests. Whatever is addressed throughout the session is considered confidential and can not be shared with others unless all parties directly request it and accept; otherwise, it ethically breaches the pre-set confidentiality criteria.

Mediation may take place in a matter of days rather than weeks or months. This can be crucial in preventing conflict from escalating and avoiding unnecessary delays in reaching mutually acceptable settlements.

The mediator's job is to help the parties find their own satisfactory, workable solutions by acting as facilitators and providing structure, attention, and communication assistance. The mediator's job is to offer unbiased, objective advice from the perspective of someone who has no other stake in the outcome of the conflict.

Unlike Arbitration or Conciliation, with Mediation, the parties comply and adhere to its terms because they reached that agreement themselves; that is, there was no third party to dictate it. When parties negotiate their own agreements, they have a more significant influence on the outcome of their dispute, and their benefits and defeats are more predictable than when decisions about the result of conflicts are delegated to third parties. Mediation entails reaching mutually acceptable compromises in which the parties' interests are satisfied to the extent that they are prepared to support the final agreement.

Mediation arrangements, which result in agreed outcomes that meet each party's interests where there is a win, win, are much more likely than win-lose processes to maintain current and future working relationships. If a future working partnership is necessary, a negotiated compromise that creates all-gain solutions could be the best option. Mediation is frequently a beneficial therapeutic mechanism that promotes direct contact between the parties. The joint agreement would also provide a starting point for potential relations between the parties.

Aware of the differences between the other solutions offered for resolving labour disputes, specifically workplace bullying, it is possible to emphasise that Mediation could be the best option when each of the parties agrees and is willing to resolve their conflict.

CHAPTER 2

2 Research Methodology

2.1 Introduction

This chapter describes the research design and methods that were used to investigate this hypothesis. It explains the research design's goals as well as the data collection process. This chapter describes how it was made, including how it was defined and analysed; it also explains how the selection mode was decided.

Regarding the project's methodology, a brief description of how it was carried out is presented below, covering one step first before moving on to another. This includes the type of research, techniques, and procedures used to carry it out to respond to the main objective.

The results were evaluated through critical analysis. According to the Saunders onion method, it is possible to describe the research process more clearly. During the procedure, each of the onion layers provides a more detailed description of the process phases.

The main objective of this research is to investigate if Mediation is a tool to resolute conflicts derived from workplace bullying. The objectives of this research are:

1. To highlight how Mediation differs from other forms of workplace dispute resolution caused by bullying.
2. To determine the way mediation is a tool for resolving workplace bullying disputes in Ireland.
3. To recommend a strategy on applying Mediation as the form of resolution on Irish workplace bullying.

2.2 Methodology and methods

The research design specifies that the techniques used in the development of the research were according to the Saunders method, as this method guide to carry out logically and systematically throughout the phases of the process. Therefore, the design is the methodology or global plan with which the research was structured.

2.3 Research Philosophy

During the research, the philosophy used was Interpretivism; it helped to understand and interpret the data collected more humanly and recognise the differences between people and results. Interpretivism combines a human interest in an analysis by requiring researchers to interpret elements of the sample (Thompson, 2015)

Interpretivism is a branch of psychology that focuses on how certain people perceive the minds of others. Interpretivism aims to understand how the psychological representations we make of those nearest and most familiar to us operate regularly. (Jiménez, 2011)

This philosophy is appropriate for this study because it is critical in generating conclusions based on the gathered data. It is also significant in bringing context to and understanding the data.

2.4 Approaches

A person's reasoning is formed as they think, organise their thoughts, and conclude. It is possible to distinguish between various forms of reasoning depending on the type of thought mechanism used. (Masterclass, 2020)

On the other hand, induction is linked to inductive—the procedure for drawing a broad conclusion from a set of specific or specific premises. As a result, inductive reasoning entails analysing various individual experiences to derive a more comprehensive and more universal concept from them. (Masterclass, 2020)

The inductive method, also known as inductive reasoning, starts with observations, and hypotheses are proposed as a consequence of the statements at the end of the analysis phase. Inductive analysis entails looking for trends in those observations and formulating interpretations or ideas for specific patterns using various hypotheses. (Schwarzenberger, 2006)

That is the main reason this study took an inductive approach, as it started with questions and tried to address them to develop a hypothesis. As noted above, the study seeks to determine whether Mediation is a viable option for resolving disputes related to workplace bullying.

2.5 Strategies

The strategy used during the investigation was through the surveys as a method of conducting the study. Ponto Julie Ann and Ellington Lee (Ponto, 2015) state that questionnaires may be mailed to participants in paper form, distributed electronically via email or an Internet-based application, or a combination of the two, giving the participant the option type they prefer. This method is widely used as a research procedure as it allows for fast and effective data collection and analysis (Ponto, 2015).

Collecting population data on a large scale has already been part of survey science. The term “survey” can currently reflect a range of research aims, sampling and recruitment strategies, data collection instruments, and survey administration methods. Survey research is a valid and valuable method of investigation that has several advantages in terms of describing and exploring variables and structures of interest. (Ponto, 2015)

The main objective of this survey study method was to quickly collect knowledge attached to the characteristics required to fulfil the purposes of this research.

Another decisive point for using this strategy is the isolation situation that we are currently facing due to the pandemic worldwide, and that is the Coronavirus, better known as Covid19.

The technique used to distribute the interviews for the research was through email, and the questionnaires were made with Google forms platform, formulated for data collection.

With this platform's use, the respondents' access provided the security and physical protection requirements required to avoid contagion, and the range of prospects to interview was expanded, in addition to guaranteeing anonymity. As in this case, the data collected helped answer the research question in a more agile and concise way.

2.6 Choices

According to Sanders' Research Onion, the qualitative and quantitative methodologies are dealt with in the fourth layer of the analysis.

When it comes to dealing with this layer of the study onion, there are three options:

1. Mono-method. This one gathers either qualitative or quantitative data depending on the choices made in the previous phases.
2. Mixed-methods. This method is where a researcher gathers both quantitative and qualitative data to use them reasonably in the research study, data processing, and interpretation.
3. Multi-method data collection – This refers to the use of both qualitative and quantitative data collection methods. Nevertheless, only one view is used to analyse the gathered data. (Dissertation Writers, 2019)

In this context, when deciding on a research choice, the decision was made to use the mono-method, which means that the researcher only uses one form of data: qualitative or quantitative. (Dissertation Writers, 2019). This is because this research uses qualitative methods; that is, the information is related to data and opinions of the respondents.

Qualitative research methods are used to evaluate quantitative studies in the cases of survey validation so that the results are not only on a numerical and percentage scale. Researchers using qualitative research techniques attempt to explain facts and understand them through an in-depth and diverse interpretation of the results, often demonstrating an imaginative and dynamic personality. As the primary research method, qualitative methods offer a broad spectrum of research possibilities, combining various techniques. (Ragab, 2017)

Qualitative research is a type of formative research that employs advanced techniques to obtain a more detailed understanding of people's thoughts and feelings. Its goal is to help people comprehend the significance of men's acts, behaviours, motives, beliefs, and subjective meanings. (Given, 2008)

The use of the mono-method technique turned out to be an easy-to-use tool, which allowed access to the information provided by the interviewees, to know their opinions, and to compare them between the different views in an agile and concise manner. This way, it made it possible to analyse the participants' thoughts and ideas about the subject. (Thesismind, 2018). The answers received were analysed and helped to have multiple views about whether Mediation is a tool in cases of workplace bullying.

2.7 Time Horizon

In following the Saunders onion method, the time horizon refers to the time required to complete the project work. Within the study onion, there are two types of time horizons: transverse and longitudinal.

1. Transversal or Cross-Sectional. The cross-sectional time horizon is the one that has already been developed for the data collection. This term is used when the inquiry is focused on studying a specific phenomenon at one particular time. (Thesismind, 2018)

2. Longitudinal. A longitudinal time frame for data collection refers to collecting data over a long time, which is used because analysing progress over time is a significant factor in the study. (Wayne Goddard, 2004)

Because the present investigation refers to a specific moment, it used the transversal time horizon. Since the type of data collected is qualitative, the focus was on the time of collection. The data collected refer to a given moment, to a lived experience and that with it, it is possible to define the interviewees' response.

2.8 Techniques and Procedures

For the research development, I used two techniques, nonprobabilistic and critical sampling. It was necessary to apply them with the help of questionnaires as the primary data collection and information generation tool for the analysis process.

In non-probability sampling, the sample is chosen based on non-random parameters, and not everyone in the population is eligible to participate. In exploratory and qualitative analysis, non-probability sampling methods are often used. Researchers use this method when their research aims to establish an initial understanding of a small or under-researched population rather than test a hypothesis about a large population. (Taherdoost, 2020)

On the other hand, critical sampling is most likely to produce the most valuable information that will prove a theory or solve a problem and significantly affect knowledge growth. (Taherdoost, 2016)

The semi-structured interviews were intended to allow candidates to share their impressions, which helped gather information through sentences, feelings, thoughts, and explanations. For the data collection analysis, it was decided to use the qualitative approach because the topic and the type of questions in the questionnaire helped to express their opinion.

According to Dr Saul McLeod (2019), qualitative data is naturalistic, emergent, inductive, interpretive. A natural approach that helps to study individuals, cases, incidents, social circumstances, and mechanisms in their general settings to reveal in descriptive terms the meanings that people assign to their views of the environment or individual interpretations, such as participant observation and in-depth interviews. (McLeod, 2019)

It is impossible to estimate the number of workplace bullying incidents handled by Mediation in Ireland. That is why, although qualitative data are more suitable for small populations, it was decided to use this method because the responses obtained represent the views of a larger community.

The methodology was designed to allow interviewees to speak frankly and avoid giving normative, official line answers, whilst the questions were deliberately crafted to avoid restricting or predetermining responses while still covering the study issues.

This analysis approach allows for collecting a list of responses to unanswered questions using interviews. This is where qualitative data analysis techniques come in handy, as they allowed me to build a hypothesis out of the data. They contain both deductive and inductive approaches, and they vary from the basic categorisation of process answers to identifying associations between groups, much like the puzzle-building process. (Gabriel, 2013)

2.9 Research Limitations, Aims and Objectives.

2.9.1 Aims and Objectives

The present dissertation investigates whether Mediation is a tool for resolving conflicts caused by workplace bullying in Ireland.

This research aims to highlight how Mediation differs from other forms of dispute resolution in the workplace and determine whether Mediation is a tool for resolving disputes caused by

workplace bullying in Ireland, thus recommending a strategy to applying it as a form of resolution Irish workplace bullying.

This research analyses the variations between the different dispute resolution alternatives. The report examines the interviewees' areas such as effectiveness and knowledge of the various mechanisms produced for resolving disputes in the Irish workplace, such as Mediation, Conciliation and Arbitration.

The study examines how Mediation differs from other ADRs and whether employers and employees are aware of the options available and the advantages each provides in a conflict involving workplace bullying in Ireland to decide which will be the best choice for finding a suitable solution in the case. The above respond to the objectives of the study. The data was collected by asking basic questions of the study participants.

The questions presented to the chosen community were developed following an exhaustive study of awareness and use of Mediation in the Irish workplace about bullying amongst coworkers and were used to investigate each participant's unique experience. The responses obtained were examined and compared to see if there was any common theme in the participants' perceptions regarding the effectiveness of workplace mediation in Ireland.

2.9.2 Research Limitations

One of the main limitations of the research was, in the first place, the isolation caused by Covid 19⁹, as most workplaces were closed or work was done from home, making it difficult to contact potential interview prospects.

⁹ COVID-19 is a current coronavirus strain that causes disease. The letters CO, VI, and D stand for corona, virus, and disease, respectively. This disease was previously known as the '2019 novel coronavirus,' or '2019-nCoV.'

Secondly, the lack of available data since cases of workplace bullying is not always reported, which considerably limited the scope of the analysis.

Third (what I consider the most difficult to deal with) was locating the cases of workplace bullying reported and attended to by one of the different ADRs, which represented a significant obstacle to finding a trend.

Since no other similar research has been done on this topic, the lack of previous studies also represents limitations for the analysis.

3 Presentation of data

Bullying isn't just a problem in schools; for some people, it can fully derail their careers, with many experiencing psychological and even physical violence at work. But it is not always reported. Data from national surveys support this point, indicating that victims of workplace bullying frequently do not protest because they feel it would exacerbate their situation. (Eurofound, 2014)

In Ireland, those who are subjected to sexual abuse or harassment can file a complaint with the Equality Tribunal, but what happens when people are bullied at work?

As it's been said, a study published in 2014 found that Ireland is seventh on the list of countries with the most workplace bullying, with almost 6 per cent of workers saying they have experienced it. (Eurofound, 2014)

The Health Service Executive (HSE) in Ireland considers bullying a common occurrence in the workplace. They also recognise that it is a challenge for the affected person to detect when people are bullying them and how much more challenging it is to know what to do about it. In particular, because it might be difficult to identify when the comments are no longer funny or when slagging or teasing is part of a work environment. (HSE, 2018)

The moment the affected person recognises that they are being bullied, the HSE recommends reading the workplace policy on bullying or speaking to the manager for help.

Furthermore, a new code of conduct has gone into effect in Ireland that outlines how employers, staff, and their representatives can handle and overcome workplace bullying.

The updated Code went into effect on December 23, 2020. It was created by the Workplace Relations Commission (WRC) and the Health and Safety Authority (HSA), and it replaces and updates the different codes of conduct previously issued by each organisation. Its title is '*Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work*' (Code, 2020)

According to the Code, the WRC works to strengthen and maintain good labour relations and facilitate compliance with labour laws, equal opportunity laws, and codes of conduct. It also conducts reviews and monitors the evolution of workplace relations in general. Additionally, WRC services include early conflict resolution by Mediation, facilitation, consulting services, and the resolution of grievances and conflicts. (Code, 2020)

Based on the above, it can be shown that in Ireland, Mediation is considered one of the best ADRs for resolving these types of disputes in the workplace.

3.1 Sampling

In survey research, sampling strategies aim to collect a large enough sample representative of the target population. In an ideal world, the sample must include individuals representing the projected population in terms of all population characteristics and have a similar distribution of those characteristics. (Ponto, 2015)

The most popular form of non-probability sampling is convenience sampling. Convenience sampling is a method of collecting samples from a location or facility that is conveniently placed. (Thomas W. Edgar, 2017) Also, Paul J. Lavrakas (2008), says "*Convenience sampling is a type of nonprobability sampling in which people are sampled simply because they are "convenient" sources of data for researchers*".

Therefore, the present research used convenience sampling for the interviews since the self-selection helped choose people who have or have had direct contact with any of the ADRs. (Battaglia, 2008) The Independent College and the researcher guaranteed anonymity to those who participated; it was voluntary and anonymous.

Due to the difficulty of obtaining samples representative of a broad population, the study data came from a poll on the outcomes of using Mediation to resolve workplace bullying issues. The questionnaire was confidential and a self-report.

The convenience sampling helped to select a group of interviewees and carry it out. Thanks to the collaboration of the Mediators' Institute of Ireland, the questionnaire was distributed through a group of three hundred active mediators and some organisations in the country. The data collected and the interviews were analysed using an analysis based on constructivism.

The questions include the application and experience of Mediation and how successful it has been in settling workplace bullying disputes. It also includes questions about the other ADRs compared to Mediation, and they are listed at the end of the questionnaire.

3.2 Data collection

The data collection approaches are the methods and guidelines used in the investigation to gather helpful knowledge about the issue that would be applied to the chosen sample. (Ainsworth, 2021)

The surveys applied are of the qualitative analysis because they focus primarily on observational methods to obtain information and uses non-measurable data sources. Even though the types of included questions are mainly categorical questions, the interviewee could choose "Yes or no"; most of them have an additional question: "why". The survey also included ratio questions with a rating scale from 1 to 10. (Chipeta, 2020)

The data collection process took place from March to April of 2021, and the questionnaires were completed using a link provided by Google Forms¹⁰. The interview questions (the questionnaire link) were emailed to the participants with a short description of the questionnaire and a request to answer them. The replies were gathered and saved in the researcher's Google Drive¹¹.

3.3 Selecting the participants

Facing the challenge of finding people, according to my research, was not an easy task. This was due to the fact that the project required the assurance that there is commitment and sincerity on the part of the people to whom the survey was directed—besides, coupled with the fact that the issue of workplace bullying; although we can affirm that many people have experienced it or have faced this situation directly or indirectly, is not an issue that is openly discussed.

Therefore, it was necessary to provide them with all the security so that they have the confidence to provide information. Likewise, they were also told that the data they would provide would be used appropriately and for research purposes only.

Because I needed to collect specific information to help with the object of study, it was necessary to plan the survey well; to achieve this, the questions were asked in a simple way, taking into account that the subject could seem challenging to deal with and the fact that the information could be very personal or ideological. The questionnaire was carefully prepared so as not to offend or inconvenience the respondents.

When sending the emails with the request, I tried to be clear and concise, introducing myself as the first point and then explaining why. At the beginning of the survey, it says that it is voluntary and refers to confidentiality; it has my contact information and that of the Independent College to contact me in case of any doubt or question about it.

¹⁰ Google Forms is a free online platform for creating questionnaires and surveys.

¹¹ Google Drive is a cloud-based storage service that enables users to store files online and access them from any mobile, tablet, or device.

Because the research focuses on Mediation and its effects on resolving conflicts related to workplace bullying, a search for active mediators was carried out as the first objective of the application.

It is important to note that although the topic refers to workplace bullying, the present research does not delve into its effects and causes. The main focus is based on the use of Mediation in the resolution of conflicts of this type.

Thanks to the Mediators' Institute of Ireland (MII), three hundred mediators were contacted, the same ones to whom the link was sent in the email with the request for a response. However, it is necessary to note that approximately only 20% of the surveys sent were answered.

3.4 The questionnaire

In general, a questionnaire entails posing a set of questions or things to a given group of people about a specific research issue about which we want to learn more. The replies are usually written down by the person who was interviewed. (Babbie, 2000)

According to Kabir 2016, in a qualitative approach, the questionnaire is a prevalent format. It consists of a series of questions and responses that are used to calculate variables. It is one of the most commonly used measurement devices in undergraduate work since it records significance clearly and in a realistic manner the data provided by the respondents. (Kabir, 2016)

Schutt states the questions that a researcher asks a representative sample of the study population form the basis of a questionnaire. This is done to determine how a variable varies among research participants. Also, the author says that some people see text analysis as a way to figure out what people really thought, felt, or did in a given situation or at a given point in time (Schutt, 2018). The researcher then analyses the answers.

In this sense and taking the preceding as a point of reference, the questionnaire consisted of 24 questions: thirteen were closed, that is, with the option of answering “yes or no”; six were open, and five of them were multiple choice.

CHAPTER 4

4. Data Analysis and findings

The data produced by the research, with the theoretical and referential information previously analysed in the field of Mediation results compared with the other ADRs, show that in Ireland, the use of this method has become a tool increasingly used in the case of labour disputes in general.

Having the diagnosis of whether Mediation is considered a tool in cases of workplace bullying will allow having the information with which to exploit the flexibility offered by this method as conflict resolution.

The techniques that were used to analyse the collected data were made possible through a structured survey. Due to the type of research and directed to a specific group of people, it was considered that the questionnaire was concise and not very extensive to obtain clear and complete answers from the interviewees.

The main objective is to find, identify and categorise the information collected and thus relate and understand the data to obtain concrete and coherent conclusions.

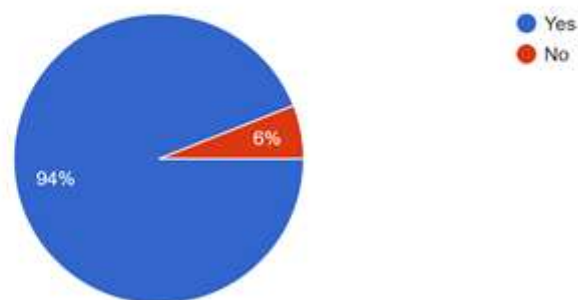
4.1 Survey analysis

In a joint analysis of the theoretical bases and the information obtained in the study, the field results are observed as follows:

To begin and to get into the subject, the first question of the survey asked whether the respondent believes that cases of workplace bullying can be resolved via Mediation.

It can be seen that 94% affirmative responses were obtained to this questioning, while the remaining 6% did not consider it that way.

Do you consider workplace bullying cases are eligible for Mediation?



Pie chart 1

Multiple statements arose in this regard. Among the previous result, it can be highlighted that the respondent's coincidences oscillate between the confidentiality Mediation provides to the employees and a safe environment in which they can project their issues. Besides, the way the mediator carries out the process, where each person gets to listen to the other, is voluntary and helps restore the relationship of those involved and be very convenient for the companies due to its accessibility.

Furthermore, they consider Mediation as a robust conflict resolution solution for all situation between parties because it allows both sides to be heard, and also, it works towards resolution as the parties themselves come together to find a compatible solution to their issues.

Several answers agree that the method is non-adversarial, which aids in the preservation of relationships.

The general perception is that bullying is often the result of misunderstandings or poor personal behaviour. The alternative is to go to the Workplace Relations Commission or the court; Mediation is a valuable diversionary method. Its anonymity makes for an honest and open debate. The fact that the mediator does not assign responsibility allows participants to be truthful.

Rather than go through a structured investigation process, it provides the parties with a confidential process to negotiate and resolve the matters of concern. Since bullying is subjective and dependent on one's experience, Mediation may be a helpful tool.

Above all, they consider Mediation is an effective method of resolving conflicts between parties in any case. They emphasised that it encourages both sides to be understood and also helps for compromise by bringing the parties together to find a mutually agreeable solution to their problems. They consider Mediation is better for the parties involved because professional reputations are not affected, and with it, there may be room for understanding, behaviour improvement, and re-establishment of a working relationship.

In particular, some answers said that Mediation should be the first option considered and supported because it has the best chance of resolving the conflict instead of other alternatives. They also recognise that workplace bullying is established by law, and the conditions for the supposed victim to show that bullying is occurring are specific.

Here are some of those who answered affirmatively: (due to the survey was anonymous, there is no way to say who say it)

- *Based on international best practice and my own experience as a mediator, allegations of workplace bullying can very often be effectively dealt with in Mediation.*
- *Other forums, such as following a grievance procedure, can actually add to the emotional conflict. Most cases are driven by emotional conflict, and Mediation allows this stress to be managed in a safe environment. Also is much cheaper for employers as it can be resolved in far less time than traditional methods.*
- *1- Mediation works because the conflict is resolved away from the workplace. Taking the conflict and replanting or isolating it in a different space can often help the parties see it in a diverse and/or better light.*

2- *It is or can be less intimidating if an outside mediator is engaged to resolve the dispute. Most parties want the conflict contained and fewer people in their workforce to be aware of any issues or conflicts.*

3- *Often, disputes are tackled by people higher up the management chain. Parties sometimes feel they compelled to agree with management and will do what the manager wants. This does not always work, as some parties are still aggrieved after discussions have ended.*

- *In my experience, most cases that come to Mediation arise from claims of bullying because dignity at work policies place it at the head of the list. So if I have a problem, it must be bullying.*

Here is an interesting point of view that worth to be mentioned word by word:

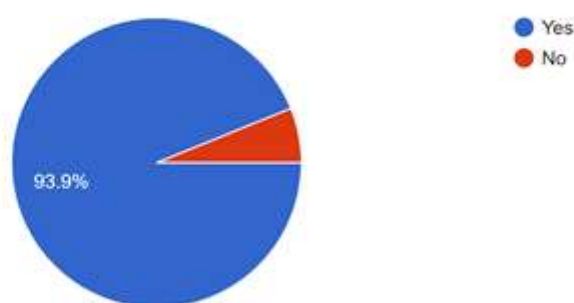
Alleged workplace bullying cases may be eligible for Mediation in the interim. Workplace bullying is defined in legislation and the criteria is very specific in order for the alleged victim to prove that bullying is indeed taking place. Mediation may work where the employer invites the parties to volunteer to participate in the process where they are willing to speak openly and honestly in order to establish if there are grounds for an allegation of workplace bullying. During the Mediation, it may become clear that the behaviours perceived to be bullying may not fit the criteria and cannot be defined as bullying per se. In some cases, the alleged perpetrator may not realise that certain behaviours they have exhibited have had a negative impact on an individual and are shocked and remorseful that an individual has been affected in a negative way. Through Mediation, the alleged perpetrator may apologise and agree to amend their approach to the alleged victim going forward. Mediation can assist the parties to be open and honest and voice their feelings and state their wants and needs in a difficult situation. If alleged bullying is indeed founded in the exchange discussions, Mediation may also assist whereby the alleged victim, again, can voice how certain behaviours have impacted

negatively, providing the alleged perpetrator to reflect and commit to change in their approach in the workplace. If Mediation is not successful in achieving a mutually satisfying outcome, HR can advise on the appropriate steps.

On the other hand, in negative responses, the respondents agree that Mediation can work well when there is no malice or intent to offend. However, they believe that bullying is a systemic process that is carried out on purpose. Therefore, mediation cases can revolve around were misunderstandings or disagreements have occurred, not when the act is intentional. Also, although bullies have been passive bullies in the workplace, they do not believe they are.

On the next question, if they consider Mediation an efficient way to resolve disputes related to workplace bullying, the answers were almost 94% positive, which is too similar to the last one.

Do you believe that Mediation is effective in resolving disputes caused by workplace bullying?



Pie chart 2

Summarising the various points of view, they stated that if the dispute is between two individuals of equal standing, Mediation is possible; however, if many people are bullying a colleague, or a number of colleagues bullying a boss, or vice versa, a different solution might be required, but it must be focused on Mediation principles.

Since Mediation takes place in a safe environment, both sides can be heard in a confidential, sensitive and non-judgmental way, allowing parties to look at problems objectively and from various perspectives, which aids in developing new relationships.

Other opinions said that workplace bullying is a symptom of the organisation's poor management, and it can be overcome with solid leadership and early intervention. But it all depends on the type of behaviour, the dynamic of the relationship, and the power differential.

Bullying occurs regularly in the workplace when an individual is intimidated by another influential person, such as a boss or, depending on the organisation, someone who is some grades higher than them. Bullying involves two people who have different levels of authority, and one might feel more powerful than the other.

Mediation works because it maintains confidentiality and helps parties better understand each other's perspectives and needs; also, it provides a safe atmosphere in which to address issues. People mentioned as well that it depends on the severity of the difficulties. However, regardless of the outcome of the Mediation, it may be difficult for the bullied person to return to work if the problems are severe and include other people in a small office.

The survey helped confirm that a skilled mediator might also paraphrase what the parties are saying to aid in understanding each other. The Mediator should assure the parties of independence as an observer, and if no compromise is found, there will be no pressure. Besides, the negotiated agreement guarantees its effectiveness. Thus, like any other ADR, it depends on the capacity of the parties and the Mediator.

Some of the respondents said that Mediation works well on that disputes because:

- *“It works towards balancing the power between both parties and is designed in a way to look less at blame and more at cooperation to resolve the dispute. Also, the agreement created is drafted by both sides and is more likely to be followed. It is also a*

less costly solution for companies than going down the courts' based route. It works well in addressing personal elements in bullying and work conflicts and encourages practicable and doable solutions. It also has the option of returning to Mediation at any time to amend, develop or change agreements as they need to be as work progresses, and this allows for issues to be worked out over time if it is proving difficult to find a solution in a limited time period of the parties are not ready to address all issues in the immediate.

As above, bullying is not about a one-off conflict or series of conflict, and bullying behaviour is a trait of an individual which should be addressed separately”.

- *Because I am twenty years working as a workplace investigator and 90% of cases where there is an allegation of bullying have been resolved satisfactorily.*
- *Because of my own experience in mediating such issues, they may present workplace behaviour issues, interpersonal issues, or workplace bullying complaints. In all but the most entrenched of situations (refusal on the part of the alleged bully to listen and understand or long duration of the situation. Mediation has allowed people to address their concerns and agree on a future plan that is reasonable and effective.*
- *In my experience, it tends to create the space necessary for shared understanding, generating apologies and repairing damaged workplace relationships.*
- *I feel it is highly effective, as the process is fair, empathetic, and all parties are listened to. All parties get to hear everyone's point of view. It also provides for better working relations post-conflict.*
- *Mediation in the workplace has been shown to be more than 85% successful, and it is also common to hear from parties that all they wanted was to be heard or wanted an apology.*

In general, the respondents agree with workplace bullying is a personality clash, and conversations between the parties will shed light on how the problems began. And sometimes, the individual accused is unaware that their actions are being seen as bullying.

Respondents believe that there are reasonable chances for Mediation to work well when both workers agree to attend it; however, this is not always the case, as the bully will not always understand that they are harming their partner. In this regard, they believe that when both parties agree, Mediation will always be successful.

The next question was whether if they would suggest Mediation for the resolution of workplace bullying incidents. And the result was 98% positive.

In workplace bullying cases, do you recommend Mediation for the resolution of the conflict?



Pie chart 3

Within the context of the above chart and the comments made by respondents, it is possible to say that those who do not advocate Mediation do so because, in their opinion, cases handled through the Mediation process might include misunderstandings or unintended disputes, while bullying is a deliberate and systematic act.

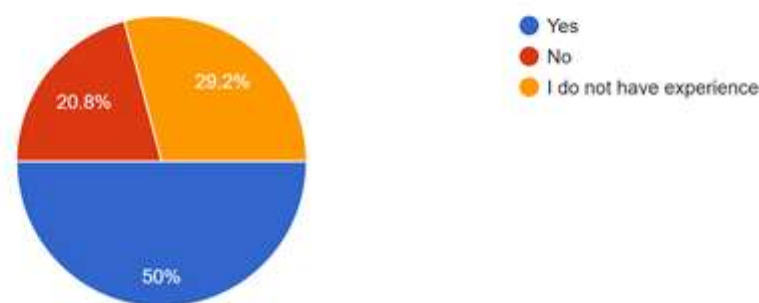
Then come questions related to the perception of using Mediation with workplace bullying. For example, the next question asked if Mediation solves most workplace bullying situations in

their experience. Aside from yes or no, the question asked whether the person had any previous experience with workplace bullying, either as a mediator or as one of the disputants.

Consequently, the responses were divided into three parts.

Even though there were 29% responses from people who have not have experience on this matter, satisfactorily, it can be seen that 50% of those who responded, their result was positive, while 21% of the cases were not resolved.

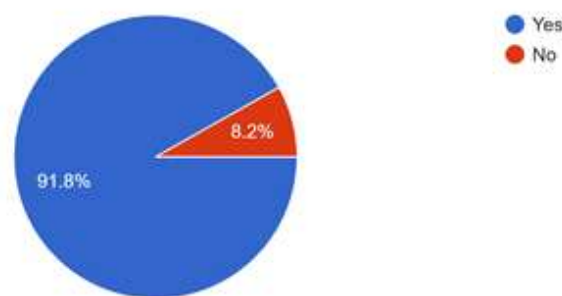
In your experience, are most workplace bullying cases resolved with Mediation?



Pie chart 4

To follow with the analysis, they were asked whether they would choose Mediation to resolve a conflict if they were a victim of workplace bullying.

If you were a victim of workplace bullying, would you choose Mediation as the means to resolve your dispute?



Pie chart 5

As shown in the chart, the result is undoubtedly positive, with 92% of respondents favouring using it.

Proof of this, people commented that Mediation would give them a voice and remove them from the issue. They also said that other forms of dispute settlement, such as administrative proceedings, are determined by a third party. Considering this, they responded that it is beneficial to have the help of Mediation because no one can continue to function productively in the face of difficulties. And, in many cases, their direct or indirect boss is the bully, and the life of the bullied can turn into misery if matters are not resolved. For this reason, they would choose it, also adding the fact that the meetings are in a confidential forum where they can raise the problems that arise directly with the person creating the problem.

According to their answers, in the vast majority of cases, an employee is required to continue working for that person, either the direct or indirect boss. As well as their personal life can be compromised in some cases, so Mediation works perfectly in these situations because it helps restore broken relationships. And if the other side is willing to listen to the issues and work for a settlement, it is preferable to the stress and confrontation of formal investigative procedures.

Mediation allows them to express their complaints to the other party before determining if an investigation is necessary, and it will enable them to be heard by the individual who is bullying them.

Some of them believe it will provide autonomy, and the aspect of managing power is crucial. Subsequently, it is more effective and allows for transparent and truthful discussions to ensure that all sides fully understand the situation.

There were also answers in which they would choose it for economic reasons. Depending on the circumstances, if they decided not to go to Mediation, they could lose the job and be unable

to afford the expensive legal representation necessary to fight the case. Consequently, Mediation has the advantage of being straightforward and inexpensive.

They would also choose it because through conflict resolution, understanding can be achieved in most cases. Because it is confidential, friendly and allows to clarify the problems that have been suffered from someone and expose a person's bad behaviour in the workplace.

Most of the answers said they consider that it is not good to remain silent, and Mediation gives them that openness to help in the workplace. As well as that, they emphasize that doing their job in a healthy environment is a right.

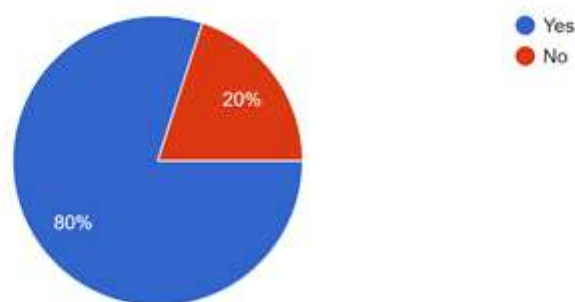
Here some of their answers:

- *As a certified mediator and a practitioner, I know the benefits and would trust this route more than a formal route where I would have some level of control due to the voluntary nature of it*
- *As Mediation is a voluntary process, each party only enters into it freely, without coercion. As long as the behaviours were not so entrenched, it could allow for the issues to be aired.*
- *If I were a victim of workplace bullying, I would choose Mediation to resolve a dispute as I would like the opportunity to have the perpetrator hear how their actions have impacted me and allow the perpetrator to realize their behaviour volunteer to change their approach. I believe misunderstandings of certain behaviours are often at the heart of disputes in the workplace.*
- *Yes, but only if it were appropriately explained to me. Most people are unaware of the benefits of Mediation and believe that the formal investigation is the answer. Mediation helps people consider multiple perspectives, where people often believe that investigations will answer that is 'I am right...you are wrong'.*

- *Choosing Mediation allows parties to gain a better understanding of the core issues at hand. If I were a victim of workplace bullying, I would like to mediate to understand better the person accused with the hope of reaching a common ground.*
- *Well, I have lived through the model and had several great success stories.*
- *It is a safe, respectful and open space to air grievances.*
- *As one who understands the process, I can set what I want to deal with and resolve in a manner to suit me*

Proceeding with the analysis on the survey, on the following query, they were questioned whether they believe Ireland is increasing Mediation in workplace conflicts.

Do you think Ireland is increasing the use of Mediation in workplace disputes?

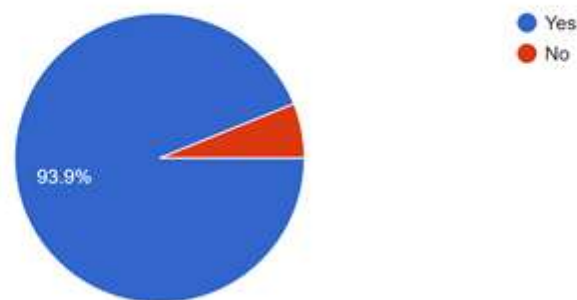


Pie chart 6

With 80 per cent yes answers, we can see that the perception about Mediation is that it is positioning itself significantly in disputes originated in Irish workplaces.

Then, the questionnaire asked one of the central questions for the dissertation work: Do you consider Mediation to be a TOOL for resolving conflicts caused by workplace bullying in Ireland?

Do you consider Mediation to be a TOOL for the resolution of conflicts caused by bullying in Ireland?



Pie chart 7

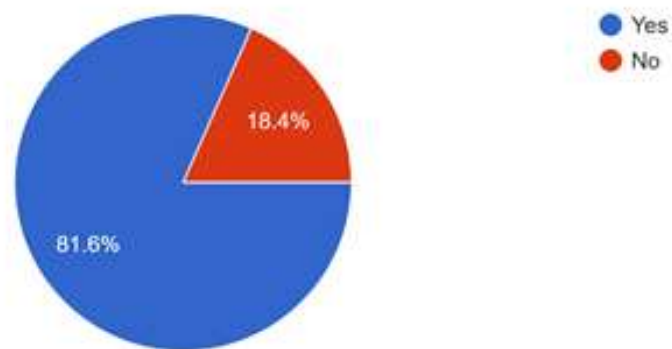
Even though 94% of those surveyed consider Mediation as a tool, the response of some of the participants whose answer was negative is forceful:

- *Mediation is not a "tool". It is a dispute resolution process defined in the Mediation Act 2017, which sets out the statutory framework for the practice of Mediation in Ireland.*
- *Mediation is a process for which the Mediator has the tools.*

Although it has been said that Mediation is a process, perhaps when asking the question, it was not specified whether the process itself could be considered as a tool. Therefore, it is possible that due to this, within the analysis, there was this bifurcation in the responses.

The following question was about if they have ever been a mediator. Since the responses were anonymous, it was satisfying to find out that 82 per cent of the respondents had previously served as mediators.

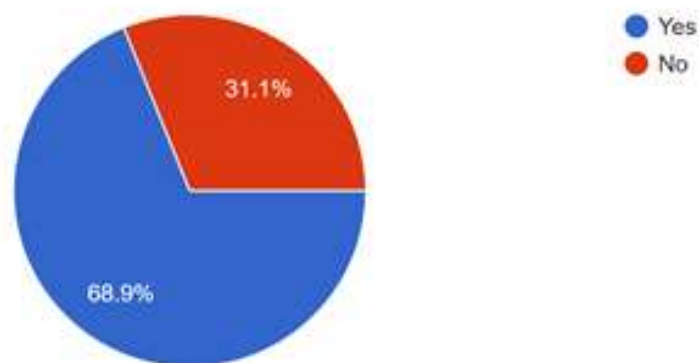
Have you ever been a Mediator?



Pie chart 8

Later, the survey revealed that 69% of the mediators who answered the previous question had attended cases of bullying in workplaces:

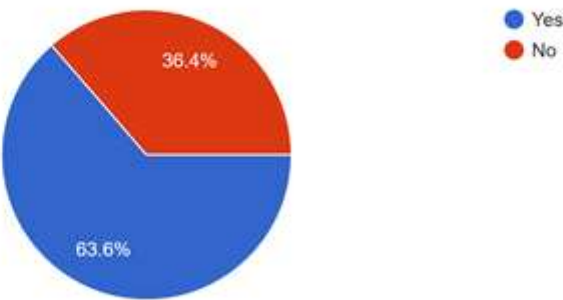
If yes, have you ever mediated a case of workplace bullying?



Pie chart 9

With the intention of knowing more in-depth about how mediation is developed in workplace bullying cases, it was asked if, at some point in the process, there was the feeling that the issue was not advancing between the parties. As a response, it was obtained that 64% of the people perceived it this way.

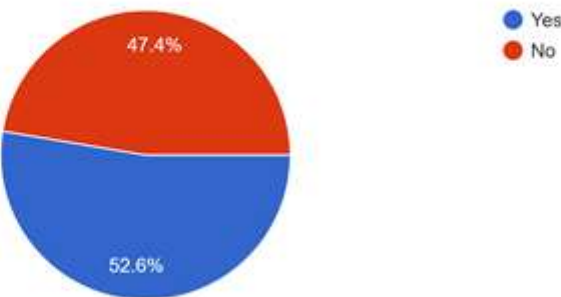
If yes, when you were mediating the case, did you ever feel no progress between the parties?



Pie chart 10

In addition to the previous topic, they were asked if they had perceived any disappointment or discouragement in any of the parties regarding the development of the Mediation. The responses are just over half of the cases, with 53 per cent, as seen in the graph below.

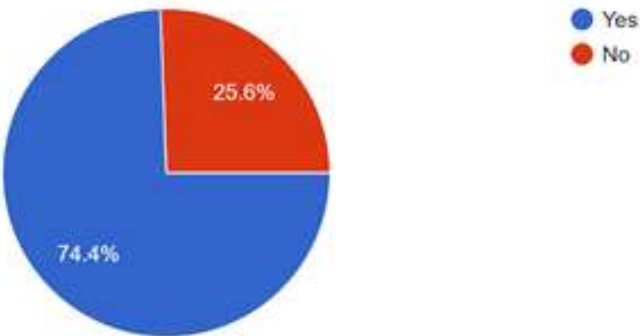
Did you detect any disappointment or discouragement regarding the Mediation of any of the parties?



Pie chart 11

The previous result led to question if the cases of workplace bullying that they were attended, were settled through Mediation.

Did your workplace bullying cases settle through Mediation?

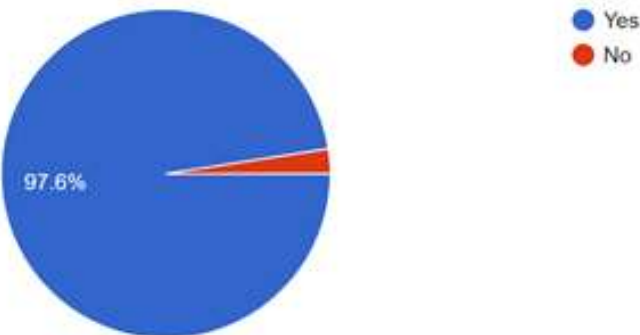


Pie chart 12

Satisfactorily, we can observe on the previous chart that of the cases attended, over 74 per cent were settled as a result of this process.

On the other hand, regarding whether the people served through Mediation were satisfied with the process; we can see that 98 per cent responded positively:

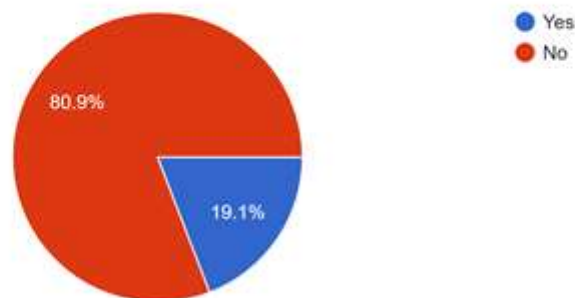
Do you think your clients were satisfied with the result of the Mediation?



Pie chart 13

After that, the survey continues asking about the dissemination and knowledge of the workplace's mediation process. Therefore, it was asked if they believe that Irish companies know how Mediation works in conflicts caused by workplace bullying.

Do you think Irish companies know how Mediation works in disputes caused by workplace bullying?



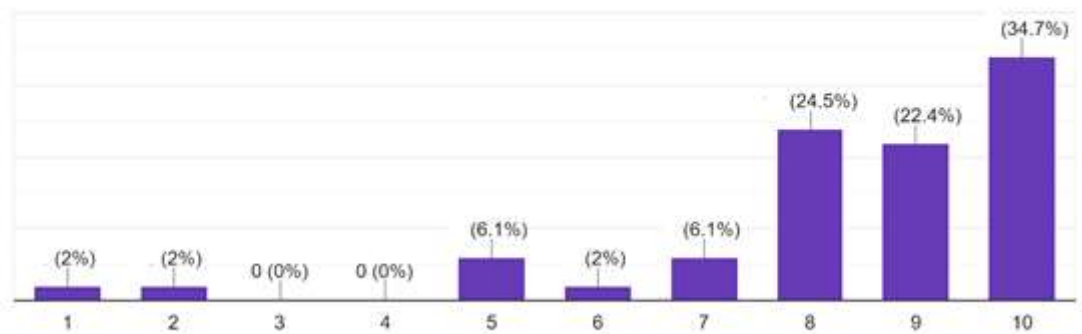
Pie chart 14

The survey results show that the majority consider that this is not the case; that is, 80 per cent answered no, while only 20 per cent of those surveyed believe that Mediation is known and disseminated in Irish workplaces.

At this point in the survey, it was essential to know the preferences for using the various ADRs in order to continue with the study. That is why it was requested to rate each of them from 1 to 10. How much they recommend Mediation, Conciliation and Arbitration for the attention of cases of workplace bullying.

The first ADR that was asked to rate is Mediation, then the graph with the result:

From 1 to 10, how much do you recommend Mediation for the attention of workplace bullying cases?

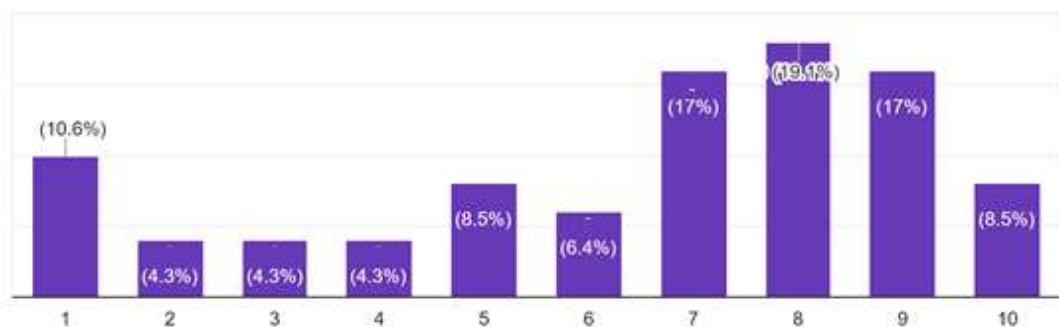


Graphic 1

In the previous graph, it can be seen that the highest scores for Mediation range between 8 and 10; however, most of the results rate it on ten scores, which is the highest rank on the scale.

Then it was the turn for Conciliation

From 1 to 10, how much do you recommend Conciliation for the attention of workplace bullying cases?

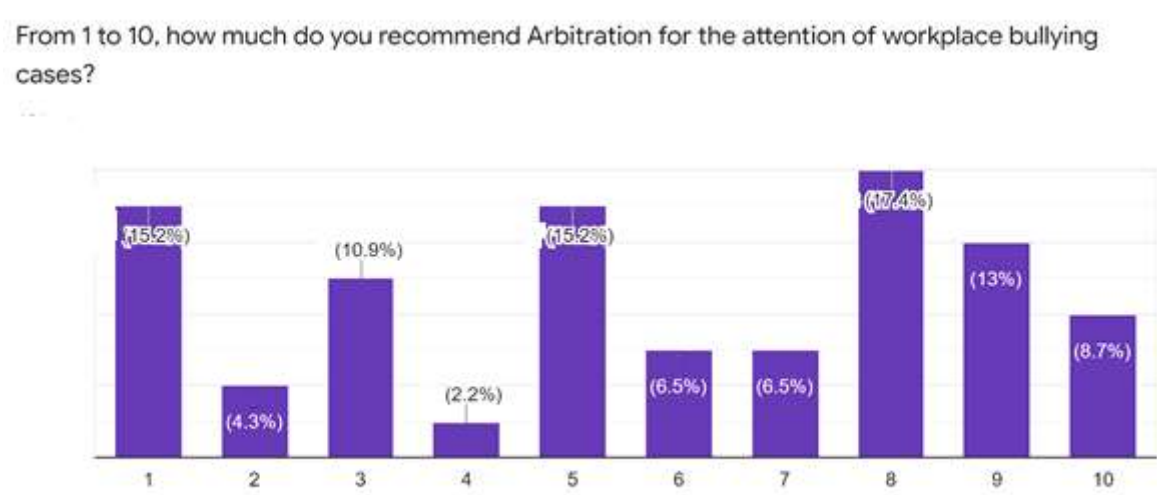


Graphic 2

For Conciliation, as seen in the previous table, the highest scores ranged between 7 and 9. However, although the highest score is eight as a grade of recommendation, it is also interesting

to see that another of the qualifications that stand out is the number one, which means they rank it the least recommended. As can be seen, 11 per cent of the respondents gave the lowest score.

The last one that was evaluated as a method of conflict resolution for workplace bullying was Arbitration:



Graphic 3

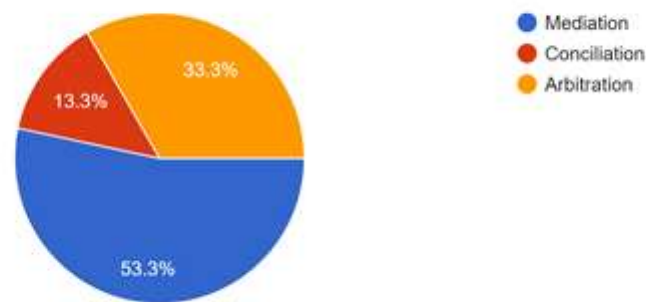
In the example above, the answers produced an unbalanced result.

As can be shown, the highest results are in 8, accounting for 17% of those who answered. The highest ratings among those who do not recommend it fell into 1 and 5, with 15 per cent respectively. Therefore, according to the responses obtained, it is possible to conclude that arbitration was the least recommended for this type of disputes when comparing the three ADRs analysed.

With the analysis of the three previous tables, it can be said that between the three ADRs, Mediation would be in the first place of recommendation as a resolution of disputes derived from workplace bullying, in the second conciliation and finally arbitration.

Then, it was necessary to direct the research towards the main focus of study, which is Ireland. So, in that sense, the query was whether, based on their experience in workplace bullying cases, which ADR they consider being the most used in Ireland. Coming up next the answers in a chart:

In cases of workplace bullying, which ADR do you consider to be the most used in Ireland?



Pie chart 15

It can be seen that the interviewees' perceptions lean toward Mediation first, then Arbitration, and eventually Conciliation.

Comparing this question and the one immediately above, we can realise that according to the respondents, Mediation is preserved in the first place. And in contrast, between conciliation and arbitration, arbitration is superimposed on conciliation.

After evaluating the others ADR, they were asked if they could explain why Mediation differs from Conciliation and Arbitration in resolving these types of conflicts. Their answers are summarised in the following paragraphs:

The Mediator's neutrality means stable support for all sides since there is no winner or loser in Mediation, and the outcome is more equitable. Other forms of ADR may be inconsistent and lead to long-term rage.

Other factors, such as the Mediator's experience and knowledge, contribute to the outcome, including the fact that it is a voluntary and confidential approach. Also, since it is casual, they (the parties) speak openly. Mediation assists consumers in resolving problems and promotes productive teamwork and communication.

ADR that is not mediated helps the participant to take a more active role in the process. This works well because it allows the aggrieved individual to 'tag' these actions and communicate how 'they are not right' without the aggrieved person has to do so.

Mediation gives the parties more control. They have the impression that they are reaching an agreement instead of facing one. In addition, the parties control their own procedure and can get a mutual agreement with the Mediator's help.

Respondents also said that Mediation is an entirely voluntary process that gives people a voice, and facilitates dialogue and helps each party to hear the consequences of their actions. It is a facilitated process that takes place in a secure environment. It is not a game of winners and losers, and it helps the parties to resolve their differences and compromise on how they can collaborate in the future. Mediation is a much more humane process than an investigation or administrative process.

They consider that the Mediator's neutrality means that both parties can depend on their support, and both sides have a say in the final result. Therefore there is more balance.

Between the other ADR, Mediation is informal, and it can be used to resolve various conflicts and problems. Consequently, the method is more user-friendly, and the employee is not forced to accept a solution.

In addition to this, when a power imbalance between the parties occurs, the Mediator may attempt to overcome it. Mediation allows the parties to reach their own conclusions and focuses more on assisting the parties in finding their solutions, allowing them to retain control.

They commented that the use of Mediation is about establishing a healing relationship and that it is entirely voluntary, where it is about the parties making their own decision, which will stand the test of time.

In addition, most agree that Mediation is a relaxed attitude without pressure to find a solution and also facilitates greater understanding and reasoning. Mediation ensures that any consensus or decision made is fruitful.

Mediation is a comprehensive approach governed by law, which focuses on adult social exchanges and communications. One of the respondents cited the four principles of mediation: voluntariness, confidentiality, impartiality, and self-determination.

Another response was that Mediation offers a personal aspect for the parties involved similar to Conciliation and provides a professional to guide the parties to a conclusion identical to Arbitration; therefore, Mediation offers the best of both worlds.

It facilitates a more informal and safe environment in which the Mediator must initially spend time creating and empowering people themselves to find workable solutions.

Parties get a say in their own conflict. They get to decide what will happen and how to make peace and reach an agreement that they can live with, facilitating working in harmony in the future.

As well as Mediation gives the parties the right to set the agenda and to agree with the outcome. Also, it is facilitated by an independent mediator with no legal associations perceived. Instead,

the other options provide the third party with a role in the process or the final decision, leaving the parties with little or no control of the outcome.

Mediation is a process that encourages the parties to work together to make self-determined agreements. And, on the other hand, decisions made through different forms of ADR are decisions of others and may not provide the answer for a future sustainable employment relationship in the workplace.

The following answers provide a different point of view, opinions, perhaps a little more personal from the participants::

- *Mediation in Ireland is governed by law and provides a clear statutory framework for Mediation practice. It is intended to deal with disputes that can benefit from a confidential forum and where the parties self-determine the outcome. Conciliation is used in construction disputes, but to my knowledge, it is not used in workplace disputes. Arbitration is quasi-judicial in nature; therefore, a decision is imposed by a third party, which is wholly unsuitable in the workplace context as this would also bind an employer and would destroy any possibility of restoring good working relations between the employees in dispute.*
- *Other forms of ADR can be adversarial, and frustration can linger. My experience is that senior management is afraid of Mediation because they can not control the outcome. Mediation, if suggested, can be seen to be a comment on their management skills.*
- *Conciliation is most often used, in Ireland, in trade union/employer disputes - it also uses a more evaluative and directive style, where a conciliator uses shuttle processes and makes proposals to the parties. A short term solution may be achieved at the expense of longer-term, sustainable outcomes.*

Arbitration is usually only available to some groups of employees/employers and, again, where trade unions are involved (e.g. teachers, military). Arbitration is more legalistic and, therefore, more formal. The decision is made by the Arbitrator and may or may not suit the needs of the parties or an ongoing working relationship.

Finally, the survey was closed with an open space to contribute their opinions on the subject freely. Therefore, some of those responses are outlined below:

- *Conflict coaching and Mediation are powerful if facilitated by a qualified person. Some of the answers above, particularly around people getting stuck or disappointed, can occur, but in the majority of cases, this passes as the process moves on.*
- *Mediation indirectly directs the parties to a conscientious and awareness of behaviour in professional teams. They will be encouraged to refocus and make up their relationship again.*
- *Its highly dependent on the nature and duration of the bullying and, whether the bully is prepared to change their behaviour and acknowledge the wrong.*
- *The use of Mediation is 100% dependent on the case or situation - not possible to say always or never; not all cases settle. Some cases settle, some don't. Mediation is helpful if there is an ongoing relationship where people will have to continue to work together, and there has been no official evidence of targeted, ongoing, intentional behaviour of one towards another with a significant power differential.*
- *I think Mediation can be helpful, but there are situations not appropriate for Mediation in the workplace. In particular, thorough assessment by the Mediator ensures parties feel safe and comfortable engaging in a mediated conversation, which is necessary prerequisites.*

- *This is a difficult area, and it can impact greatly on peoples lives. Mediation is flexible, adaptable and can be used, and it has been proven to be quite effective in most cases it doesn't work in every neither does the other ADR TECHNIQUES either.*
- *From my experience as a trade union official and Mediator, this should be the first method of dispute resolution to be used in bullying cases.*
- *Mediation is an option that people need to be able to consider fully before making a choice as to how to proceed. The process designed by the Mediator needs to ensure that power is balanced, that people feel safe to meet together, that space is available for separate meetings, that coaching support is available to enable people to express their needs and to break destructive patterns of behaviour that may exist in their relationship with one another.*
- *Mediation is a more economical method of resolving disputes than engaging legal teams and ending up in court proceedings. Other people, such as managers, judges, solicitors etc., may take control and not allow or facilitate the aggrieved parties to be included or allow their input into the final result. The outcome may not be the best possible way to facilitate the parties working together. It might be a case of "do as you are told", rather than be asked, "what would you like to do and what would you like to happen".*
- *In my experience, most cases arise from misunderstanding or relationship issues, but because of the way dignity at work policies are framed, they are the first two words to appear on the document and hence the number of claims lodged on those grounds.*
- *Mediation is voluntary, confidential, and a means to bring parties in dispute together to discuss a difficult working relationship openly. The benefits for employers are paramount, engaging a mediator to discuss the difficulties with the parties, working through the issues and the parties agreeing on a way forward for the good of the*

company, providing harmony and keeping momentum in the workplace to allow people to do what they do best.

While the last section emphasizes the advantages of mediation over the other ADRs, it is clear from the review that it also highlights some of its flaws. Several of the comments agree that there is a lack of dissemination about how Mediation works and what benefits it offers both workers and employers, since in many cases, in the workplace, there is no protocol to follow in the event that workplace bullying arises.

They also mentioned that it depends on the case or situation and that Mediation does not necessarily settle all disputes. In particular, Mediation is beneficial as long as it is agreed to maintain a harmonious relationship between the workers since they will have to continue working together. Because Mediation sometimes does not always work since it depends on the disposition of both parties, especially the bully, because in most cases, these people do not know or recognize the damage they are causing and therefore refuse.

4.2 Findings

One of the main findings is that although Mediation is one of the main ADRs recommended by the authorities for resolving conflicts caused by workplace bullying, the different sources of work are unaware of how it works, even more, unaware of its existing process.

Although the responses to the perception of a rise in the use of Mediation in the workplace were significant, it is interesting to observe that at least 20% believe that Irish businesses do not understand how it functions in cases of conflicts arising from bullying between their employees.

With that in mind, it is possible to determine a potential space for Mediation that should not be overlooked.

It is demonstrated that Mediation is also an option when the dispute is between two people of the same category. For example, when a group of people intimidate a co-worker or co-workers intimidate their boss or vice versa. In that case, using a different approach based on mediation principles, the results are positive for both: the employer and those involved in the case.

As a result, the question arises whether Mediation can be successful in such situations. The answer is yes, and the concern was discovered, according to the comments collected, that the process should be included in the early stages of suspected bullying.

Another significant point of view discovered during the study is that some people believe that workplace bullying is the product of poor management within the company and that it could be overcome with good leadership and early action before the problem escalates. They consider that Mediation is not always the best solution; since bullying is not about an isolated conflict or series of competitions, bullying behaviour is a trait of an individual that needs to be addressed separately. As well as that, it would depend on the level of bullying, as each case can be highly personal to the victim. Consequently, Mediation will be successful if the mechanism is first offered to get the parties consent and volunteer to talk about the challenging situation freely.

Concerning the fact that Mediation is not always the best option in this form of disputes, the finding, as mentioned earlier, increases the likelihood of observing alternative hypotheses that lead to understanding why the 20% rate is manifested.

According to the same report, this hypothesis can be answered thanks to the same answers obtained by other participants. One of them may be the lack of understanding or ignorance about how the Mediation process works. Therefore, it would be a good idea to spread awareness of it among employers and workers and especially its benefits, both in the personal lives of those involved and in the workplace.

Finally, in contrast to the other ADRs, it was observed that Mediation offers a broader range concerning conflict resolution: like Conciliation provides a personal element for the parties concerned and, on the other hand, same as Arbitration, it provides a specialist to direct the parties to a conclusion; therefore, Mediation has, and in consequence, it offers the best of all of them.

5. Discussion

Above all, the goal of this study was to see how Mediation can be a tool used to resolve workplace bullying disputes in Ireland. It was also intended to illustrate how Mediation varies from other forms of workplace conflict resolution triggered by bullying, so that a technique for using Mediation as a means of resolution in Irish workplaces when a dispute occurs as a result of bullying may be recommended.

From the results obtained in this research, it can be deduced that Mediation is eligible mainly for the attention of cases of workplace bullying. Based on the results, exposure to traumatic events at some point in working life, such as bullying, appears to be quite common in Irish workplaces.

The fact that this conflict resolution process avoids exposing the problem and results in improving the work environment makes it seem one of the best options, as long as there is availability on the part of those involved.

In Ireland, the use of this procedure for resolving labour disputes has been on the rise. In reality, it is governed by the Mediation Act 2017, which requires lawyers to provide advice and information before starting a procedure; allows courts to invite parties to consider mediation on their own initiative or at the request of one of the parties; also, and allows courts to consider an unfair reluctance to consider mediation when awarding costs (Act, 2017).

Nonetheless, it establishes that the parties to a dispute can engage in Mediation at any time to resolve the dispute.

On the other hand, the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work came into force in the country, a topic that was the main focus of the investigation.

As a result, from the data, obtained it can be concluded that when traumatic experiences are recognized as workplace bullying, thanks to Mediation, problem-solving was opened between the parties. However, it was also noted that not all allegations of bullying are well-founded.

Furthermore, the sample revealed that Mediation performed well when the aggressor understood the truth, accepted mistreatment of a coworker, and acknowledged how this treatment affected their coworker. Once this is recognised, Mediation may assist in the restoration of peace, whether in the workplace or personal relationships.

One of the study results is to reaffirm that, rather than to proceed through a structured investigation process; Mediation provides the parties with a confidential process to negotiate and pursue a resolution of the matters of concern. Since bullying is subjective and dependent on one's opinion, Mediation will provide an opportunity for the parties to hear each other and understand each other's behaviour.

Associated with this, Mediation is a robust dispute resolution solution for all situations involving parties; it allows both sides to be understood and also works toward resolution by bringing the parties together to find a mutually agreeable solution to their problems.

Furthermore, the research revealed that other forums, such as following a grievance protocol, may exacerbate emotional conflict. Emotional stress is at the root of most situations, and Mediation helps manage stress in a safe environment. It is also shown to be less expensive for employers because it can be resolved in a fraction of the time, compared to conventional approaches.

However, the fact that there is a high prevalence of positive views about Mediation may be influenced by the sample's composition. That is because the majority of the participants in this study are active mediators, with a high level of exposure to multiple events related to the subject. It is possible to make the above statement, thanks to 82% of the responses received

when questioning whether the respondents had previously acted as mediators. It also suggests the fact that respondents report having obtained satisfactory results during these events.

One of the necessary considerations to understand the perception of Mediation and its effect on the attention of workplace bullying cases is with respect to the benefits it offers compared to other ADRs.

Furthermore, in Ireland, Mediation is regulated by statute, which establishes a specific legislative basis for its operation. It is designed for conflicts that would benefit from a private forum and where the parties decide the result themselves. In contrast to Conciliation, which is used in construction disputes, Arbitration is judicial in nature, which means that a third party makes a decision, therefore, is completely unsuitable in the workplace context because it will also bind the employer and ruin any chance of restoring good working relations between the parties in dispute.

The literature review on the benefits offered by Mediation highlights that the costs of Mediation are safer and more transparent from the beginning, fact that also the respondents confirmed; making it cheaper than litigation or a claim before a government body furthermore, and the parties find their own solution by mutual agreement. Also, because both parties can have an opinion, it is informal, flexible and confidential. Therefore, conflict resolution is faster because the parties do not have to wait for the court to hear them.

In this regard, it is possible to highlight a high percentage of appreciation of these benefits in the current research. Above all, because it is a confidential procedure carried out in an atmosphere that offers trust and confidence.

According to the sample findings, it is possible to demonstrate that Mediation is more effective than other ADRs because it allows transparent and truthful discussions that would enable a complete understanding of all parties. Moreover, it is shown that Mediation is a voluntary

mechanism where each group participates voluntarily and without coercion. As long as the participants' behaviours were not too entrenched, the subjects could be debated and mutually decided upon this way.

In this way, the choice of Mediation allows the parties to understand the core issues at hand better. As a result, it was found that under the expectations of having been a victim of workplace bullying, this process will be selected with the aim of getting to know the accused better in order to achieve a mutual agreement.

Similarly, they were found to prefer Mediation as a method of resolving a conflict, with the aim of allowing the perpetrator to learn how their actions have affected others and also giving the perpetrator the opportunity to become conscious of their conduct, as misunderstandings and certain attitudes are often seen as the source of workplace disputes.

In general, based on the literature reviewed and the data gathered, Mediation can be described as a process that encourages parties to collaborate in order to achieve self-determined agreements. Other types of ADR are decisions taken by a third person, and they may not be the best solution for a long-term, healthy employment partnership in the workplace. Mediation in Ireland is governed by a law that provides a legal framework for their practice. It is intended for disputes that would benefit from a private setting and where the parties have influence over the result.

Consequently, after the case has been qualified as workplace bullying, Mediation perfectly fits in the attention of these cases. Rather than proceeding through a formal investigation process, it is possible to say that it provides the parties with a private approach to negotiate and pursue a resolution of the matters of concern. Since bullying is subjective and dependent on one's experience, Mediation may allow the participants to hear and consider each other's behaviours and feelings.

This study supports the above by showing that Mediation is an efficient dispute resolution solution for all issues involving the parties at the workplace, as it enables both parties to be understood while still working toward a resolution. The parties come together to find a mutually agreeable solution.

It is essential to keep looking into the presence of mediation and how it is used in workplace bullying conflicts. It is recommended that HR departments and unions or other groups committed to worker care are informed about the process at work.

It is critical to consider the workers' actions and the issues that everyone faces when they are engaged in circumstances of workplace bullying. Because in addition to directly influencing people's lifestyles, it is often expressed in a stressful way with the type of jobs they exercise and, as a result, the work atmosphere as a whole.

To conclude this chapter, it can be determined that the workplace bullying condition may be present in many people; however, the issue continues to grow due to a lack of dissemination of solutions. With all of its advantages, Mediation exposure would certainly improve employee well-being and, as a result, the workplace.

This investigation has been conducted to determine if Mediation functions as a mechanism to resolve disputes related to workplace bullying in Ireland. Taking into account that Mediation is a dispute resolution process through which an intermediary assists the parties in conflict in having a dialogue that addresses their concerns. (Jennifer Beer and Caroline Packard, 2012) and workplace bullying is a pattern of repetitive improper behaviour, whether direct or indirect, verbal, physical or otherwise, by one or more people against another at work or in the course of employment, which could be interpreted as violating an employee's right to integrity at work. (Code, 2020), different perspectives on the subject were explored, supported by the fusion of the two main concepts.

Therefore, based on the evidence gathered, it can be concluded that the population studied supports the initial hypothesis that Mediation is one of the ADRs best suited to resolving this form of disputes, as it opens the possibility of resolving conflicts between the parties. Additionally, it has been shown that the importance of such processes may help repair conflict-damaged relationships in the workplace. Mediation is necessary to rebuild broken situations in their work and personal lives as it offers a forum in which the participants can justify themselves with the feeling that they can accept past events and recognize mistakes.

Without question, mediation is among the most often recommended ADRs to employers and workers in Ireland when these disputes arise. It is possible to say it because one of its key features is the ability to reconstruct broken situations at work, and personal life is a critical need when a conflict occurs between bullying situations. Although sometimes bullies do not consider themselves as such, this process has proven to work well since being a process where each of

those involved can express their way of feeling; thus, it is possible to help them stand in the other person shoes.

Regarding this point, it is relevant to consider that the characteristics that make this ADR stand out from the other forms of resolution of labour disputes caused by bullying are:

- It is confidential because it allows a frank and open discussion.
- The meetings occur in a secure environment created by a mediator where each person can listen to the other.
- The conflict is resolved away from the workplace.
- The parties themselves come together to find a compatible solution to their issues; therefore, they determine the outcome.
- It is less expensive for companies as the problem can be solved in a fraction of the time compared to other approaches.
- The parties have the power to set the agenda.
- The alternative solutions include involving a third party in the proceedings or making an outright decision on the case, leaving the parties with little or no influence over the result.

However, it is essential to note that the success of the process depends on the willingness of the participants to participate, as this is a controversial field with the potential to impact people's lives significantly. Mediation is adaptable and versatile, and it can be used if the parties involved have agreed to mediate and are prepared to work together to reach a mutually beneficial agreement.

This leads to the conclusion regarding whether mediation can be considered a tool for resolving workplace bullying disputes in Ireland.

It has been shown that Mediation in Ireland is governed by law, and that provides a clear legal framework for its practice. Since mediation focuses on assisting the parties in finding their own solution, the agreements remain with them.

Mediation can be defined as a reliable and efficient tool when it is carried out systematically. On the other hand, to be successful as a tool and function ideally, the person who mediates the situation must be adequately trained and understand how the process functions in detail. It is also essential to have adequate negotiating skills and impartiality skills required to maintain flow and cooperation between the parties and retain control during the process. In this way, mediation helps participants refocus and restore their fractured friendship by indirectly encouraging them to be more aware and attentive to their actions.

With the argument mentioned above, it is possible to reach a positive conclusion to the primary interrogation. As long as the procedure is appropriately implemented, mediation becomes a powerful tool.

Similarly, the findings on whether Irish workplaces are aware of the operation of Mediation in workplace disputes show that, while there is awareness of the nature of potential cases of workplace bullying, there is ignorance of the practice or solutions provided by mediation.

Therefore, the strategies that can be recommended for considering mediation as a form of resolution of workplace bullying disputes in Ireland are as follows:

- While the WRC recommends that all personnel holding a position in the formal or informal procedure, such as appointed members of management, HR departments, worker representatives, union representatives, etc., should be aware of the policies and regulations processes correctly (WRC, 2020). The reality is that, in many cases, there is a lack of training in this area, so it is advisable to provide training to employers, specifically to the personnel mentioned. In the same context, when they have an

identified case of workplace bullying, it is recommended to let them know about the uses and benefits of Mediation.

- Establish reception systems for employees, where the organisation is open to listening, offering support and attention immediately.
- To have the company's existing policy readily available, along with straightforward instructions about how to proceed if people are or have the feeling of being a victim of bullying in their workplace.
- Increase the dissemination of Mediation as an affordable option capable of providing a long-term solution in situations of this nature.

Finally, considering the limitations of the current research, it can be stated that the phenomenon still requires further analysis. Even though there appears to be no question that it is an actual, contemporary and very present problem in many working people's daily lives. An individual who suffers and is not identified, or worse, is not cared for, results in a substantial loss of services for workplaces and society.

Mediation appears as one of the best tools in the struggle for solutions when the above are resolved promptly since the parties have a voice in their own dispute. They decide what will happen and how to make amends, and they reach a mutually acceptable compromise that will make future collaboration easier.

The purpose of this investigation was to answer whether it is possible to consider the mediation process to resolve conflicts caused by workplace bullying. In order to obtain an answer to the above, it was necessary to do so through three objectives:

1. To highlight how Mediation differs from other forms of workplace dispute resolution caused by bullying.
2. To determine the way mediation is a tool for resolving workplace bullying disputes in Ireland.
3. To recommend a strategy on applying Mediation as the form of resolution on Irish workplace bullying.

The working theory began with the assumption that mediation is best when dealing with circumstances involving personal matters, such as emotions and problems that might be difficult to discuss publicly. Furthermore, when the person is bullied, bullying in the workplace is challenging to deal with as it can be confusing to identify as sometimes, it may be infringed upon by various hierarchical positions at work.

The theoretical-methodological current of interpretative and non-probabilistic sampling turned out to be an effective structure to study the phenomenon from the previous point of view.

In light of my own experience, which I shared at the beginning of the investigation, I can now confidently say that I was bullied at work. However, I had to go through denial first because I couldn't believe there was bullying at my job. Unfortunately, I was not aware of the existence of ADR at the time and thus of the Mediation itself.

Although in Ireland, the labour system provides a context for identifying these phenomena, people who suffer bullying regularly in the workplace often find false justifications or reasons when placing them, which can generate uncertainty regarding qualifying them.

It is these personal confusions and lack of information that make that the problem is not easily exposed. But on the other hand, once the bullying has been identified and reported, the HR departments are unaware of the ADRs that exist to solve the problem without affecting the company they represent.

Thanks to this research and the perspectives of the various interviewees, I was able to verify the efficacy of mediation, which has proven to be one of the best options in the struggle for resolving conflicts created by this experience. As a result, the study has been able to demonstrate that when the mediation process is appropriately used, the outcomes support all parties involved, allowing the hypothesis that the mediation process is an effective tool for circumstances like this to be defended.

Although, as has been studied in the findings, the perception of mediation in these situations is quite positive, it was also possible to confirm the need for its dissemination in the workplace in Ireland.

Even though there is currently Mediation Act 2017 and the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work that supports its strengths, the massive dissemination of this ADR is necessary, where the benefits offered by employers and consequently to their workers are highlighted.

In the results of this research, regarding whether workplace bullying cases were deemed eligible for mediation, the consistent answer was yes. Then there was an effort by the research subjects to explain that will help express the reason for that answer. Most said it was due to their confidentiality. Reflecting on this point makes it possible to highlight that this

characteristic is vital because when deciding to talk about being the object of bullying and agreeing to face the problem directly with the other person, confidentiality is fully required since they are very personal experiences.

Then, talking about its effectiveness during the process, now I can say that it is because the same parties make their own decisions and reach an agreement by themselves, which is of mutual benefit. Mediation provides an opportunity for all sides to be heard in a secure, non-judgmental environment. Contrary to the other ADRs, in which a third party defines what to do in the case, through a resolution that mostly ends in broken relationships.

Based on these reflections, it is possible to point to future research that focuses on how widely used mediation is in labour disputes in Ireland and perhaps delve into historical statistics on workplace bullying cases dealt with through this process with positive results.

Finally, following a qualitative perspective was very useful; in particular, it was advantageous to get the point of view of experienced mediators and understand different people's opinions related to the subject.

In this sense, the speech was reaffirmed and the day-to-day practices of the people involved in mediation. It reflected what people said about their experiences, how they perceived that experience and how it is explicitly applied in cases of workplace bullying.

This perspective led to the understanding that the same labour problem can have multiple solution options; however, Mediation stood out before the other ADRs as a helpful tool in searching for solutions to labour problems caused by bullying.

List of abbreviations

ADR	Alternative dispute resolution
Email	Electronic mail
HR	Human Resources
HSA	Health and Safety Authority
MII	Mediators' Institute of Ireland
P01	Participant number 01 (to 51)
Q01TO02	Question one to two
Q03TO06	Question three to six
Q07TO10	Question seven to ten
Q11TO15	Question eleven to fifteen
Q16TO20	Question sixteen to twenty
Q21TO24	Question twenty-one to twenty-four
UK	United Kingdom
WRC	Workplace Relations Commission

Bibliography

Act, 2005. *Safety, Health and Welfare at Work Act 2005*. Dublin, Irish Statute Book.

Act, 2017. *Act 2017*. Ireland, Irish Statute Book.

Adams, A., 1992. *Bullying at Work: How to Confront and Overcome It*. 3th ed. s.l.:Virago.

Adams, A., 1992. *Polfed.org*. [Online]

Available at: <https://www.polfed.org/WestMids/media/1943/factsheet-on-workplace-bullying.pdf>

[Accessed 04 04 2021].

Ainsworth, Q., 2021. *JotForm*. [Online]

Available at: <https://www.jotform.com/data-collection-methods/>

[Accessed 19 04 2021].

Babbie, E. R., 2000. Diseño de la Investigación por Encuestas (Survey Research Design).

In: F. Edition, ed. *Métodos de investigación por encuesta (Survey research methods)*.

Mexico: Fondo de Cultura Económica, pp. 226-256.

Battaglia, M. P., 2008. Convenience Sampling. In: P. J. Lavrakas, ed. *Encyclopedia of Survey Research Methods*. Thousand Oaks: Sage, pp. 4-11.

BFI, 2021. *BFI*. [Online]

Available at: <https://www.bfi.org.uk/inclusion-film-industry/bullying-harassment-racism-prevention-screen-industries/guidance>

[Accessed 29 03 2021].

Camody, M., 2016. *Legal Island*. [Online]

Available at: <https://www.legal-island.ie/articles/ire/features/hr/2016/june/mediation-in-the-workplace/#:~:text=Mediation%20reduces%20the%20risk%20of,any%20future%20conflict%20more%20effectively.>

[Accessed 06 04 2021].

Camody, M., 2016. *Legal Island*. [Online]

Available at: <https://www.legal-island.ie/articles/ire/features/hr/2016/june/mediation-in-the-workplace/>

[Accessed 7 03 2021].

Chaput, M., 2018. *MileIQ*. [Online]

Available at: <https://www.mileiq.com/en-ca/blog/mediate-conflict-employees/>

[Accessed 18 03 2021].

Chipeta, C., 2020. *Contjoint.ly*. [Online]

Available at: <https://conjointly.com/blog/data-collection-quantitative-research/>

[Accessed 14 04 2021].

Cobo, Y., 2013. *El mobbing, hacer visible lo invisible (Mobbing, making the invisible visible)*. [Online]

Available at:

<https://repositorio.unican.es/xmlui/bitstream/handle/10902/2993/CoboSaizY.pdf>

[Accessed 05 04 2021].

Code, 2020. *Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work*. Dublin: Government Publications.

Cunningham, T., 2015. *Arrow@TU Dublin*. [Online]

Available at:

<https://arrow.tudublin.ie/cgi/viewcontent.cgi?article=1054&context=beschreoth#:~:text=dispute%20is%20settled%20by%20the,binding%20decision%20on%20the%20parties.>

[Accessed 5 03 2021].

Cunningham, T., 2015. *Dispute Resolution under the Principal Irish Forms of Building*, Dublin: s.n.

Dissertation Writers, 2019. *Dissertation Writers*. [Online]

Available at: <https://www.ukdissertationwriters.com/saunders-research-onion-a-step-by-step-guide-to-structuring-research-methodology-chapter-for-phd-and-master-level-researchers/>

[Accessed 15 04 2021].

Eurofond, 2013. *Physical and psychological violence at the workplace*, Luxembourg: Publications Office of the European Union.

Eurofound, 2014. *Eurofound*,. [Online]

Available at: <https://www.eurofound.europa.eu/publications/report/2010/ireland-individual-disputes-at-the-workplace-alternative-disputes-resolution>

[Accessed 20 11 2020].

Farrington, C. I. a. L., 2016. *Mediation and Emotions: Perception and Regulation*. Oxford: Hart Publishing.

Gabriel, D., 2013. *Deborahgabriel.co*. [Online]

Available at: <https://deborahgabriel.com/2013/03/17/inductive-and-deductive-approaches-to-research/>

[Accessed 07 04 2021].

Gifford., J., 2021. *CIPD*. [Online]

Available at: <https://www.cipd.ie/news-resources/practical-guidance/factsheets/mediation#6349>

[Accessed 12 04 2021].

Given, L. M., 2008. *The SAGE Encyclopedia of Qualitative Research Methods*. First edition ed. California: SAGE Publications.

Gorry, T., 2016. *Employmentrightsireland.com*. [Online]

Available at: <https://employmentrightsireland.com/the-art-of-mediation-in-employment-disputes/>

[Accessed 13 04 2021].

Hodgins, J. C. a. M., 2020. *RTE*. [Online]

Available at: <https://www.rte.ie/brainstorm/2020/0629/1150249-workplace-bullying-ireland-costs-239-million/>

[Accessed 01 04 2021].

HSA, 2019. *Bullying in the workplace*. [Online]

Available at:

https://www.hsa.ie/eng/Workplace_Health/Bullying_at_Work/Are_you_being_Bullied/

[Accessed 28 03 2021].

HSE, 2018. *Health Service executive*. [Online]

Available at: <https://www2.hse.ie/wellbeing/mental-health/dealing-with-bullying-at-work.html>

[Accessed 14 04 2021].

Ibarra, Escalante and Mendizábal, 2014. El acoso laboral entre los trabajadores universitarios (Workplace bullying among university workers). *RICSH* , 4(7), pp. 3-11.

J Cullinan, M. H. V. H. L. P., 2020. *Oxford Academic*. [Online]

Available at: <https://academic.oup.com/occmed/article-abstract/70/4/251/5839678?redirectedFrom=fulltext>

[Accessed 14 04 2021].

J Cullinan, M. H. V. H. L. P., 2020. *Oxford Academic*. [Online]

Available at: <https://academic.oup.com/occmed/article-abstract/70/4/251/5839678>

[Accessed 01 04 2021].

Jennifer Beer and Caroline Packard, 2012. *The Mediator's Handbook*. Fourth Edition ed. s.l.:New Society Publishers.

Jiménez, M. Á. P., 2011. Sobre el valor del rostro, la mirada y la piel para comprender a un extraño (On the value of the face, the look and the skin to understand a stranger). *Scielo*, 28(57), pp. 265-293.

Kabir, S. M. S., 2016. Basic Guidelines for Research: An Introductory Approach for All Disciplines. In: F. Edition, ed. *Methods of Data Collection*. Chittagong: Book Zone Publication, pp. 201-275.

Kerwin, J., 2020. *How Mediation Works When Both Parties Agree They Need Help Resolving the Dispute*. [Online]

Available at: <https://www.pon.harvard.edu/daily/mediation/navigating-the-meditation-process/>

[Accessed 08 04 2021].

Kurtuldum, T., 2017. *Personnel Today*. [Online]

Available at: <https://www.personneltoday.com/hr/how-workplace-meditation-reduced-conflict-and-stress-during-barts-hospital-merger/>

[Accessed 07 04 2021].

Law Reform Commission, 2008. *Consultation paper, Alternative Dispute Resolution*, Dublin: Law Reform.

Law Reform Commission, 2010. *Lawreform.ie*. [Online]

Available at: <https://www.lawreform.ie/fileupload/reports/r98adr.pdf>

[Accessed 05 03 2021].

Masterclass, 2020. *Masterclass*. [Online]

Available at: <https://www.masterclass.com/articles/what-is-inductive-reasoning>

[Accessed 15 04 2021].

McLeod, S., 2019. *Simply Psychology*. [Online]

Available at: <https://www.simplypsychology.org/qualitative-quantitative.html>

[Accessed 03 04 2021].

MII, 2019. *The MII*. [Online]

Available at: <https://www.themii.ie/about-mediation/about-mediation>

[Accessed 05 03 2021].

Oade, A., 2015. Free Yourself from Workplace Bullying. In: *Free Yourself from Workplace Bullying*. s.l.:s.n., p. 244.

Oberman, S., 2012. *Core Ac*. [Online]

Available at: <https://core.ac.uk/download/pdf/159569031.pdf>

[Accessed 15 04 2021].

Olweus, D., 1993. *Research gate*. [Online]

Available at: [https://www.researchgate.net/profile/Dan-](https://www.researchgate.net/profile/Dan-Olweus/publication/228654357_Bullying_in_schools_facts_and_intervention/links/0f31753)

[Olweus/publication/228654357_Bullying_in_schools_facts_and_intervention/links/0f31753](https://www.researchgate.net/profile/Dan-Olweus/publication/228654357_Bullying_in_schools_facts_and_intervention/links/0f31753)

[c7d61da93a4000000/Bullying-in-schools-facts-and-intervention.pdf](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4601897/#A8)

[Accessed 06 04 2021].

Philip J. O’Connell, Emma Calvert and Dorothy Watson, 2007. *Bullying in the Workplace: Survey Reports, 2007*, Dublin: The Economic and Social.

Ponto, J., 2015. *NCBI*. [Online]

Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4601897/#A8>

[Accessed 14 04 2021].

Ponto, J., 2015. Understanding and Evaluating Survey Research. In: *Journal of the Advanced Practitioner in Oncology*. s.l.:s.n., pp. 168-171.

QuestionPro, n.d. *Judgmental Sampling: Definition, Examples and Advantages*, s.l.: s.n.

Ragab, M. A. A., 2017. Research Methodology in Business: A Starter’s Guide. Management and Organizational Studies. *Arrow to Dublin*, 5(1), pp. 3-18.

Rodrigo, 2017. *Different Research strategies you can use in your Dissertation*, s.l.: s.n.

Schutt, R., 2018. Qualitative Data Analysis. In: F. edition, ed. *Investigating the Social World, The Process and Practice of Research*. California: SAGE Publications, pp. 320-354.

Schwarzenberger, G., 2006. The Inductive Approach. In: 1. Stevens, ed. *The Inductive Approach to International Law*. Michigan: London Institute of World Affairs, p. 209.

Shonk, K., 2021. *Program on Negotiation*. [Online]

Available at: <https://www.pon.harvard.edu/daily/mediation/types-meditation-choose-type-best-suited-conflict/>

[Accessed 16 04 2021].

- Snook, A., 2019. *ADR in the Workplace: When to Use it and Why*. [Online]
Available at: <https://i-sight.com/resources/adr-in-the-workplace-when-to-use-it-and-why/>
[Accessed 05 03 2021].
- Stale Einarsen, H. H. D. Z. C. C., 2011. Bullying and harassment in the workplace: Developments in theory, research, and practice. In: H. H. D. Z. C. C. Stale Einarsen, ed. *Organisational effects of workplace bullying*. Boca Ratón, FL: CRC,Press, pp. 129-148.
- Stipanowich, T. J., 2004. ADR and the Vanishing Trial: The Growth and Impact of Alternative Dispute Resolution. *Journal of Empirical Legal Studies*, 1(3), p. 843–912.
- Sullivan, N., 2015. *Workplace Bullying A 5 Step Guide to Overcoming a Hostile Work Enviroment*. s.l.:CreateSpace Independent Publishing Platform.
- Taherdoost, H., 2016. Sampling Methods in Research Methodology; How to Choose a Sampling Technique for Research. *Elvedit*, 5(2), pp. 10-27.
- Taherdoost, H., 2020. *Hal.archives*. [Online]
Available at: <https://hal.archives-ouvertes.fr/hal-02546796/document>
[Accessed 12 04 2021].
- Tehrani, N., 2012. Introduction to workplace bullying. In: N. Tehrani, ed. *Workplace bullying Symptoms and Solutions*. London: Routledge, pp. 3-15.
- Thesismind, 2018. *Thesis Mind*. [Online]
Available at: <https://thesismind.com/analysis-of-saunders-research-onion/>
[Accessed 14 04 2021].
- Thomas W. Edgar, D. O. M., 2017. *sciencedirect*. [Online]
Available at: <https://www.sciencedirect.com/topics/computer-science/convenience-sampling>
[Accessed 15 04 2021].

Thompson, K., 2015. *Positivism and Interpretivism in Social Research*, s.l.: s.n.

Thompson, K., 2015. *Revisesociology.com*. [Online]

Available at: <https://revisesociology.com/2015/05/18/positivism-interpretivism-sociology/>

[Accessed 15 04 2021].

Wayne Goddard, S. M., 2004. Research Design. In: J. a. C. Ltd, ed. *Research Methodology: An Introduction*. Lansdowne: Juta and Company, pp. 46-49.

WRC, 2020. *Workplace Relations Commission*. [Online]

Available at: https://www.workplacerelations.ie/en/what-we-do/industrial%20relations/mediation_services/

[Accessed 5 04 2021].

WRC, 2020. *Workplace Relations Commissions*. [Online]

Available at:

https://www.workplacerelations.ie/en/what_you_should_know/codes_practice/cop6/

[Accessed 18 04 2021].

Zumeta, Z., 2000. *Styles of Mediation: Facilitative, Evaluative, and transformative Mediation*. [Online]

Available at:

[https://www.rchss.sinica.edu.tw/cibs/law/1.%20Monthly%20Seminar%20Since%202008/Papers/2009/20090211/Chen-](https://www.rchss.sinica.edu.tw/cibs/law/1.%20Monthly%20Seminar%20Since%202008/Papers/2009/20090211/Chen-Chieh%20Ting_Styles%20of%20Mediation_%20Facilitative,%20Evaluative,%20and%20Transformative%20Mediation.pdf)

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[Accessed 10 04 2021].

Appendices

1. Survey answered Q0102

Participant	Timestamp	Do you consider workplace bullying cases are eligible for Mediation?	Why do you think so?
P01	2021/04/07 4:46:04 pm CET	Yes	
P02	2021/04/07 6:51:55 pm CET	Yes	It opens the possibility of resolving the issues between the parties. Not all allegation of bullying is well-founded.
P03	2021/04/07 6:55:58 pm CET	Yes	Just do to be honest
R04	2021/04/07 7:00:27 pm CET	Yes	In order to highlight misunderstanding and rebuild working or personal relationships
P05	2021/04/08 11:03:56 am CET	No	It can work well when there is no malice or intention to cause offence
P06	2021/04/08 11:48:37 am CET	Yes	Because they can be resolved that way for the most part with better outcomes
P07	2021/04/08 12:28:55 pm CET	Yes	Because some 'bullies' do not consider themselves to be 'bullies'. An attempt should be made to help them stand in the other person shoes.
P08	2021/04/08 4:23:52 pm CET	Yes	A conflict involving people who are prepared to engage in mediation is generally suitable for mediation. A power imbalance might be a factor that could get in the way.
P09	2021/04/08 8:24:25 pm CET	Yes	The process is non-adversarial, which helps maintain relationships

P10	2021/04/08 8:38:45 pm CET	Yes	If dealt with in a timely and professional manner
P11	2021/04/08 9:50:55 pm CET	Yes	Communication is very important and the harmony in working place also a better outcome for the employer.
P12	2021/04/08 11:37:15 pm CET	Yes	Because the origin is often miscommunication or poor personal behaviour and the alternative is going to the Workplace Relations Commission or Court, so it provides a useful diversionary tool
P13	2021/04/09 12:07:26 am CET	Yes	Less traumatic
P14	2021/04/09 9:38:43 am CET	Yes	Confidentiality allows a Frank and open discussion. The fact that blame is not attributed by the mediator encourages honesty from participants.
P15	2021/04/09 1:40:54 pm CET	Yes	Any dispute is a potential for resolution via mediation if the parties are willing to participate

P16	2021/04/09 2:28:21 pm CET	Yes	Because many what might be termed "workplace bullying" cases (this term should only be applied to cases where a definitive finding of evidence in relation to a complaint of bullying behaviour has been made by an external professional investigator) may instead be cases where relationships have deteriorated, behaviours have also become 'bullying-like', but an intervention aimed at rebuilding the relationships can assist the parties to move past this into a more positive working relationship. In asking this question and the next one, perhaps it would be good to clarify if the survey relates to cases where workplace bullying has been confirmed or cases where the term has been used by one or both parties in describing their experience to another person (but no formal finding has been made at that point)
P17	2021/04/09 2:30:52 pm CET	Yes	Workplace cases are suitable for mediation; however, not in all cases. There may be a power imbalance do the parties have to work together. I don't think it's always a black and white answer; circumstances will have a bear on the approach. However, most cases are suitable for mediation

P18	2021/04/09 4:27:23 pm CET	Yes	It provides the parties with a confidential process to discuss and seek a resolution of the matters of concern rather than progressing it through a formal investigation process. As bullying behaviour can be subjective and based on one's perception, mediation can create an opportunity for the parties to hear each other and understand their respective behaviours.
P19	2021/04/09 4:48:06 pm CET	Yes	any issue between two people can benefit from communication in a safe environment created by a mediator where each person gets to listen to the other
P20	2021/04/09 5:05:57 pm CET	Yes	mediation is a Powerful conflict resolution solution for all situation between parties; it allows both sides to be heard, and also it works towards resolution as the parties themselves come together to find a compatible solution to their issues.
P21	2021/04/09 8:54:48 pm CET	No	Mediation cases should be around where misunderstandings or conflict has arisen ... bullying is a systematic process and deliberately intended
P22	2021/04/10 1:33:02 pm CET	Yes	As 50% are mainly disagreements where people don't hear what the other is saying
P23	2021/04/10 4:07:03 pm CET	Yes	Many bullying cases appear to be a lack of understanding between 2 parties
P24	2021/04/10 4:08:17 pm CET	Yes	More suitable for all parties concerned as professional reputations remain unharmed

P25	2021/04/11 5:27:31 pm CET	Yes	as mediation is a voluntary process, each party only enters into it freely, without coercion. Some of these answers are not yes-no and should have a maybe option. For example this one, I would have put "can be" or maybe" but I clicked Yes for want of a better option
P26	2021/04/12 8:30:24 am CET	Yes	They provide an opportunity for those who are experiencing difficult relationships to have a conversation around the difficulties they have experienced, how it made them feel, understand the other's perspective, exchange regrets/apologies and agree a plan for moving forward. This holistic approach is not available in investigations, which are very decisive.
P27	2021/04/12 10:21:42 am CET	Yes	most situations are even to mediation after internal processes are exhausted
P28	2021/04/12 12:34:28 pm CET	Yes	Mediation provides employees with a safe and confidential environment in which they can project their issues.
P29	2021/04/12 1:46:11 pm CET	Yes	Because there may be scope for understanding, change in behaviour, restoration of working relationship
P30	2021/04/12 2:28:24 pm CET	Yes	Based on international best practice and my own experience as a mediator, allegations of workplace bullying can very often be effectively dealt with in mediation

P31	2021/04/12 8:24:18 pm CET	Yes	Mediation should be the first option considered and encouraged as it stands the best chance for reconciliation when compared to other options
P32	2021/04/13 9:26:51 am CET	Yes	Other forums, such as following a grievance procedure, can actually add to the emotional conflict. Most cases are driven by emotional conflict, and Mediation allows this stress to be managed in a safe environment. Also is actually much cheaper for employers as it can be resolved in far less time than traditional methods
P33	2021/04/13 9:27:08 am CET		
P34	2021/04/13 2:01:35 pm CET	Yes	1- because the conflict is resolved away from the workplace. Taking the conflict and replanting or isolating it in a different space can often help the parties see it in a different and/or better light.2- It is or can be less intimidating if an outside mediator is engaged to resolve the dispute. Most parties want the conflict contained and fewer people in their workforce to be aware of any issues or conflicts 3- Often, disputes are tackled by people higher up the management chain. Parties sometimes feel compelled to agree with management and will do what the manager wants. This does not always work, as some parties are still aggrieved after discussions have ended,

P35	2021/04/13 11:59:54 pm CET	Yes	In my experience, most cases that come to mediation arise from claims of bullying because dignity at work policies place it at the head of the list. So if I have a problem, it must be bullying.
P36	2021/04/15 12:53:03 pm CET	Yes	Both sides have an opportunity to be heard and to hear in a safe, non-judgmental environment
P37	2021/04/15 2:31:55 pm CET	Yes	Alleged workplace bullying cases may be eligible for Mediation in the interim. Workplace bullying is defined in legislation and the criteria is very specific in order for the alleged victim to prove that bullying is indeed taking place. Mediation may work where the employer invites the parties to volunteer to participate in the process where they are willing to speak openly and honestly in order to establish if there are grounds for an allegation of workplace bullying. During the Mediation, it may become clear that the behaviours perceived to be bullying may not fit the criteria and cannot be defined as bullying per se. In some cases the alleged perpetrator may not realise that certain behaviours they have exhibited have had a negative impact on an individual and are shocked and remorseful that an individual has been affected in a negative way. Through mediation, the alleged perpetrator may apologise and agree to amend their approach to the alleged victim going forward. Mediation can assist the

			parties to be open and honest and voice their feelings and state their wants and needs in a difficult situation. If alleged bullying is indeed founded in the exchange discussions, Mediation may also assist whereby the alleged victim again, can voice how certain behaviours have impacted negatively, providing the alleged perpetrator to reflect and commit to change in their approach in the workplace. If Mediation is not successful in achieving a mutually satisfying outcome, HR can advise on the appropriate steps.
P38	2021/04/17 6:40:35 pm CET	Yes	
P39	2021/04/18 12:38:20 pm CET	Yes	
P40	2021/04/18 7:09:20 pm CET	Yes	
P41	2021/04/19 7:20:39 pm CET	Yes	It is a very friendly way to resolve conflicts of this type
P42	2021/04/20 2:52:45 pm CET	Yes	I think mediation is a friendly way to solve this kind of problem
P43	2021/04/21 4:12:22 pm CET	Yes	Mediation is a powerful process for transforming relationships
P44	2021/04/23 8:27:33 am CET	Yes	Most cases are eligible for Mediation unless there has been violence
P45	2021/04/23 2:14:07 pm CET	Yes	To get a fast solution
P46	2021/04/23 2:25:25 pm CET	Yes	It can resolve and mitigate the psychological and physical effects of bullying on the employees

P47	2021/04/23 2:32:06 pm CET	No	Because they do not think in the workplace are bullies, even though they have been passive bullies
P48	2021/04/23 3:20:35 pm CET	Yes	Talk and actions are important in those cases
P49	2021/04/23 6:21:42 pm CET	Yes	Someone has to mediate the situation if someone makes toxic your work environment. This affects your performance.
P50	2021/04/24 3:43:41 am CET	Yes	It can resolve and mitigate the psychological and physical effects of bullying on the employees
P51	2021/04/24 12:53:34 pm CET	Yes	To get a fast solution

Q03TO06

Participant	Do you believe that Mediation is effective in resolving disputes caused by workplace bullying?	Could you tell me why you consider it that way?	In workplace bullying cases, do you recommend Mediation for the resolution of the conflict?	In your experience, are most workplace bullying cases resolved with Mediation?
P01	Yes		Yes	Yes
P02	Yes	See above.	Yes	No
P03	Yes	As both parties can have their say	Yes	I do not have experience
P04	Yes	To understand both sides, values and motivations	Yes	I do not have experience
P05	Yes	As above	Yes	No
P06	Yes	Personal experience studies published	Yes	Yes

P07		Too simplistic a question. It is rarely if ever used; therefore question should be 'Might mediation be effective?' and the answer would then be 'yes'. Plus, mediation would need to be engaged within the early stages of alleged bullying.		
P08	Yes	If the conflict is between two people of equal status, mediation is possible. If there are a number of people bullying a colleague or a number of colleagues bullying a manager or vice versa, a different approach might be needed but based on the principles of mediation.	Yes	No
P09	Yes	In some cases, the person is unaware of the impact their behaviour is having- it can be a powerful process	Yes	Yes
P10	Yes	Mediation allows both parties to be heard in a confidential, non-judgment based manner. It is a safe space	Yes	No

P11	Yes	Mediation facilitates parties to view the issue non-judgemental and perceive the issues from different angles, which helps the new creations of relationships.	Yes	Yes
P12	Yes	Because the alternative may be court or WRC, or dismissal.	Yes	No
P13	Yes	Sensitive	Yes	I do not have experience
P14	Yes	Can be . Depends on mediator and participants joining the process in good faith.	Yes	Yes
P15	No	I think workplace bullying is a result of ineffective management with the organisation and could be resolved by good leadership and early intervention	Yes	No

P16	Yes	It has been my experience and see viewpoint above - but all depends on what sort of behaviours, relationship dynamic, power differential etc. in case being termed 'workplace bullying'. Which definition of Wp bullying is being used here etc.	Yes	
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P17	Yes	It's a qualified yes. I am aware of certain cases which bearly broke one party, and there are scares foe years. If a person is bullied by another powerful person, a manager or depending on the organisation, who is a number of grades higher than them. From my experience, some form of bully is occurring in the workplace on a daily basis. Bullying deal with two different on a different power base, and one will have more recourses than the other one party person it can effect may be afraid of the other party .it can effect their health there can and is a lot more to it.	Yes	I do not have experience
P18	Yes	Confidential. Allows fo the parties to explore each others positions, and needs, and it can be a safe environment to have matters resolved.	Yes	Yes

P19	Yes	It depends on the depth of the difficulties. Sometimes if the difficulties are very deep and involve others in a very small office, it can be difficult for the person being bullied to go back into the office, irrespective of the result of the mediation	Yes	No
P20	Yes	it works towards balancing the power between both parties and is designed in a way to look less at blame and more at co-operation to resolve a dispute. Also, the agreement created is drafted by both sides and so is more likely to be followed. it is also a less costly solution for companies than going down the courts' based route. It works well in addressing personal elements in bullying and work conflicts and encourages practicable and doable solutions. It also has the option of returning to mediation at any time to amend, develop or change agreements as they need to be as work progresses, and this allows for issues to be worked out over time if it is proving difficult to find a	Yes	I do not have experience

		solution in a limited time period of the parties are not ready to address all issues in the immediate.		
P21	No	As above bullying is not about a one-off conflict or series of conflict, bullying behaviour is a trait of an individual which should be addressed separately	No	No
P22	Yes	Because it allows a safe opportunity to get others to hear what the other is saying. A skilful mediator can also paraphrase what each other is saying to help the other understand	Yes	Yes
P23	Yes	As an outsider, you can assure the parties of independence, and if no resolution is found, then so be it, no pressure	Yes	Yes
P24	Yes	The mediated agreement ensures its effectiveness	Yes	Yes

P25	Yes	Like any mediation, it depends on the willingness of the parties and of the skills of the mediator. This answer should have a maybe option. For example this one, I would have put "can be" or maybe" but I clicked Yes for the want of a better option. Also, the next questions below are repeats of what you have already asked.	Yes	Yes
P26	Yes	Because I am twenty years working as a workplace investigator and 90% of cases where there is an allegation of bullying have been resolved satisfactorily.	Yes	Yes
P27	Yes	mediation properly understood can be very powerful	Yes	I do not have experience
P28	Yes	It allows the employees subject to the mediation to understand each other and work together to reach a solution that is suitable for both parties. Issues may be resolved between parties that may not be highlighted in the WRC.	Yes	I do not have experience

P29	Yes	Because of my own experience in mediating such issues, they may present at workplace behaviour issues, interpersonal issues or complaints of workplace bullying. In all but the most entrenched of situations (refusal on the part of the alleged bully to listen and understand or long duration of the situation), mediation has allowed people to address their concerns and agree with a future plan that is reasonable and effective.	Yes	Yes
P30	Yes	Generally, workplace bullying is a conflict of personalities and discussions with and between the parties can highlight how the issues first arose. Often the person accused has no awareness that their behaviour is being seen as bullying	Yes	Yes
P31	Yes	In my experience, it tends to create the space necessary for shared understanding, generating apologies and repairing damaged workplace relationships	Yes	Yes

P32	Yes	The mediation model facilitates a safe environment for both parties to discuss the issues at the centre of the dispute.	Yes	Yes
P33				
P34	Yes	I feel it is extremely effective, as the process is fair, empathetic, and all parties are listened to. All parties get to hear everyone's point of view. It also provides for better working relations post-conflict	Yes	Yes
P35	Yes	Mediation in the workplace has been shown to be more than 85% successful, and it is also common to hear from parties that all they wanted was to be heard or wanted an apology. An investigation will not give such outcomes	Yes	Yes
P36	Yes	As above, the fact that it is an independent mediator listening and facilitating conflict resolution enabled issues to be resolved in an agreed manner - agreed by and between each party while the mediator remains neutral	Yes	No

P37	Yes	<p>There are two elements to this questions; 1) Disputes caused by workplace bullying 2) Can Mediation be effective in this circumstance.</p> <p>If it is established that workplace bullying is the cause of the dispute, a specific grievance procedure policy should be in place, providing the alleged victim of workplace bullying with a guide on how to approach this. Mediation may be offered as per company policy. Mediation can be effective if the process is offered to initially have the parties agree and volunteer to openly discuss the difficult situation.</p>	Yes	Yes
P38	Yes		Yes	I do not have experience
P39	Yes		Yes	I do not have experience
P40	Yes		Yes	I do not have experience
P41	Yes	<p>I consider that when the two employees agree to attend mediation if there are good possibilities; however, this is not always the case since the bully will not always accept</p>	Yes	I do not have experience

		that he is affecting his partner		
P42	Yes	When both parties agree, it always is going to be effective	Yes	No
P43	Yes	I've very little experience, though I feel when mediated well, it has the power to do so	Yes	I do not have experience
P44	Yes	Most things can be talked through	Yes	Yes
P45	Yes	Because it is cheap and fast	Yes	Yes
P46	Yes	It will allow the employee to expose a problem	Yes	Yes
P47	No	It depends on the situation because if it is in their policy book, nothing can be done	Yes	I do not have experience
P48	Yes	Because those cases need to get some kind of resolution, otherwise is going to continue	Yes	Yes
P49	Yes	Mediation should avoid confrontation and problems in future by being focused on the situation even afterwards	Yes	I do not have experience
P50	Yes	It will allow the employee to expose a problem	Yes	Yes
P51	Yes	Because it is cheap and fast	Yes	Yes

Q07TO10

Participant	If you were a victim of workplace bullying, would you choose Mediation as the means to resolve your dispute?	Why?	Do you think Ireland is increasing the use of Mediation in workplace disputes?	Do you consider Mediation to be a TOOL for the resolution of conflicts caused by bullying in Ireland?
P01	Yes		Yes	
P02	Yes	Again please note that a mere allegation of bullying does not mean that it took place	Yes	Yes
P03	Yes	As I would want deal with bully face to face	Yes	Yes
P04	Yes	To be heard	Yes	Yes
P05	Yes	I would if there was a willingness by the other person to resolve things amicably	Yes	Yes
P06	Yes	Better outcomes	Yes	Yes
P07	Yes	As above, some people need to be made really listen to the other.	Yes	Yes
P08	Yes	I would have liked the option of saying 'I don't know' here. It would entirely depend on who was doing the bullying and how many others were involved.	No	Yes

P09	Yes	It would allow me to have a voice and input into the solution. Other dispute resolution processes such as disciplinary the outcome are decided by a 3rd party	Yes	Yes
P10	Yes	Yes, if the mediator was external	Yes	Yes
P11	Yes	Because it is good to have support and with difficulties, nobody can continue to work productively	No	Yes
P12	No	It would depend on the level of bullying, as each case can be highly personal to the victim	Yes	Yes
P13	Yes	To get a resolution	Yes	Yes
P14	Yes	Again depends on the mediator; if the mediator is in-house, then I'd question how impartial can they be.	No	Yes
P15	No	I think I might feel that the company failed me, and therefore I would possibly feel that it's too late for mediation	Yes	Yes
P16			Yes	Yes

P17	Yes	It depends on the circumstances. I may need my job, and I may not be able to afford the expensive legal representation to fight the case. The main advantage of mediation is quick informal, and it's not costly. In most cases, an employee has to continue to work with that employee in many cases, their direct or indirect boss and their life can be made a misery if matters are not resolved quickly; there is no one answer	Yes	Yes
P18	Yes	It affords the opportunity to share your concerns with the other party before deciding whether an investigation of matters is an appropriate process.	Yes	Yes
P19	Yes	so I would get the chance to be heard by the person bullying	Yes	Yes
P20	Yes	I would feel it would give me autonomy and the element of balancing power is very important	Yes	Yes
P21	No	As above	Yes	No

P22	Yes	As a certified mediator and a practitioner, I know the benefits and would trust this route more than a formal route where I would have some level of control due to the voluntary nature of it	Yes	Yes
P23	Yes	Going the formal route rarely fixes these type of disputes	Yes	Yes
P24	Yes	More efficient and offers open and honest conversations to enable a complete understanding of both parties.	Yes	No
P25	Yes	as mediation is a voluntary process, each party only enters into it freely, without coercion. As long as the behaviours were not so entrenched, it could allow for the issues to be aired.	Yes	Yes

P26	Yes	Yes, but only if it were explained properly to me. Most people are unaware of the benefits of mediation and believe that the formal investigation is the answer. Mediation helps people to consider multiple perspectives, where people often believe that investigations will provide an answer that is 'I am right...you are wrong'. Mostly, this is a non-effective or unlikely outcome.	Yes	Yes
P27	Yes	as above and my understanding of mediation and the importance of an impartial person to manage the process	Yes	Yes
P28	Yes	Choosing mediation allows parties to gain a better understanding of the core issues at hand. If I was a victim of workplace bullying, I would like to mediate to gain a better understanding of the person accused with the hope of reaching a common ground.	Yes	Yes

P29	Yes	Because if the other party is willing to hear the issues and work towards a resolution, that is preferable to the stress and polarisation of formal investigative processes.	Yes	Yes
P30	Yes	Because it is a confidential forum where I can safely raise the issues arising directly with the person who is creating the difficulty	No	No
P31	Yes	While it is a cautious yes in general, mediation may not be appropriate if it runs the risk of re-traumatising a victim	Yes	Yes
P32	Yes	Well, I have lived through the model and had several great success stories	No	Yes
P33				
P34	Yes	It is a safe, respectful and open space to air grievances.	Yes	Yes
P35	Yes	As one who understands the process, I can set what I want to deal with and resolve in a manner to suit me	Yes	Yes

P36	Yes	It is a safe environment whereby both parties can express their feelings and reach - most of the time - an acceptable agreement	Yes	Yes
P37	Yes	If I were a victim of workplace bullying, I would choose mediation as a means to resolve a dispute as I would like the opportunity to have the perpetrator hear how their actions have impacted me and also providing the perpetrator the opportunity to realise their behaviour and volunteer to change their approach. I believe misunderstandings of certain behaviours are often at the heart of disputes in the workplace.	Yes	Yes
P38	Yes		Yes	Yes
P39	Yes		Yes	Yes
P40	Yes		Yes	Yes
P41	Yes		No	Yes
P42	Yes		Yes	Yes
P43	No	I would confront directly	Yes	Yes

P44	Yes	I believe that understanding can be reached in most cases	Yes	Yes
P45	Yes	Because it is confidential and friendly	Yes	Yes
P46	Yes	It will let me light up the issues that I've been having with someone and expose a bad behaviour	No	Yes
P47	Yes	To make the workplace know. Of the situation	No	Yes
P48	Yes	Not good keep silent	No	Yes
P49	Yes	Someone has to help me within my workplace to do my job in a healthy environment. It's my right, and this would make better my performance.	Yes	Yes
P50	Yes	It will let me light up the issues that I've been having with someone and expose a bad behaviour	No	Yes
P51	Yes	Because it is confidential and friendly	Yes	Yes

Q11TO15

Participant	If your last answer was "no", WHAT do you consider Mediation is?	Have you ever been a Mediator?	If yes, have you ever mediated a case of workplace bullying?	If yes, when you were mediating the case, did you ever feel no progress between the parties?	Did you detect any disappointment or discouragement regarding the Mediation of any of the parties?
P01					
P02		Yes	Yes	Yes	Yes
P03		Yes	No		No
P04		Yes	No		
P05		Yes	Yes	Yes	Yes
P06		Yes	Yes	No	No
P07	Also, it should be shuttle mediation initially. Most victims of bullying would not be able to sit around the table with the bully initially.	Yes	Yes	No	No
P08		Yes	Yes	Yes	No
P09		Yes	Yes	Yes	Yes
P10		Yes	Yes	Yes	Yes
P11		Yes	Yes	No	No
P12		Yes	Yes	Yes	Yes
P13		Yes	No		
P14		Yes	No	No	No
P15		Yes	Yes	Yes	Yes
P16		Yes	Yes	Yes	Yes

P17		Yes	Yes	Yes	Yes
P18		Yes	Yes	Yes	Yes
P19		Yes	Yes	Yes	Yes
P20		No	No		
P21	As above	Yes	No		
P22		Yes	Yes	No	No
P23		Yes	Yes	No	No
P24	Ambiguous as mediation is a process for which the mediator has the tools	Yes	Yes	No	No
P25	The question above is about the 4th time you have asked the same question on this survey.	Yes	Yes	Yes	Yes
P26		Yes	Yes	No	No
P27		Yes	Yes	Yes	No
P28		No	No		
P29		Yes	Yes	Yes	Yes

P30	Mediation is not a "tool" it is a dispute resolution process defined in the Mediation Act 2017, which sets out the statutory framework for the practice of mediation in Ireland	Yes	Yes	Yes	Yes
P31		Yes	Yes	Yes	Yes
P32		Yes	Yes	Yes	No
P33					
P34		Yes	Yes	Yes	Yes
P35		Yes	Yes	Yes	No
P36		Yes	Yes	No	No
P37		Yes	Yes	Yes	Yes
P38		Yes	No		Yes
P39		Yes	No		Yes
P40		Yes	No		Yes
P41		No			
P42		No			
P43		Yes	No		
P44		Yes	Yes	Yes	No
P45		Yes	Yes	No	No
P46		No	No		
P47	Could hell to bring cases onto the light	No	No	No	No
P48		No			Yes
P49		No			

P50		No	No		
P51		Yes	Yes	No	No

Q16TO20

Participant	Did your workplace bullying cases settle through Mediation?	Do you think your clients were satisfied with the result of the Mediation?	Do you think Irish companies know how Mediation works in disputes caused by workplace bullying?	From 1 to 10, how much do you recommend Mediation for the attention of workplace bullying cases?	From 1 to 10, how much do you recommend Conciliation for the attention of workplace bullying cases?
P01					
P02	Yes	Yes	No	10	
P03	No	Yes	Yes	8	7
P04			No	10	10
P05	Yes	Yes	Yes	7	9
P06	Yes	Yes	Yes	8	2
P07	Yes	Yes	No	10	10
P08	Yes	Yes	No	10	5
P09	Yes	Yes	No	9	8
P10	Yes	Yes	No	10	3
P11	Yes	Yes	No	10	8
P12	Yes	Yes	No	7	8
P13				7	3
P14	No	Yes	No	8	4
P15	Yes	Yes	No	8	8
P16	Yes	Yes	Yes	8	8
P17	Yes	Yes	No	2	7
P18	Yes	Yes	Yes	10	
P19	No	Yes	No	8	8
P20			No	10	9

P21			No	1	4
P22	Yes	Yes	No	8	2
P23	Yes	Yes	Yes	9	7
P24	Yes	Yes	No	10	6
P25	Yes	Yes		10	1
P26	Yes	Yes	Yes	9	5
P27	No	Yes	No	8	1
P28			Yes	8	7
P29	Yes	Yes	No	9	1
P30	Yes	Yes	No	8	1
P31	Yes	Yes	No	9	8
P32	Yes	Yes	No	10	6
P33					
P34	Yes	Yes	No	9	7
P35	Yes	Yes	No	10	1
P36	Yes	Yes	No	10	9
P37	Yes	Yes	No	10	10
P38	No	Yes	No	5	7
P39	No	Yes	No	5	7
P40	No	Yes	No	5	7
P41	Yes	Yes	No	8	6
P42	Yes	Yes	No	6	5
P43			No	9	9
P44	Yes	Yes	Yes	10	5
P45	Yes	Yes	No	9	9
P46	No		No	9	9
P47	No	No	No	8	8
P48	Yes	Yes	No	10	10
P49	No	Yes	No	10	8
P50	No		No	9	9
P51	Yes	Yes	No	9	9

Q21TO24

Participant	From 1 to 10, how much do you recommend Arbitration for the attention of workplace bullying cases?	In cases of workplace bullying, which ADR do you consider to be the most used in Ireland?	Could you tell me why Mediation differs from the other ADRs to resolve this kind of conflicts?	Feel free to any additional comments regarded to Mediation and workplace bullying.
P01				
P02			The alternative to mediation is normally investigation, not arbitration or conciliation. Other ADRs are adjudicative; they do not resolve the issues between the parties.	There is some confusion in this questionnaire about both the nature of Dignity at Work issues and the available remedies.
P03	9	Mediation	As it's informal can be down just by the parties	
P04	4	Arbitration	It allows clients to resolve their issues moving forward and enables productive cooperation and communication	
P05	6	Mediation	non-mediation ADR allows for a more active role in the process. This works very well in being in a position to 'name' certain behaviours and communicates how they are 'not ok', without the necessity for the aggrieved person having to name it. That objective viewpoint and input can be very effective.	Regarding your question 'would I recommend mediation for bullying disputes' - yes, in some cases, if the actions of concern are not objectively very serious.
P06	5	Mediation	It works through the issues	Need more training in company

P07	5		Mediation empowers the parties. The process makes them feel they are coming up with the agreement as opposed to being presented with an agreement.	Re unanswered cue as to which of ADRs is most frequently used. It is not Mediation, and depending on the sector, it could be either of the other 2.
P08	5	Mediation	The parties have ownership of their own process. The mediator facilitates them in reaching an agreement.	
P09	3	Mediation	It's a voluntary process and allows people have a voice. It opens communication and allows each party to hear the impact of behaviours. It is a facilitated process and a safe environment. It is not about winners and losers and, in the majority of cases, allows the parties to resolve their issues and agree on how they will work together going forward. Far more humane process than an investigation/disciplinary process.	Conflict coaching and mediation are powerful if facilitated by a qualified person. Some of the answers above, particularly around people getting stuck or disappointed, can occur, but in the majority of cases, this passes as the process moves on. Best of luck with your masters
P10	1	Arbitration		
P11	8	Arbitration	The neutrality of the mediator indicates safe support for both parties.	Mediation indirectly directs the parties to conscientiousness and awareness of behaviour in professional teams. They will be encouraged to refocus and make up their relationship again.

P12	9	Conciliation	Both parties control the eventual outcome	Its highly dependent on A, the nature and duration of the bullying, and B, whether the bully is prepared to change their behaviour, and acknowledge the wrong
P13	3	Mediation	More balance	
P14	5	Mediation	No winner/loser in mediation. Other forms of ADR can be adversarial, and frustration can linger. My experience is that senior management is afraid of mediation because they can't control the outcome. Mediation, if suggested, can be seen to be a comment on their management skills.	Best of luck. Brian
P15	8	Arbitration	The voluntary and confidential approach, however, there are other nuances including the skill and experience of the Mediator	

P16				<p>Not sure what is meant above by arbitration - is this adjudicator in WRC? Use of mediation is 100% dependent on the case/situation - not possible to say always or never; not all cases settle. Some cases settle, some don't. Mediation is helpful if there is an ongoing relationship where people will have to continue to work together, and there has been no official evidence of targeted, ongoing, intentional behaviour of one towards another with a significant power differential. I think mediation can be helpful, but also, there are situations not appropriate for mediation in the workplace. A thorough assessment by the mediator, in particular around ensuring parties feel safe and comfortable engaging in a mediated conversation, are necessary prerequisites.</p>
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P17	5	Mediation	It's informal, and it can be used to deal with a wide range of disputes and issues. The process is more user friendly, and the solution or not is not imposed upon the employee. The mediator can try and resolve the power imbalance between the parties and when it arises.	This is a difficult area, and it can impact greatly on peoples lives; mediation is flexible, adaptable and can be used, and it has been proven to be quite effective in most cases; it doesn't work in every neither does the other ADR TECHNIQUES either.
P18		Arbitration	See earlier answers.	For the questions I did not answer, I feel it depends on the circumstances rather than giving a score
P19	8	Arbitration	mediation allows both parties to come to their own conclusion	
P20	6	Conciliation	I feel mediation focuses more on supporting the parties to find their own solution and so the ownership stays with them	
P21	8	Conciliation	It is about creating a restorative relationship	
P22	2	Mediation	It is voluntary, and it is about the parties getting to their own resolution, which in my experience lasts the test of time	
P23	3	Mediation	It is an informal approach with no pressure to resolve	From my experience as a trade union official and mediator, this should be the first method of dispute resolution to be

				used in bullying cases
P24	2	Mediation	Allows for more understanding/reasoning so, any compromise they reach between them promotes success, i.e. their decisions.	
P25	1	Mediation	it is voluntary	no, but I think you needed to make a few more drafts of this survey before publishing it. However, I hope it is still useful to you.
P26	3	Mediation	Mediation is a holistic approach, governed by legislation, where the four principles of mediation: Voluntariness, COnfidentiality, impartiality and self-determination, focuses on adult relational exchanges and conversations.	I suggest you read the entries on the Mediators Institute Ireland's website.
P27	1	Mediation		I find some parts of this questionnaire a bit confusing to understand - perhaps a question should have been asked as to the type of workplace being considered

				as for example, in education settings, there are internal procedures to be used first
P28	5	Mediation	Mediation offers the personal aspect for parties involved similar to conciliation but also offers a professional to guide parties to a conclusion similar to arbitration. Mediation offers the best of both worlds.	

P29	1	Mediation	<p>Mediation is about empowering people themselves to find workable solutions. Conciliation is most often used, in Ireland, in trade union/employer disputes - it also uses a more evaluative and directive style where a conciliator uses shuttle processes and makes proposals to the parties. A short term solution may be achieved at the expense of longer-term, sustainable outcomes. Arbitration is usually only available to some groups of employees/employers and, again, usually where trade unions are involved (e.g. teachers, military). Arbitration is more legalistic and, therefore, more formal. The decision is made by the Arbitrator and may or may not suit the needs of the parties or an ongoing working relationship.</p>	<p>Mediation is an option that people need to be able to consider fully before making a choice as to how to proceed. The process designed by the mediator needs to ensure that power is balanced, that people feel safe to meet together, that space is available for separate meetings, that coaching support is available to enable people to express their needs and to break destructive patterns of behaviour that may exist in their relationship with one another.</p>
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P30	1	Mediation	Mediation in Ireland is governed by law, and that provides a clear statutory framework for the practice of mediation. It is intended to deal with disputes that can benefit from a confidential forum and where the parties self-determine the outcome. Conciliation is used in construction disputes, but to my knowledge, is not used in workplace disputes. Arbitration is quasi-judicial in nature; therefore, a decision is imposed by a third party, which is wholly unsuitable in the workplace context as this would also bind an employer and would destroy any possibility of restoring good working relations between the employees in dispute.	
P31	6	Arbitration	Mediation is confidential, voluntary and empowers the parties concerned	
P32	3	Mediation	It facilitates a more informal and safe environment in which the Mediator must spend time initially to create	Mediation is still not fully understood, and the MII need to focus on this first step in the process but they have an assumption that the mediation process is fully understood by employers
P33				
P34	8	Mediation	Parties get a say in their own conflict. They get to decide what will happen and how to go about	Mediation is a more economical method of resolving disputes

			making peace and reaching an agreement that they can live with that will facilitate working in harmony in the future.	than engaging legal teams and ending up in court proceedings. Other people, such as managers, judges, solicitors etc., may take control and not allow or facilitate the aggrieved parties to be included or allow their input into the final result. The outcome may not be the best possible way to facilitate the parties working together. It might be a case of 'do as you are told rather than be asked 'what would you like to do and what would you like to happen' .Best of luck with your masters.
P35	1	Mediation	Mediation gives the parties the right to set the agenda and to agree with the outcome. The other options give the third party a role in the process or the outright decision on the case leaving the parties with little or no control of the outcome	In my experience, most cases arise from misunderstanding or relationship issues, but because of the way dignity at work policies are framed, they are the first two words to appear on the document and hence the number of claims lodged on those grounds.
P36	7	Mediation	It is facilitated by an independent mediation not with no legal associations perceived	

P37	5	Arbitration	Mediation is a process that encourages the parties to work together in the mediation to make self-determined agreements. Decisions made through other forms of ADR are the decisions of others and may not provide the answer for a sustainable working relationship going forward in the workplace.	Mediation is voluntary, confidential, and a means to bring parties in dispute together to openly discuss a difficult working relationship. The benefits for employers are paramount, engaging a mediator to discuss the difficulties with the parties, working through the issues and the parties agreeing on a way forward for the good of the company, providing harmony and keeping momentum in the workplace to allow people to do what they do best.
P38	10	Arbitration		
P39	10	Arbitration		
P40	10	Arbitration		
P41	9	Conciliation		
P42	8	Arbitration		
P43	9		I've no personal experience of conciliation or arbitration	
P44	1	Mediation	With Mediation, the parties determine the outcome	
P45	7	Conciliation	No	
P46	8	Arbitration		

P47	9	Mediation	I do not know the difference between the above	
P48	10	Arbitration	Because is more an agreement between the parts	
P49	9	Mediation	To face both parts and make them understand the bad side of this. Make them aware of the big problem that is bullying	
P50	8	Arbitration		
P51	7	Conciliation	No	

2. Form A: Application for Ethical Approval

Form A: Application for Ethical Approval

Undergraduate/Taught Postgraduate Research

This form should be submitted to the module leader for the relevant initial proposal and/or the relevant supervisor if the proposal has already been accepted.

Title of Project	Is Mediation a tool for the resolution of disputes caused by workplace bullying in Ireland?
Name of Learner	Maria Lucia Rodriguez Gutierrez
Student Number	51705265
Name of Supervisor/Tutor	David Smyth

Check the relevant boxes. All questions must be answered before submitting to the relevant lecturer / supervisor. Note: only one box per row should be selected

Item	Question	Yes	No	NA
1	Will you describe the main research procedures to participants in advance, so that they are informed about what to expect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2	Will you tell participants that their participation is voluntary?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3	Will you obtain written consent for participation (through a signed or 'ticked' consent form)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4	If the research is observational, will you ask participants for their consent to being observed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Will you tell participants that they may withdraw from the research at any time and for any reason?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6	Will you give participants the option of not answering any question they do not want to answer?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Will you ensure that participant data will be treated with full confidentiality and anonymity and, if published, will not be identifiable as any individual or group?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8	Will you debrief participants at the end of their participation (i.e., give them a brief explanation of the study)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9	If your study involves people between 16 and 18 years, will you ensure that passive consent is obtained from parents/guardians, with active consent obtained from both the child and their school/organisation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	If your study involves people less than 16 years, will you ensure that <u>active</u> consent is obtained from parents/guardians <u>and</u> that a parent/guardian or their nominee (such as a teacher) will be present throughout the data collection period?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	If your study requires evaluation by an ethics committee/board at an external agency, will you wait until you have approval from both the Independent College Dublin and the external ethics committee before starting data collection.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Item	Question	Yes	No	NA
12	If you are in a position of authority over your participants (for example, if you are their instructor/tutor/manager/examiner etc.) will you inform participants in writing that their grades and/or evaluation will be in no way affected by their participation (or lack thereof) in your research?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13	If you are in a position of authority over your participants (for example, if you are their instructor/tutor/manager/examiner etc.), does your study involve asking participants about their academic or professional achievements, motivations, abilities or philosophies? (please note that this does not apply to QA1 or QA3 forms, or questionnaires limited to market research, that do not require ethical approval from the IREC)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	Will your project involve deliberately misleading participants in any way?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15	Is there any realistic risk of any participants experiencing either physical or psychological distress or discomfort?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16	Does your project involve work with animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17	Do you plan to give individual feedback to participants regarding their scores on any task or scale?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	Does your study examine any sensitive topics (such as, but not limited to, religion, sexuality, alcohol, crime, drugs, mental health, physical health, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19	Is your study designed to change the mental state of participants in any negative way (such as inducing aggression, frustration, etc?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
20	Does your study involve an external agency (e.g. for recruitment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
21	Do your participants fall into any of the following special groups?	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

(except where one or more individuals with such characteristics may naturally occur within a general population, such as a sample of students)

<p>If you have ticked any of the shaded boxes above, you should consult with your module leader / supervisor immediately. You will need to fill in Form B Ethical Approval and submit it to the Research & Ethics Committee instead of this form.</p> <p>There is an obligation on the researcher to bring to the attention of the Research & Ethics Committee any issues with ethical implications not clearly covered by the above checklist.</p>	
<p>I consider that this project has no significant ethical implications to be brought before the relevant Research & Ethics Committee. I have read and understood the specific guidelines for completion of Ethics Application Forms. I am familiar with the codes of professional ethics relevant to my discipline (and have discussed them with my supervisor).</p>	<input checked="" type="checkbox"/>
Name of Learner	Maria Lucia Rodriguez Gutierrez
Student Number	51705265
Date	14/03/2021
<p>I have discussed this project with the learner in question, and I agree that it has no significant ethical implications to be brought before the Research & Ethics Committee.</p>	<input checked="" type="checkbox"/>
Name of Supervisor/Lecturer	David Smyth
Date	01/04/2021