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AN ORGANISATIONAL COMMUNICATION APPROACH TO COMMERCIAL MEDIATION

by

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ABSTRACT

This research queries the importance of communication within conflict management processes, mainly related to mediation. It exposes the correlation between the subjects (mediation, conflict management and communication) as their essence and importance for the proper functioning of conflict resolution strategies in a business environment.

A significant quantity of academic literature was one of the bases for this dissertation. The other basis of study was the application of a questionnaire seeking to quantify the objectives sought. This study aims to understand the importance of communication within the conflict resolution process when applied to companies and their impacts in this environment. It details the relationship between communication and Conflict management. It exposes the importance of placing employees as one of the agents of communication and conflict resolution and bringing mediation as an alternative to deal with conflicts within the corporate environment. Showing that communication is an ally to the conflict management and mediation processes. It benefits relationships, productivity and a healthier environment when used well.

Through the data collection method, this study explores the implications of an active communication for employees and employers.

This dissertation has relevant meaning for forthcoming studies in the area, as it highlights the influence of the communication in the mediation and conflict management process inside a company and the benefits that this can provide.

Keyword: Conflict, Conflict Management, Communication, Mediation, Business Environment

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CHAPTER 1 – INTRODUCTION

Communication is an area that has been studied for many years, being part of the essential form of human interaction. When the focus is placed on dealing with conflict, communication brings a new perspective on how to deal with disputes taking into consideration, not only communication, but the method of communicating. This study aims to investigate if communication has a part to play in the conflict management process and if it can be used as a tool to enforce the mediation process inside companies, and to explore the benefits that can be obtained from it.

This is an important approach for several reasons, among them, the fact that people spend most of their day in the workplace, and because conflicts exist in all environments and can be escalated, if not properly addressed, causing stress and break relationships. This study will highlight the main points of the mediation process correlating them with communication, through the study of conflict and conflict management, organisational communication and organisational culture emphasizing the positive aspects of this structure for companies and their employees. For Cahn and Abigail (2014), conflict management and communication already have a close connection:

Conflict management involves alternative ways of dealing with conflict, including resolution or avoiding it altogether. Effective conflict management occurs when our communication behavior produces mutual understanding and an outcome that is agreeable to everyone concerned. Note that we define conflict management as communication behavior because behaviours can become skills, suggesting that we can learn from our past mistakes and improve the way we handle conflicts. (Cahn and Abigail 2014, p. 7)

In any research it is necessary to clarify the basic premises used, such as, the literature about the topic, the methodological direction followed, the desired objectives and aim and, the results obtained in a concise manner. This is the purpose of this chapter, to present this dissertation showing the steps followed and its intentions and limitations.

The action plan developed in this dissertation provides information regarding the importance of communication in work settings, especially when it comes to resolving internal conflicts. Whether in corporations or in educational settings, effective communication is paramount, and required to ensure that pertinent information is properly conveyed. This is an important strategy. The way that managers can handle disputes. In that much thought and discussion must be focused on how, when, where, and what leaders communicate. If these elements are properly considered, organisations will be better positioned to benefit from positive outcomes yielded from a strategic approach to communication. Communication is an abstract element that has significant implications for all organisations.

The methodology applied in this research is divided between ground theory and application of a questionnaire in order to quantify the sources. This methodology will be detailed, in its nuances and particularities, in Chapter 3 of this dissertation. The questionnaire will be targeted at employees of all levels in companies of any size. The goal is to achieve at least 100 responses, seeking to understand their reality, how companies deal with internal conflicts and how employees would feel in a more participatory environment. It is also important to understand what the interviewees' level of knowledge about the mediation process is, whether they would be interested in learning, and whether they feel that this would effectively bring positive feedback on conflict management and communication in the workplace.

The biggest limitation of this research is related to its unilateral aspect. All research is based on authors which are references in their field of study, and a questionnaire aimed only at employees. There is no internal view of a company's management. However, this is not a limitation that affects the results

obtained, mainly because the intention of this research is to identify the individual availability to be part of processes in the company. This can be used by companies to outline an internal strategy, for example.

To prove the hypothesis that communication is the key of the process that involves conflict management and mediation some authors were widely referenced in the support of the dissertation. Dudkey D. Cahn and Ruth Anna Abigail “Managing Conflict through Communication” (2014); Peter Fenn “Commercial Conflict Management and Dispute Resolution” (2012); Edgar H. Schein with Peter Schein “Organisational Culture and Leadership” (2017); Christopher W. Moore “The Mediation Process: Practical Strategies for Resolving Conflict” (2014); Louis Kriesberg and Bruce W. Dayton “Constructive Conflicts: From escalation to resolution” (2012); and other authors with their work that are detailed in the bibliography, reference and footnotes. The main ideas for this research will be detailed in the Chapter 2, the literature review.

Chapters 4, 5, and 6 are the analyses done of the results obtained. They emphasize constructive conflict management from a communication perspective which places primacy in the message as the focus of conflict research and practice. For an engagement of the company it will be necessary to understand what people want and what they really need. So, one of the objectives of those chapters is to show that companies can promote internal conflict management techniques. An alternative to the already used methods, being able to be different or complementary with those ones that already exist.

For this research, the following statements will be addressed and will be developed during the process: To critically assess the correlation between mediation and communication. To show how this correlation could mitigate the effects of negative communication in companies. To indicate the degree of satisfaction of employees when they feel like an equal part of the construction of the company’s communication process. To suggest how companies can improve the employee’s participation in the communication process.

The questions bellow will be answered during the research:

- What is the difference that communication processes can bring to the conflict management process?
- Do employees recognize that companies use a type of conflict management, in particular mediation, to deal with internal conflicts?
- Do employees respond to strategies to deal with conflict?
- Is it beneficial to involve employees in communication processes, conflict management and companies' culture?

To conclude, the purpose of this research is to deepen the analysis of the relationship that already exists between communication, mediation and conflict management. Mainly bringing this relationship to the workplace and seeking the best form of applicability. Also, seeking the employees' point of view of this work reality with what the conflict concerns. This will be a study that provides a direction to companies and their departments in how to deal with internal conflicts by improving the environment in general and, consequently, making it more productive and less likely to have escalating conflicts. Since one of the basic precepts of the integrative approach is to try to resolve the conflict, when it is possible, trying to maintain relationships, which works perfectly within the professional environment.

CHAPTER 2 – Literature Review

The present study is about the correlation between communication and conflict inside a business environment and how the mediation process, particularly the commercial mediation, can be used (or is already been used) to deal with these conflicts. Thus, at this moment the existing theories on the subject are presented. The concepts of communication and conflicts are first emphasized. The structure of both processes will be explored, how the dimensions of conflict are seen (escalation and de-escalation) and how are these problems are treated through the communication process. Also steps of conflict management are shown from both perspectives (communication and mediation). To better understand the communicational structure of a company the concepts of organisational communication are explained. As well, the importance of the organisational culture and its details are also presented. The communication process and its importance on a mediation it exposes is part of the main purpose of this research. Lastly, the Mediation process and its entire structure is also evidenced. The process, the use of Mediation on business, what is and the importance of the UNCITRAL Model Law, and the way that some authors understand the communication on the Mediation process are all the theories that are useful for this research.

2.1 Communication and Conflict

Studies in communication have shown that since the beginning of human existence people are looking for a standard form to communicate with each other. All human being relations start with some sort of

communication. It can be verbal or non-verbal, signs, but the main point is everything that is communicated needs an interlocutor, a message and a receptor. “All communication consists of three elements: the sender who originates the communication; the message that is being communicated; and one or more receivers of the message” (The Chartered Management Institute 2015, P. 1). However, if there is a problem in any of these parts there will be a misunderstanding and something will go wrong. This can happen in a any environment, like a family, a community, and it’s the same in the corporative place.

Communication may go wrong when the message is unclear, the words and expressions used are unappropriated. There also exists an inconsistent non-verbal message, the sender does not consider the different background of each person and the people involved prefer to make assumptions than ask or there are any kinds of prejudice in the situation (The Chartered Management 2015, p. 2). When a misunderstanding happens it can lead to a conflict. The concept of conflict seems to be really straight forward but it is not. The term and the whole field that involves it is rich and complex. The following extract summarises:

A social conflict arises when two or more persons or groups manifest the belief that they have incompatible objectives. “Social” indicates that we are concerned with conflicts among interacting people. “Two or more” means that the persons involved in a conflict view each other as adversaries in trying to achieve their goals. “Persons or groups” include individuals and organisations that claim to represent larger collectivities such as governments, classes, or ethnic communities. “Manifest” means that members of at least one of the contending groups engage in conduct attempting to change the other side’s behaviour in ways that bring them closer to their objectives. Finally, “belief that they have incompatible objectives” means that members of one or more of the parties think that another party thwarts some of their goals. The word “belief” is used here to denote that conflicts between groups do not exist independently of the

way the members of the groups view their relationship. In other words, circumstances that some observers might regard as putting people in a competitive or exploitative relationship do not in themselves constitute a conflict. (Kriesberg and Dayton 2012, p.2)

Usually it can be seen as a bad situation, conflict can be good. It can lead to a solution that can bring growth and cohesion. It is important to realize that a conflict is necessary and inevitable (Fenn 2012, p.3). It will arise just as the parties are involved at some level. There has to be an interdependence between them. Families, workplace colleagues, partners, friends, people that are really involved and that for them it is necessary or important to keep the status of relationship.

People come from different backgrounds. They have different beliefs, they deal differently with problems and with the others. Nobody sees the world the same way and, perhaps, this can be the starting reason for any conflict. For a conflict to arise the parties involved have to have any sort of correlation. They have to be in any kind of relationship. For this reason, the concept of interpersonal conflict needs to be understood. Interpersonal conflict is a problematic situation that involves parties, they are interdependent. They believe that their objectives are different and incompatible; the relationship can be affected and there is an urgency to solve the problem. Also, in this kind of situation it is understandable that a conflict is not the only one that is discussed. They are the ones that no one talks about, and this kind is the most difficult to solve, once people do not communicate (Cahn and Abigail 2014, p.3). Until you understand what the other person has been seeing the conflict may not be solved. Remembering that to solve the problem is important but it is not the only goal. Learning how to deal with conflicts is also fundamental. When it is explained that to have a conflict the parties have to be involved at some level, it is important to keep in mind the importance of keeping the relationship. Especially because the day-to-day activities will be continuous (Cahn and Abigail 2014, p. 4).

A tactic to understand and deal with conflict is to know the escalation and de-escalation model. When there is internal pressure, involvement of other parties, the constant mood of who is going to lose and who is going to win, and the relations start to change with more harsh responses and more polarization this is the moment when the conflict is escalated (Kriesberg and Dayton 2012, p. 144-146). On the other hand, the de-escalation occurs when the parties get engaged into solve the conflict, when the conflict is isolated and can be treated as a single part apart from the relationship, when the communication is improved, and when the conflict can be reframed, be seen from another perspective (Kriesberg and Dayton 2012, p. 197). Escalation and de-escalation processes can be seen in any sort of conflict (from the most simple one to a conflict that can lead to violence) and by analyzing these aspects “the process, conditions, and policies that affect how conflicts move toward settlement” (Kriesberg and Dayton 2012, p. 212).

To promote a conflict management through communication it is interesting think about how people connect and share information. Communication is about sharing and when people have the skills to do it so a conflict management can go smooth. Having such skills does not mean that there is a possibility to put an end to conflicts, once conflict is inevitable, but there is ways to make the whole process more soft and constructive. Listen the other party and learn what is needed to connect the parties. This can be done by avoiding criticism using respectful communication. Conflict management is:

The communication behaviour a person employs based on his or her analysis of a conflict situation. Another concept, conflict resolution, refers to only one alternative in which parties solve a problem or issue and expect it not to arise again. Conflict management involves alternative ways of dealing with conflict, including resolution or avoiding it altogether. Effective conflict management occurs when our communication behaviour produces mutual understanding and an outcome that is agreeable to everyone concerned (Cahn and Abigail 2014, p.7).

Cahn and Abigail in their book “Managing Conflict through Communication” (2014), set some interesting concepts and structures to guide in what to do when conflicts arise, basically using communication. They focus on behaviours that can be, in a future, skills. Their definition of conflict management has two more great implications:

First, our definition implies that you have choices to make when in a conflict situation such as how to communicate. You can choose among various options to deal with conflicts. You may avoid or confront conflicts. You may react peacefully or violently. You may treat others politely with respect or verbally abuse others. You may simply give in or insist on ‘having everything your way’. Second, our view suggests that, in order to effectively manage conflict, you must analyse it by taking a meta-conflict perspective. You may recall that one of the fundamentals of interpersonal communication is the idea of meta-communication, where one tries to objectively look at interaction between people and talk about it intelligently. (Cahn and Abigail 2014, p. 7)

Also, it is shown that there are two approaches in communication when it is about the deal with conflicts. Linear and transactional. In the linear point of view, the focus is on the final result. Also, applying a linear model to understand a conflict often results in trying to look for someone to blame in the conflict situation, it doesn’t consider that both parties in a conflict event contribute (Cahn and Abigail 2014, 9). The transactional model is based on management and coordination. The objective understates the parties’ point of view about the problem and creates a common perspective. This approach is something that people have to work together to go through (Cahn and Abigail 2014, p. 10).

Moreover, it is important to understand the conflict process. There are five stages. Prelude to conflict; triggering event; initiation of conflict; differentiation phase and resolution phase. These can develop a

destructive and productive conflict communication process. A destructive conflict can be seen when they do not manage the problem to a mutually satisfactory outcome and the relationship can be harmed. In addition, when the parties involved lose the focus of the real goal and aggressiveness is usual, the conflict starts to be without any sort of management and relationships also start to fall apart. This is a destructive conflict. Also, and even more importantly, the destructive conflict usually gets bigger and bigger and has escalated proportions that most of the time had wasn't related to the initial issue (Cahn and Abigail 2014, p. 16).

From another perspective productive conflicts happens when the problem is kept between parties and it is linked to the main issue. This reduces the wear and tear between people and negative feelings can be put aside. This can be done by each other and dealing with the conflict without getting involved emotionally. Conflicts are productive at the moment that there is control of the situation, there are no manipulations, people are flexible and the parties believe that the goal can be achieved and the people involved can keep a good relationship (Cahn and Abigail 2014, p. 17).

The situation goes in the direction that shows that there will be a negative or positive solution but it is important to pursue assertive communication. As Cahn and Abigail (2014) have noted:

When people choose not to engage in avoiding/accommodating, competing, or -passive-aggressive conflict communication and instead choose assertiveness by speaking up about their concerns, interests, and needs, they and their partners may both win, which is the essence of the collaborative approach to conflict management. Assertive communication is defined as the ability to speak up for one's interests, concerns, or rights in a way that does not interfere with the interests or infringes on the rights of others. Assertiveness is a means of avoiding gunny-sacking... Assertive communication behaviour gives others a chance to improve the situation, which is a good idea when a relationship is important to you. (Cahn and Abigail 2014, p. 83)

Together with the assertive communication there is a communication rights concept. When involved in a conflict it is a good exercise to ask yourself and the parties involved: is everyone having the chance to explain their point of view and being respected for it? Cahn and Abigail (2014) put the list below as the communication rights that every person has.

You have the right to: 1. Be listened to and taken seriously; 2. Say no, refuse requests, and turn down invitations without feeling guilty or being accused of selfishness; 3. Be treated as an adult with respect and consideration; 4. Expect that others do not talk to you in a condescending way; 5. Not feel what others want you to feel, not see the world as they would have; you perceive it, and not adopt their values as your own; 6. Have your own feelings and opinions as long as you express them in a way that doesn't violate the rights of others; 7. Have and express your interests, needs, and concerns as long as you do so in a responsible manner; 8. Change your opinions, feelings, needs, and behaviours ; 9. Meet other people and talk to them; 10. Privacy—to keep confidential or personal matters to yourself; 11. Have others leave you alone if you wish; 12. Ask others to listen to your ideas; 13. Ask for help or information from experts and professionals, especially when you are paying for it; 14. Not assert yourself, confront someone, or resolve a conflict; and, 15. Ask others to change their behaviour when it continues to violate your rights. (Cahn and Abigail 2014, p. 83)

In the workplace, in addition to interpersonal disputes, group disputes and conflicts can occur. Bruce Tuckman presented a five-phase model to explain the development of a group (Poole and Garner 2006, cited by Cahn and Abigail 2014, p. 272). The first phase is the forming phase. At this point people do not know each other and they do not know if they belong to this group. A lot of expectations arise and people are trying to make their place in the group. Conflicts at that stage are about determining the function of each person and about creating the group's identity. The Storming phase is the second stage.

Now the group integrates. People already know their role internally, but they may not feel that their opinions are taken into account or their expectations may not be met. Management is responsible for creating an environment of mutual support and interdependence, and to make clear what the main objective of that group is. In the Norming phase, the group starts to deal with its conflicts, reaching a stage of structure. At this stage, the group begins to structure itself as a unit. Productivity levels go up. At this point, conflicts serve assist participants to become more united and stronger. In the performing phase, the group works in full unity, the positions are well defined, expectations are uniform in the group and the main goal becomes to reach the objective. The termination phase is the final phase where the work has already been developed and completed. Here, there may be problems of satisfaction and doubts about the future. These stages are progressive but there are variants that can make it return to previous stages. For example, the exchange of a participant, an unresolved conflict or when new goals are included and need to be defined (Cahn and Abigail 2014, p. 273-275).

Cahn and Abigail (2014) describe a system for dealing with conflicts. The S-TLC model Stop, Think, Listen, and Communicate. Stop and face that there is a problem and that there are possibly ways to solve it. Think of the possibilities of what can be done before acting. Thinking about the conflict helps to consider new and possible alternatives to solve it. Listening concerns observing the other person and to pay attention to yourself. Try to understand the other person, put yourself in the others shoes. Communicate in an assertive way. Communicate the problem in a positive way. Focus on interests, things in common, needs, and always observe the basic rights of communication aiming to solve the problem. This will not lead to violent confrontation or a break in the relationship. This system is focused to deal with conflicts in the interpersonal sphere (Cahn and Abigail 2014, p. 79-82).

Applying this system within group conflict management makes the Stop phase more difficult since each persons' time is more limited. People deal with colleagues for a certain number of hours during the day

and problems at work are usually left at work. The Thinking stage has no changes. The Listening stage is the meeting time that may help. Communicating is also about being assertive, maintaining the vision of basic communication rights, seeking to compromise and collaborate in solving the conflict instead of being passive-aggressive or accommodated, that can lead to an escalation of the problem (Cahn and Abigail 2014, p. 277-278).

These are the considerations of conflict and communication adopted by this research. They offer to this study the basic principles of conceptualization and correlation that makes the results expected viable and trustworthy. Obviously, there are many more studies on the subject, however the chosen literature is based on temporality and the connection with the proposal presented here.

2.2 Organisational Communication

In communication studies, organisational communication is the study of communication within organisations. The flow of communication could be either formal or informal process and also, could be internal and external. The field traces its lineage through business information, business communication, and early mass communication studies published in through the organisational communication. There are major forms of communication in organisations and are prominently addressed in the organisational communication literature.

A vital part of a company is its culture. It effects on a good Organisational Communication in a business and get employees engaged with their activities. There are lower turnover rates once people are not too frustrated because of misunderstandings, and they can be encouraged to put themselves in someone else's shoes (The Chartered Management Institute 2015, p. 1) and the consequence is satisfied customers.

As it is observable, communication is an important key for the organisation working properly. “Internal Communication is the imparting, sharing and exchanging of information and messages within an organisation, between managers and employees, and across functions and departments” (The Chartered Management Institute 2015, p. 160). To put this internal communication to work, and work well, there are some channels that can be used. They are face-to-face, online (email, social media, intranets and so on), paper (letters, reports, newsletters and others) and video/audio (calls, video conferences and others forms). The channels can be used by themselves or combined. The decision of which one to use and how many is made by the management and depends on the size, the location and the style of the company (The Chartered Management Institute 2015, p. 162).

On the other side the external communication is the way that the company exposes itself publically. It consists of the creation and maintaining of the company’s reputation. The principal agent for this kind of communication is the public relations department. The external communication objectives are to improve the company’s image, promote a knowledge of services, brand or product aiming to amplify the company, develop business relationships and, improve the recruitment and engagement of the staff (The Chartered Management Institute 2015, p. 206-207).

Formal and informal communication process are two correlated ways to share information and are both inside the organisational structure. Both of them are positively associated with a satisfied communication process. Formal communication follows the formal hierarchy and structure flow of the company. This can be determined by the importance of the data that has to be communicated and how important it is for employees to understand it clearly and be informed by their superior formally. Informal communication, also important, is about individual interaction. People inevitably will make friends and share personal and job information through chats or talks. And this is also a day-to-day communication process (Abdollahi and Kandlousi *et al.* 2010).

Once the company has decided its own way to work through communication, the important thing that has to be communicated is the Culture of the company. The mission, the vision, values and strategy of the organisation will ensure people know what they are doing and what are the goals of the company. Communicate any change especially when it affects the employee's day to day activities. And it is important to communicate the performance of the business. This shows to everybody the level of growth of the organisation or they can realize what can be done to improve (The Chartered Management Institute 2015, p. 165).

Even if a business does all these steps properly, communicate everything as clearly as possible the communication still can fail. This is probably internal or external (or both combined) processes not being implemented correctly from the beginning. The company is considering that it is more important to move forward than to realize how the process should work properly. Effective communication can provide increased productivity and faster solutions to problems; problems can be seen earlier; clearer and more specific marketing messages; it can be an opportunity to have a good influence; financially can increase the results; stronger employees can be better decision makers and the employees can be more engaged that leads to greater satisfaction and lower turnover. This is why communication is important for all businesses (Boove and Thill 2016, p. 49).

What makes business communication effective: "provide practical information" (explain what the company needs and plans); "give facts rather than vague impressions" (all the information is based and presented in ethical, trustful and correct ways); "present information in a concise, efficient manner" (clear message); "clarify expectations and responsibilities" (all settings are determined and everyone knows his own responsibility); and, "offer compelling, persuasive arguments and recommendations" (show people the benefits of proper participation in the process). If the communication is bad, it creates confusion and misunderstandings in the workplace. For employees this means a bad working

environment and mistrust towards the managers and can lead to more conflicts, rupture in relationships and the loss of good professionals (Boove and Thill 2016, p. 50).

Lastly, the main purpose of this chapter is to expose the basic concepts and the most relevant theories of organisational communication that are suitable for this study. Despite many others theories and studies that exist, the main objective has been reached here. This field is in constant growth, new studies are developed all the time but based on the previous studies the authors and theories chosen are still important for the field.

2.3 Organisational Culture

Organisational Culture is “viewed as something that an organisation has... Is a variable that can be used to describe attributes of an organisation related to its appearance, behaviours, and beliefs, but is primarily interested in the implications of organisational culture, as manifested in these attributes, for the performance of the organisation” (Kumemerow and Kirby 2014, p. 84). Basically, organisational culture is the distinguished way that each company develops their activities in all matters. How they dress, how they deal with customers, subcontractors, and with their colleagues, how the hierarchy works, the office layout, internal and external communication and everything that involves the company activities.

AIB

In AIB, our principal Brand Value is ‘we put our customers first’. This has been developed by our people and our customers. We want our customers to have a superior experience in each and

every interaction with us. This means that we are understanding our customers because we listen to them, recognise their financial needs and offer them solutions that meet those needs. We are embedding this in the Culture of our organisation and making it visible in everything we do. (AIB Group)¹

AerLinus

Aer Lingus should always be a fulfilling and enjoyable place to work. We know this enthusiasm rubs off on our guests, and we also recognise the crucial role each and every one of us plays in helping to create a culture where we work together towards a common goal. How we work together is as important as the results we achieve. Team, Humanity, Performance, Courage, and Honesty. (Aer Lingus Website).²

Tesco

It's about listening to people and talking to them using all the tools at our disposal – from Clubcard data to social media – and then acting by changing and innovating to meet their needs. We know that creating a culture of trust and respect for our colleagues is essential to the success of Tesco. (Tesco Website)³

Before starting to write about corporate culture, research in some companies culture was an interesting exercise. It was easy to find on the Internet what are the most important directives for the companies

¹ More information at: Welcome to AIB Group. Available: <https://group.aib.ie/> [accessed 03 Mar 2020].

² More information at: Our values and behaviours define us as part of Aer Lingus. Available: <https://www.aerlingus.com/careers/graduate-recruitment/values/> [accessed 03 Mar 2020].

³ More information at: How the Tesco Values influence the way we work. Available: <https://roi.tesco-careers.com/explore-our-world/our-culture/> [accessed 03 Mar 2020].

above. Also, it is clear that they put the customer in the first place, once this is the key of a successful company, keep their costumers satisfied. As well as having a motivated working team because the company needs them to keep the business working properly and a good environment it is vital.

The establishment and embedding of good communication practices within the Culture of an organisation facilitates the free flow of information and ideas, and the successful dissemination of information. Communicating the organisations vision, mission, values and strategy clearly and transparently will enable employees to see how their role fits within the wider goals of the business, thus aiding motivation and commitment to achieving organisational objectives. (The Chartered Management Institute 2015, p. 160)

Even though, with these examples it is easy to realize the main criteria of the organisational Culture: each company has its own and it is unique. There are two more theories studied about the corporate culture. The first one is the Harrison's and Handy's theory. This explains about the four categories of the organisational culture. In this case organisational culture is "power-oriented: organisations dominated by charismatic or autocratic founders; achievement-oriented: organisations dominated by task results; role-oriented: public bureaucracies; and, support-oriented: non-profits or religious organisations" (Schein and Schein 2017, p. 201). This theory, although it is really important for the field, it is not really applicable for this research once this proposal focuses on the communication and conflicts that can arise related to it and not about the structure itself. Even though as an important theory it is valid to be explained.

The second one, the Schein's theory is about layers. It shown that the company's Culture has three layers in its structure. Artefacts and symbols (what can be seen in the organisation, from the layout to the way that people dress), exposed values (the rules that each company has) basic underlying assumptions (the common sense of the organisational behaviour of each element inside the organisation). Each of these

elements is singular for each company. This means that to understanding each company deeply the layers have to be peeled and then it will be possible to understand what are the directives of the company. Also, this exercise enables management of the Culture (Schein and Schein 2017, p. 175-176).

There are two types of corporate culture: strong and weak. A strong culture is defined as a culture where everyone gets involved, it is bureaucratic, stable and hard to change. But it can not be sustainable if the whole culture contributes the appearance to conflicts (Schein and Schein 2017, p. 242). A weak culture is usually not known by everybody, it is inconsistent, fluid and fairly bureaucratic. Usually it happens in groups that constantly change and people make more assumptions than consistent information sharing (Kumemerow and Kirby 2014, p. 130). This can not be seen as positive or negative approach. Sometimes a strong or weak culture can be good for a company and bad for another. It all depends on what is the company purpose and how the leadership deals with the culture. It is noted that the Culture is really correlated with the high office managers of the companies. "Ultimately, a culture's effectiveness depends on the extent to which the assumptions it supports are aligned with the realities of its environment" (Kumemerow and Kirby 2014, p. 118).

The leadership is the heart and the guide of the organisational culture. Sometimes a culture can be toxic leading to liability for the company. For that reason, there is a possibility to change the culture but as its nature is unique as DNA, this change can be really difficult. The change is correlated with the high positions. An intelligent corporate culture can lead to a successful organisation, creating a healthy and quickly growing environment (O'Donnan 2006, p. 54).

Although there are many other aspects of organisational culture for this study, the aspect analysed up to this now is the most significant for understanding the basic premise of this study. The resolution of conflict using communication within organisations and their possibilities.

2.4 Mediation and its Commercial aspects

Considering the number of options for ADRs (Alternative Dispute Resolution), the focus for this study is mediation. This option has an objective focus on the applicability of mediation, specifically commercial mediation. Mediation is a form of dispute resolution; it is more often mentioned because it saves time and money when compared to litigation. It is a private, voluntary (the parties can leave at any moment they desire) and confidential process where, basically, a third and impartial person (or people) helps the parties involved in a conflict to find a solution. This solution emerges from the parties, they are the centre of the process and through communication they will be able to reach a satisfactory result for both parties. This makes the results strong, once the parties feel that their interests are considered. It is important to reference that the agreement settled between the parties can be legally binding if they want to do so (Kriesberg and Dayton 2012, p. 215-216).

Commercial mediation is one of the types of mediation. The structure of the process is the same however the focus of action is the business. Companies, international treaties, workplace disputes, all conflicts that may exist in this sphere can be dealt with by commercial mediation. Esplugues and Marquis (2015) say that Mediation has been used by civil and commercial interests. For him “practice tends to show that despite this plain reference to civil and commercial matters, not much resource to mediation in business has so far been made in many countries of the world” (Esplugues and Marquis 2015, p.25). This means that still there are many options and spaces to be explored and that the potential of mediation is not totally used so far.

Also, mediation is the most well-known form of ADRs. For Fenn (2012) “Mediation is the most widely used and accepted ADR technique” (Fenn 2012, p. 66). Also its details are more suitable for reaching the expected results. Meanwhile, communication is pointed to as the key to this process, which makes the most important points of this research (Mediation and Communication) fully correlated. “In a Mediation process a neutral third party facilitates communication between the conflicting parties so that they may work out their own acceptable agreement” (Cahn and Abigail 2014, p. 249). Therefore, the mediation process provides a chance for the parties to communicate in a neutral place and with a neutral person that helps them.

There are lots of discussions about where the Mediation process was started. Was it China? England? USA in the 70s? (Fenn 2012, p. 60). For this study the most important thing is not where but how the process became recognized and used around the world and how the countries started thinking together to deal with disputes between them by creating a model that can be used for any country that is interested in the process. In 1985, UNCITRAL Model Law was created with the purpose to standardise and modernise mediation laws. The project is a reference. Countries and governments interested in making their own laws uniform based on this model will have a standardised global system. As the UNCITRAL Organisation explains:

The Model Law is designed to assist States in reforming and modernizing their laws on Mediation procedure. It provides uniform rules in respect of the mediation process and aims at encouraging the use of mediation and ensuring greater predictability and certainty in its use. The Model Law was initially adopted in 2002. It was known as the “Model Law on International Commercial Conciliation”, and it covered the conciliation procedure. The Model Law has been amended in 2018 with the addition of a new section on international settlement agreements and their enforcement. The Model Law has been renamed

“Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation”. (UNCITRAL Model Law 2018).⁴

The Model Law has been adopted for many places such as, Ireland (beginning with the “Arbitration Act 2010”, based on the Model Law 2006 regulations (Lenny and Reichert *et al.* 2012, p.2) and the “Mediation Act 2017”), United Kingdom, some States in the USA, Canada, Central African Republic, Congo, France, Belgium, and others (UNCITRAL Model Law 2002).⁵ As examples of legislation there is the “The Mediation Act 2017”, in Ireland, the “Uniform Mediation Act 2003”⁶ in the USA, just to cite some of the them. This demonstrates the efforts of countries to unify a mediation process (precisely commercial mediation) between them.

The “Mediation Act 2017” is the main law pertaining to the mediation process in Ireland. The act recognises mediation as a process, it clarifies all the steps of a mediation, exposes all the obligations and rights of the parties involved, as well as, the existing ways to appeal and maintain the results of the mediation processes. Also, this act reinforces the importance given to the mediation process, giving autonomy and independence to the area.⁷

The Mediation process, as any other, has its own rules. The process starts, when parties decide to try Mediation to solve their problems and contact a mediator (whether he/she is mutually agreed between the parties). At this point they are presented the agreement to mediate (where all the process is presented). Once the mediator is chosen, there is the first meeting with the parties, usually individually (sometimes

⁴ More information at: https://uncitral.un.org/en/texts/mediation/modellaw/commercial_conciliation [accessed 02 Apr 2020].

⁵ More information at: https://uncitral.un.org/en/texts/arbitration/modellaw/commercial_conciliation/status [accessed 30 Mar 2020].

⁶ More information at: Available: <https://www.cpradr.org/news-publications/articles/2005-06-16-legislation-where-the-uniform-mediation-act-stands-in-the-states-web> [accessed 10 Apr 2020].

⁷ More information at: <http://www.irishstatutebook.ie/eli/2017/act/27/section/4/enacted/en/html#sec4> [accessed 08 Apr 2020]

it is also called a caucus “in which the mediator steps aside with one disputant for a private discussion”) (Cahn and Abigail 2014, p. 257). They explain all their own significant understanding of the conflict and after that the first common meeting is planned. This is called the negotiation phase when the real exchange of information between the parties happens. Then the final part of the process occurs, if everything goes right, with a Mediation agreement with the solution for the conflict (Cahn and Abigail 2014, p. 254).

A mediator has some rules that have to be followed to make to process work properly (by not following them the process is a failure). A mediator facilitates the communication between the parties. They should be neutral, impartial, assisting the parties to reach an agreement but not giving any legal advice. It is not a mediator role to say what is right or wrong. He/she is more a person that views the problem from an outside perspective and encourages the parties to deal with the possibilities, the weakness and the strengths of the conflict in order to reach a solution reasonable for both parties (Cahn and Abigail 2014, P 251).

There are some types of mediation that vary depending on the way that the mediator is involved in it. The mediation can be facilitative (the mediator just helps the parties by facilitating the communication), evaluative (the mediator offers opinions and feedback about the process), narrative (history telling), transformative (it is a way to improve communication and transform the relationship of the parties involved) (Fenn 2012, p.62-63). The most acceptable variation is the facilitative. However, for the purpose of this study, the facilitative and the transformative will be the most considered as they are more suitable for commercial mediation. “Most facilitative mediators agree to a contingency approach to mediation. Perhaps the mediator acts more as a problem solver, assisting the parties in designing and searching for creative solutions. The mediator might act as a transformer, transforming the dispute by allowing the parties a fresh insight into the issues and the is positions” (Fenn 2012, p. 66). Chern (2015),

in his book “The commercial mediator handbook”, emphasises the facilitative and the transformative process:

Many people prefer mediation being a facilitative process because they feel that it enables the parties to narrow the issues or assess the merits of their case through the specific non-judgmental guidance and assistance given by the mediators. Transformative mediation is based on the values of ‘empowerment’ of each of the parties as much as possible, and ‘recognition’ by each of the parties of the other party’s needs, interests, values and points of view. The potential for transformative mediation is that any or all parties or their relationships may be transformed during the mediation. Transformative mediators meet with parties together, since only they can give each other ‘recognition’. In some ways, the values of transformative mediation mirror those of early facilitative mediation in its interest in empowering parties and transformation. Early facilitative mediators fully expected to transform society with these pro-peace techniques. Today, transformative mediators want to continue that process by allowing and supporting the parties in mediation to determine the direction of their own process. In transformative mediation, the parties structure both the process and the outcome of mediation, and the mediator follows their lead. (Chern 2015, p. 240-245).

Once the conceptualisation of what and how mediation is done, it is necessary to expose why to choose Mediation. It is a consensual process where they parties can decide to continue or given up at any time; the parties have the control of the outcome; it is, most of the time, low cost and time saving; keeps the relationships; it is confidential; and it is a creative process, it is not limited by legal statements, so all aspects can be explored (Fenn 2012, p. 69). “Mediation restores communication and helps to normalize relations. Mediation allows for full participation by the conflicting parties. Mediation has a high success rate. It is estimated that “once the disputants have agreed to mediate, at least 80% of the time they are able to work out an agreement that is acceptable to both of them” (Cahn and Abigail 2014, p. 249).

Summarising the benefits obtained from a mediation process. It is consensual, an advisor, as a neutral mediator will assist the parties in their dispute. The control is in the parties' hands. They agree a venue, day, time and agenda. It is cost saving, once it is less expensive than court. It allows the parties to keep their commercial relations or, even, bring new opportunities. It is confidential, the meetings are private, matters discussed in the conversations cannot be disclosed. Lastly, the process encourages creativity. The outcomes are not limited by law, interests can be taken into consideration to reach a solution (Fenn 2012, p. 69).

Commercial Mediation is one of the spheres where Mediation can be applied, others include family, sports and community. "Over the past several years, mediation has become much more of an accepted part of the commercial litigation process. Although there remains enormous room for growth, lawyers' and parties' familiarity with the process and willingness to use it has grown enormously" (Geronemus *et al* 2001).

The mediation process is the same process that will be applied in a commercial dispute. It is usually determined by contract that if any dispute arises, between the parties, it will be solved by Mediation. Riskin (2003) shows that the mediation process has been explored as an alternative within the commercial scope:

Generally, disputants in this type of dispute already will have tried to achieve a settlement through negotiations-sometimes extensive negotiations. Hence, positions already are likely to be well entrenched, and a non-judgmental approach to finding common ground is unlikely to add much value. A mediator in a commercial dispute, if he or she is technically grounded in the subject matter of the dispute, actually can add value by making and sharing well-founded judgments about the respective positions' strengths and weaknesses. The evaluative mediator also can make informed projection about the likely about the likely outcome for each party if the dispute is permitted to go to the next stage of resolution, i.e., arbitration

or litigation. The nature of contract disputes and the presence of a dispute clause in the contract provide a natural setting for a formal mediation process that may bear a strong resemblance to an arbitration process. Such processes keep the parties focused on the substance⁵ of the dispute and are conducive to overcoming earlier posturing and manoeuvring. (Riskin et al 2003).

Despite all the benefits that come with mediation, there are also a few observations that must be considered. Some mediations can be more time consuming and costly if the parties refuse to engage or if the mediator is expensive. Also, some cases may not reach an agreement. Some critics of the process mention that there is too much pressure on the parties to solve the problem. Finally there are situations where the parties do not know what they want or may get from a Mediation process, that can cause dissatisfaction and further unhappiness with the results (Fenn 2012, p. 64). However, regardless of these details, mediation is still a process developing with good rates of problem solving and is well accepted still with a vast field to grow.

Mediation is a relatively new process. It has been forming strengthening nowadays and although its rules and its operating process are clear, many studies are still being developed. This study is based on the concepts presented here and understands that the mutability of the subject is so great before other sources are concluded in its analysis phase.

Developing a study entails researching the topic, analysing the best way to test the theory, and choosing how to describe the data obtained as results in order to better explain the findings. In this research, once the theoretical basis has been done now it is time to collect evidence that can support the arguments in this dissertation and decide the alternatives that can be used to expose them. In their text on the subject of research methods, Saunders, Lewis and Thornhill explain the steps that can be followed to conduct research that may produce a trustworthy result:

Only phenomena that you can observe will lead to the production of credible data. To generate a research strategy to collect these data you are likely to use existing theory to develop hypotheses. These hypotheses will be tested and confirmed, in whole or part, or refuted, leading to further development of theory which then may be tested by further research. (Saunders and Thornhill 2007, p. 103).

There is a significant number of possibilities in how to approach a study. In particular, for this one a positivist or postpositivist philosophy was chosen. Firstly, this research intends to promote an observable study and quantify a social reality (the way that companies are dealing with internal disputes and if the Organisational Communication and the Commercial Mediation could systematically be a way to solve them). Positivism adheres to the view that only “factual” knowledge gained through observation, including measurement, is trustworthy. In positivism studies the role of the researcher is limited to data collection and interpretation in an objective way. In these types of studies research findings are usually observable and quantifiable. Creswell and Creswell explain the concept of positivism and postpositivism below:

This worldview is sometimes called the scientific method, or doing science research. It is also called positivist/postpositivist research, empirical science, and postpositivism. This last term is called postpositivism because it represents the thinking after positivism, challenging the traditional notion of the absolute truth of knowledge (Phillips & Burbules, 2000) and recognizing that we cannot be absolutely positive about our claims of knowledge when studying the behavior and actions of humans. Thus, the problems studied by postpositivists reflect the need to identify and assess the causes that influence outcomes, such as those found in experiments. It is also reductionistic in that the intent is to reduce the ideas into a small, discrete set to test, such as the variables that comprise hypotheses and research questions. The knowledge that develops through a postpositivist lens is based on careful observation and measurement of the objective reality that exists “out there” in the world. Thus, developing numeric measures of observations and studying the behavior of individuals becomes paramount for a postpositivist. (Creswell and Creswell 2018, p. 44)

Following this path, a deductive approach will be applied. This research seeks to prove that the Mediation Process combined with the Organisational Communication can improve the workplace environment by, not only reducing conflicts, but also by implementing an efficient way do deal with conflicts through communication. The deductive model of doing a research test or check a theory is based on “examining hypotheses or questions derived from it” (Creswell and Creswell 2018, p. 100). That is the reason for choosing this approach. This hypothesis is based on an existing theory that will be tested by questionnaire, that is seen in deductive approach in a research. Also, in this case it will be from the particular to the general, for this reason the deductive approach is more suitable. A deductive design might test to see if it is possible to explain causal relationships between concepts and variables, to measure concepts quantitatively and, to generalize research findings to a certain point. Saunders, Lewis and Thornhill observed the characteristics of the deductive approach. They are “the control to allow the testing of hypotheses, structured methodology, concepts need to be operational in a way that enables

facts to be measured quantitatively. Reduce the problem to the simplest possible elements and is generalist, in order to generalise statistically, a social reality, through a sample of a numerical size” (Saunders and Thornhill 2007, p. 118).

A multi-method (qualitative/quantitative) is the option chosen to collect and analysing the data in this research. As Saunders, Lewis and Thornhill explain “mixed methods research is an approach to inquiry involving collecting both quantitative and qualitative data, integrating the two forms of data, and using distinct designs that may involve philosophical assumptions and theoretical frameworks” (Creswell and Creswell 2018, p. 42). Also, with a mixed method it is possible to explore more possibilities of the results of the research. By qualitative analysis this study will be based on theories and studies previously developed. This means that the majority of the studies and research applied in this study already exists. The interpretation of the facts has been done through categorization, summarization and contextualization of the studied subject. By quantitative the objective is expressed in numbers and graphics that was found out by the application of a questionnaire. Mixed methods research is more specific in that it includes the mixing of qualitative and quantitative data. This approach to academic research emphasizes that multi-method research can be improved through the use of multiple data, methods, research, methodologies, perspectives, standpoints, and paradigms.

The timing horizon will be cross sectional because it will be in a particular time (until 2020 March). This time was determined because it is important to delimit the references. If new studies appear after that date, they could not be included in this research since it will be nearing completion. Even though this research is seeking to be as updated as possible, this delay could be one of the limitations in relation to the literature review. It is also important determine the particular group on which the study will be based. This group will be represented by employees of large, medium and small companies.

Grounded theory is a research method concerned with the generation of theory, which is based on data that has been systematically collected and analysed. It is used to uncover such things as social relationships and behaviours of groups, known as social processes. It is a general methodology for developing theory that is grounded in data which is systematically gathered and analysed. Once most of the theories applied in this study are already developed, this means that:

The theory is “grounded” in actual data, which means the analysis and development of theories happens after you have collected the data. It was introduced by Glaser & Strauss in 1967 to legitimize qualitative research. However, it’s use isn’t limited to qualitative studies; it is a general method that can be applied to many areas of research. (Data Science Central) ⁸

The strategies to develop this research will be grounded theory and questionnaire. Since the study will be based on pre-existing theories that will be proven (or not) through the questionnaire applied to the study group. A sample is “a subset of a population” (Salkind 2000, p. 86), and this is what this research will look for, a realistic sample that will provide the results expected (or not). Given the existing types a systematic sampling will be the choice. The systematic sampling implies that “the population that will be researched has important points in common” (Salkind 2000, p. 95). Thus, a sample of at least 100 employees will be needed to answer the questionnaire and give back a reasonable picture of reality. Assuming that “a sample should be big enough to answer the research question, but not so big that the process of sampling becomes uneconomical” (Salkind 2000, p. 90). Creswell and Creswell (2018) define the grounded theory as:

⁸ More information at: <https://www.statisticshowto.datasciencecentral.com/grounded-theory/> [accessed 17 Mar 2020].

A design of inquiry from sociology in which the researcher derives a general, abstract theory of a process, action, or interaction grounded in the views of participants. This process involves using multiple stages of data collection and the refinement and interrelationship of categories of information. (Charmaz 2006; Corbin & Strauss 2007, 2015, as cited in Cresweel and Creswell 2018, p. 50)

One of the data collection options will be a questionnaire once it can be used to collect both quantitative and qualitative data, although the level of detail in the qualitative sphere will be reduced. A questionnaire “provides a quantitative or numeric description of trends, attitudes, or opinions of a population by studying a sample of that population. It includes cross-sectional and longitudinal studies using questionnaires or structured interviews for data collection—with the intent of generalizing from a sample to a population” (Fowler 2008, as cited in Creswell and Creswell 2018, p. 50). The questionnaire will consist of 21 questions and will be published on LinkedIn (applied between 18th March to 8th April of 2020). Data collection is a process of collecting information from all the relevant sources to find answers to the research problem, test the hypothesis and evaluate the outcomes. Data collection methods can be divided into two categories: primary methods of data collection (first time findings collected by the researcher for the investigation and used on a particular study), and secondary methods of data collection (data used and collected by others). For this research both options will be used. First, the grounded theory represented by the theory that already exists and has been used to prove aims and objects, and second, a primary resource represented by the application of a questionnaire, also being used to prove the main questions of the research.

The data analysis will be for the quantitative part descriptive statistics based on summarizing the data and find patterns. This will be very useful because in this study the sample is limited and does not need to be generalized. A grounded theory will be used for the qualitative part: This refers to using qualitative data to explain why a certain phenomenon happened. It does this by studying a variety of similar cases

in different settings and using the data to derive causal explanations. For Salkind, this is called “descriptive” because they describe the general characteristics of a set or distribution of scores. In effect, they allow the researcher (or the reader of the research report) to get an accurate first impression of “what the data look like” (Salkind 2000, p. 90).

With this methodology and methods, it is expected to reach the aims and objectives of this research. From the proof of the hypothesis to the suggestion of a model of applicability of this research in a workplace environment. Even if the result did not go as expected, there would still be a proof, even if contrary to the original, to a theory.

CHAPTER 4 – Presentation of the data

The objective of this research, is to search for evidence that brings quantitative and qualitative answers to the paradigm of this study. It looks deeply into the correlation between communication, mediation and conflict management and how this correlation can positively affect the people that are involved in the process. Two steps were chosen to achieve this. First, a profound analysis related to the existing theories and studies was done on the subject. Second, a questionnaire was applied. The objective was to generate primary data to reinforce the proposal, that communication is the key for a mediation and conflict management process to be successful. It also, quantifying the results obtained.

Studies on organisational communication, conflicts and conflict management, organisational cultural and mediation were applied. Thus, a basis on how a company's internal processes are handled in relation to conflicts and communication and, how mediation fits into this scenario was shaped. The theory raised for this study makes clear the importance of the communication, in the process of the emergence of the conflict and in the process of its management. As well as, the communication being the key of the Mediation process.

Concomitantly, the application of the questionnaire also provided posts for analysis and reflection. The questionnaire was applied on LinkedIn, during the period between 18th March and 18th April 2020. The

goal was to achieve at least 100 responses. This number is able to provide a considerable scope to provide consistency to the study. Also, this number also represents an achievable goal without jeopardizing the completion and application dates of the study. The real number achieved was 113 responses in a 3-week period of application.

The questionnaire is composed of 21 questions divided by topics. Questions 1, 2, and 3 refer to personal statistics. Questions 4, 5, 6 and 7 are about the respondents' employment situation. Questions 8, 9, 10, 11 and 18 address the communication organisational and cultural organisational aspects. Questions 12, 13, 14 and 19 are related to conflict and its management. Questions 15, 16, 17 and 20 are about Mediation and its applicability in a company's environment. Finally, question 21 is open to any comment that the respondent would like to express.

4.1 Questionnaire Sample

*Master's Dissertation Questionnaire Research: Commercial Mediation, an Organisational
Communication approach*

My name is Caroline Machado and I am currently completing a Masters in Dispute Resolution at the Independent Colleges Dublin. I am conducting research on Commercial Mediation and Organisational Communication aiming to improve previous studies and applicability in both areas inside companies in order to provide a better environment. Prior to you answering this questionnaire I would like to explain some concepts. Every company has its own culture, basically it is the values, behaviours and shared targets that every single person contributes to achieve the main objectives of the organisation. In any

company people work together and develop a unique way to communicate internally, horizontally and vertically, in order to achieve individual and collective goals, this is called Organisational Communication. Once people are working together conflicts may arise. As an alternative to litigation or lawsuits companies can deal with these conflicts with Mediation. Mediation is an alternative dispute resolution method where a third impartial person helps the parties to solve their problems. When these conflicts are in a company, the Commercial Mediation is applied. This questionnaire consists of 21 questions and will take no longer than 15 minutes to complete. Your answers will be treated with complete confidentiality and you will be entirely anonymous. Thank you for taking the time to fill in this survey.

1. Gender:

Male

Female

Prefer not to say

2. Age:

18-25

26-35

36-45

46-55

56+

3. Education

High School

- College
- Bachelor degree
- Master Degree
- PHD

4. What is your current employment status?

- Employed
- Self Employed
- Unemployed

5. What is the current sector that you work on?

- Advertising & Marketing
- Arts
- Business/ Banking
- Engineering
- Finance
- Health
- Hospitality
- IT, software & computers
- Law or Legal Sector
- Life sciences
- Technologies
- Other: _____

6. How many co-workers in your current job?

<10

10-39

40-59

60-79

80-99

>100

7. How long have you been working in your current job?

Less than one year

1-5

6-10

11 years +

8. Do you know the Culture of the company that you work for?

Yes

No

9. Do you have any knowledge of Organisational Communication ?

Yes

No

10. Do you consider that the Culture of the company you work emphasises the importance of internal communication?

Yes

No

11. Do you consider that there are any tools of Organisational Communication applied in the company that you work for?

Yes

No

12. Do you consider that there is any sort of internal management of conflicts in the company that you work for?

Yes

No

13. Have you ever had a conflict at your job because of a communication issue?

Yes

No

14. Would you be interested in participating in a course or lecture about management of conflict?

Yes

No

15. Have you ever heard about Commercial Mediation?

Yes

No

16. Have you ever participated in any Mediation process, inside a place of employment or otherwise?

Yes

No

17. Would you consider participating in a Commercial Mediation process?

Yes

No

18. Are you willing to actively participate in an Organisational Communication process at the company that you work for in order to get better results in relationships and a healthier environment?

Yes

No

19. Have you ever considered leaving a job because of communication problems?

Yes

No

20. Which sector of the company do you think is responsible for dealing with an internal Mediation process?

HR

Management

Supervisor

Other: _____

21. Any other comments:

4.2 Questionnaire Charts

Figure 1 (question 1)

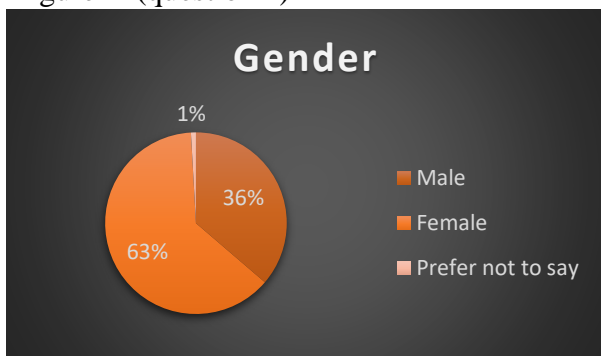


Figure 2 (question 2)

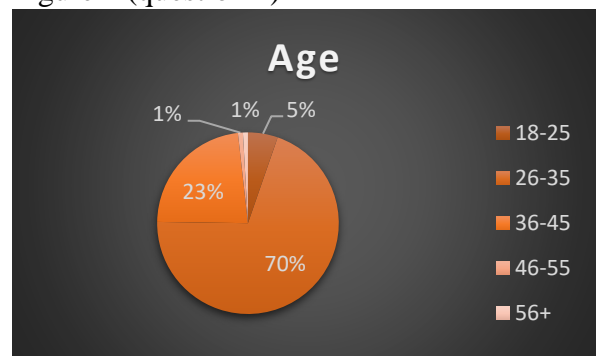


Figure 3 (question 3)

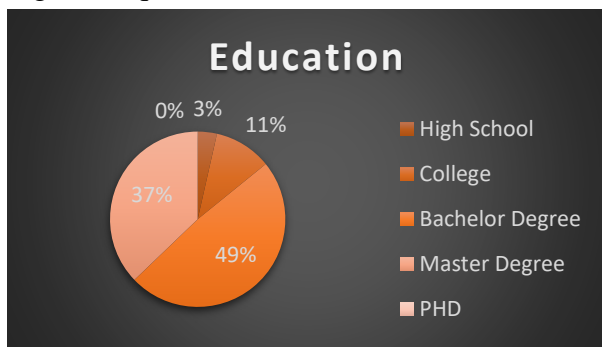


Figure 4 (question 4)

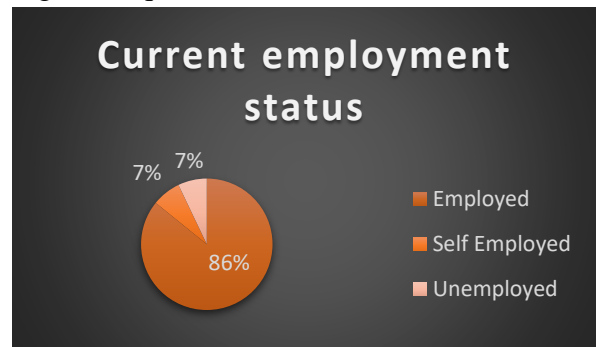


Figure 5 (question 5)

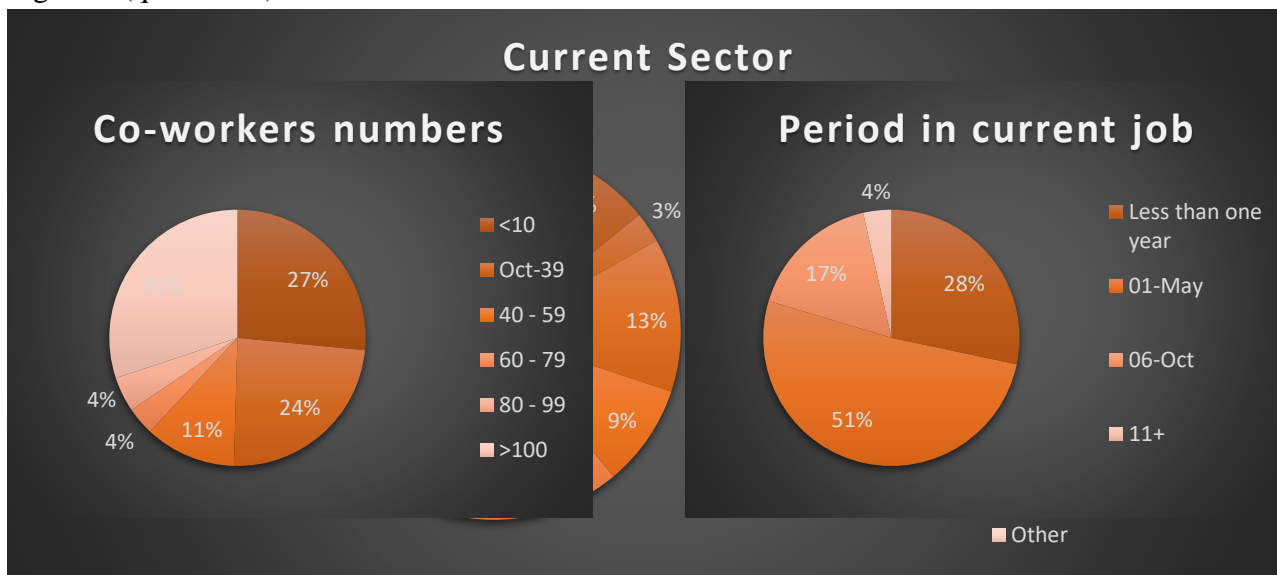


Figure 6 (question 6)

Figure 7 (question 7)

Figure 8 (question 8)

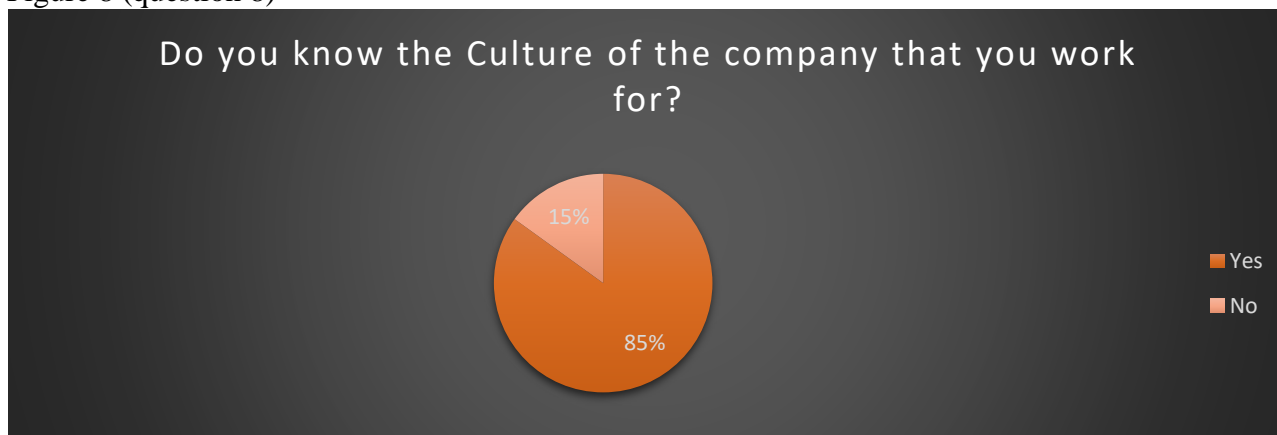


Figure 9 (question 9)



Figure 10 (question 10)

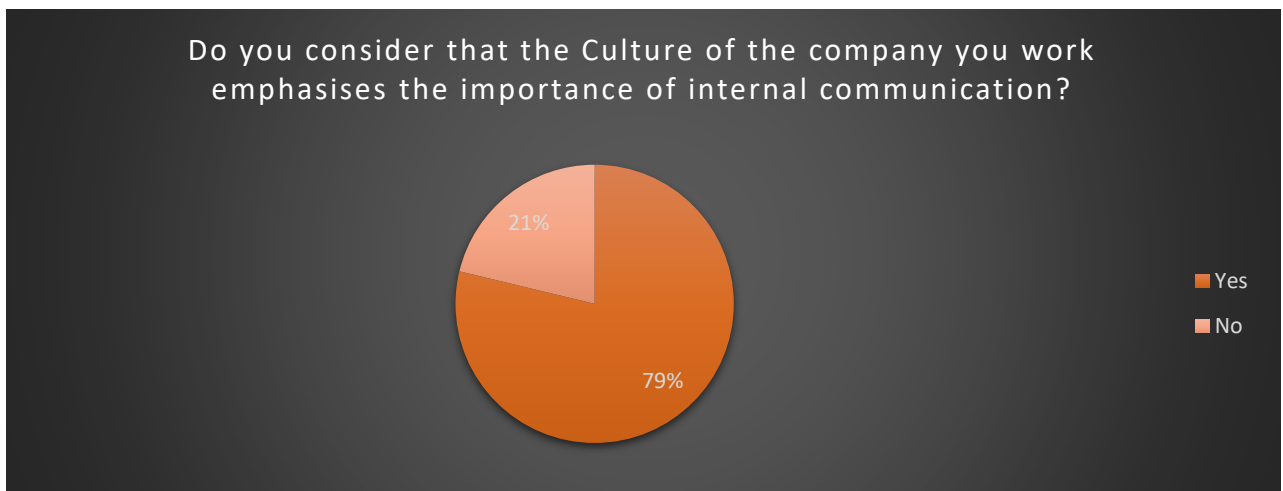


Figure 11 (Question 11)

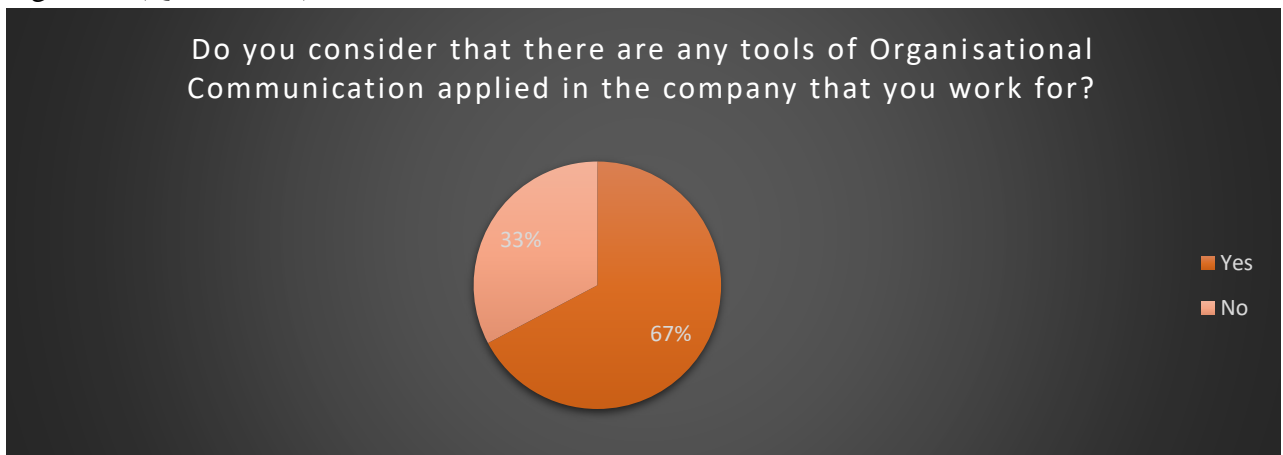


Figure 12 (question 12)

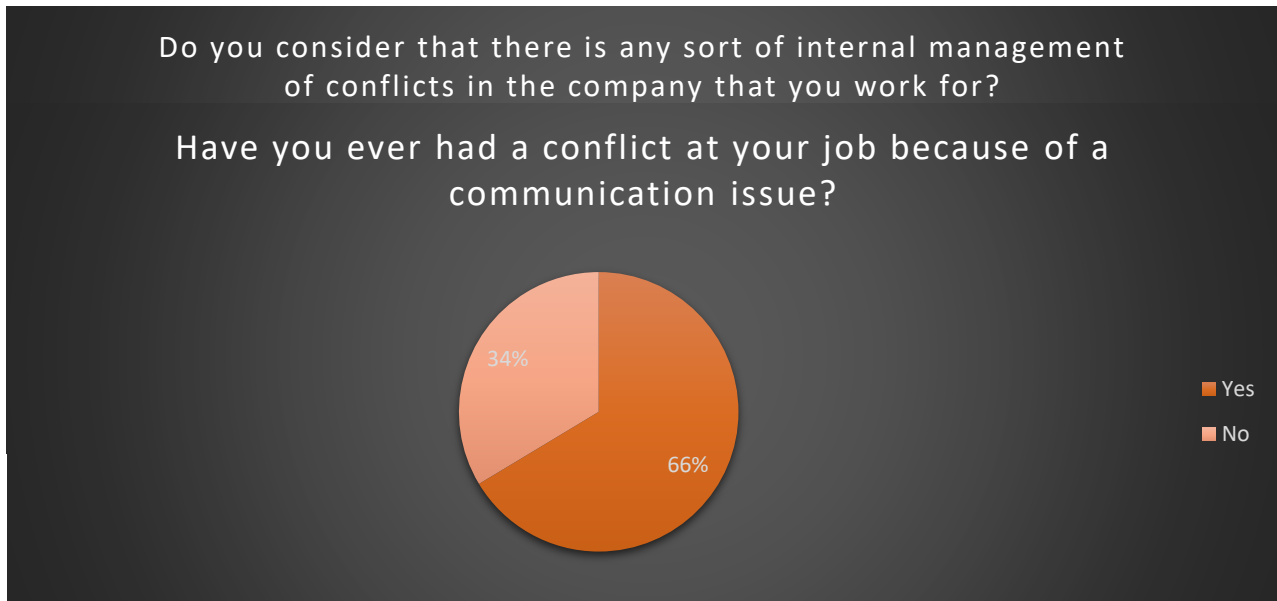


Figure 13 (question 13)

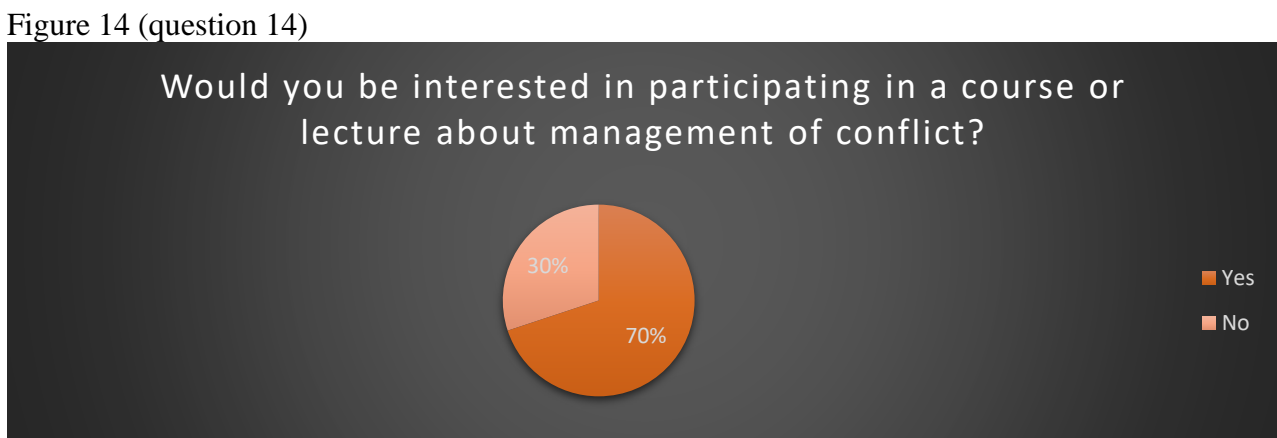


Figure 15 (question 15)

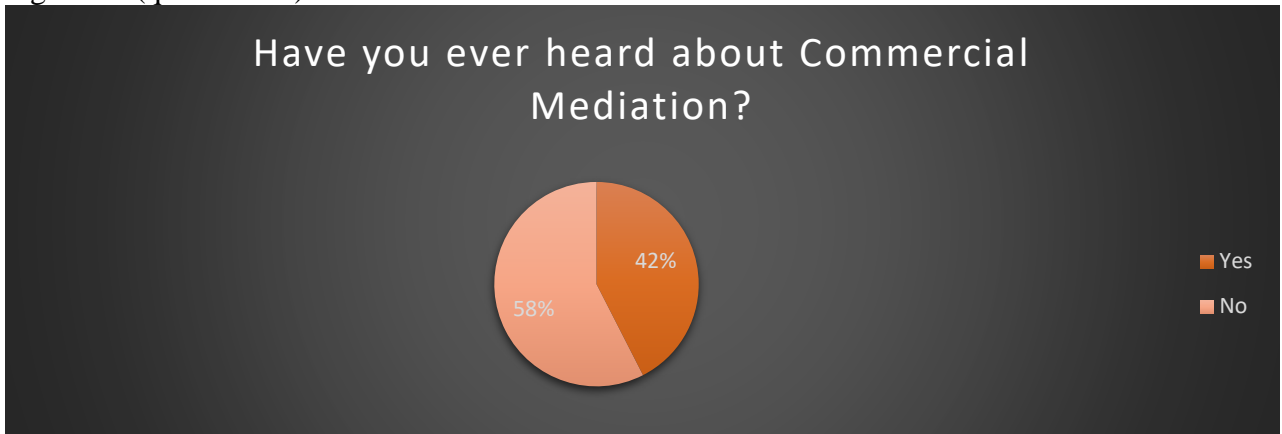


Figure 16 (question 16)

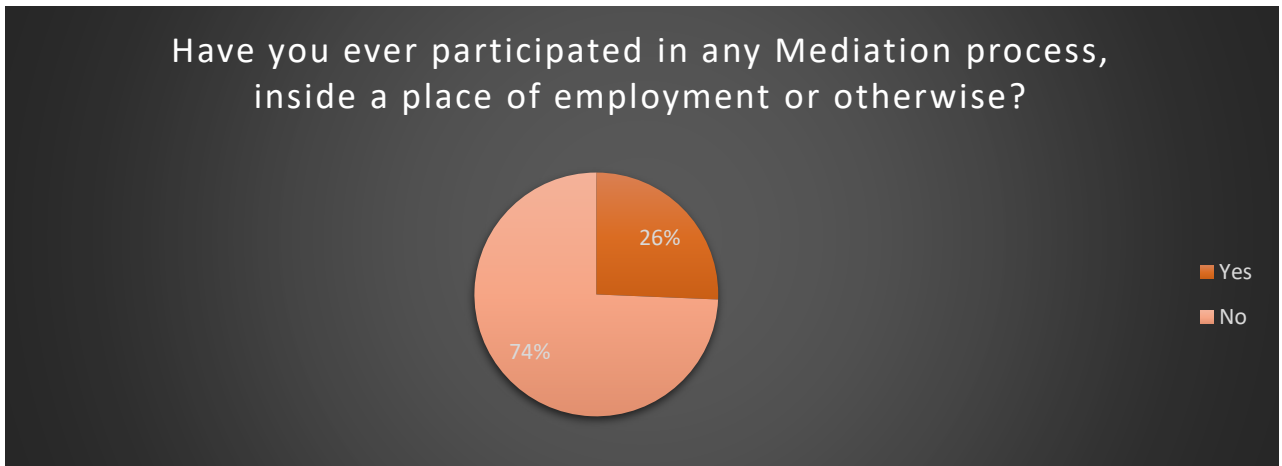
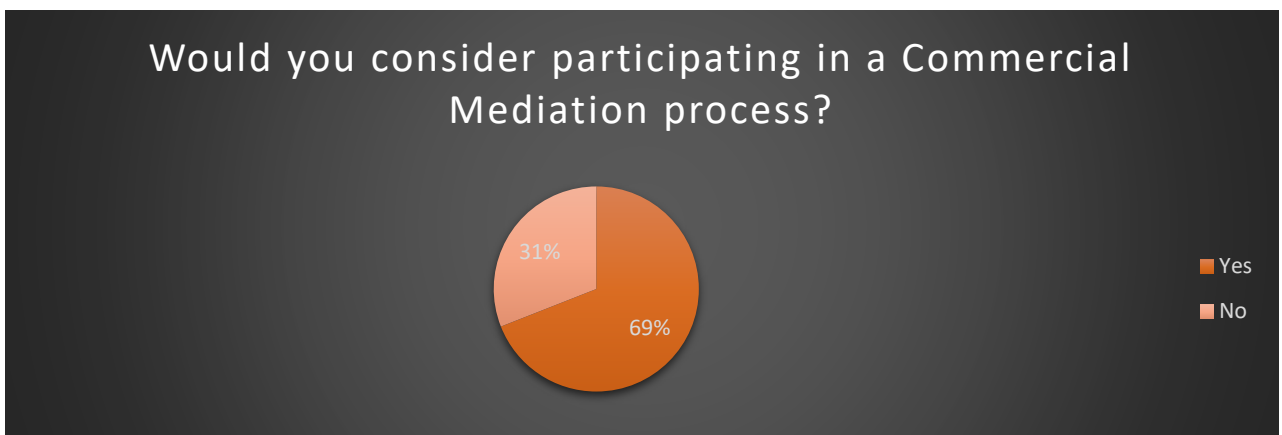


Figure 17 (question 17)



Are you willing to actively participate in an Organisational Communication process at the company that you work for in order to get better results in relationships and a healthier environment?



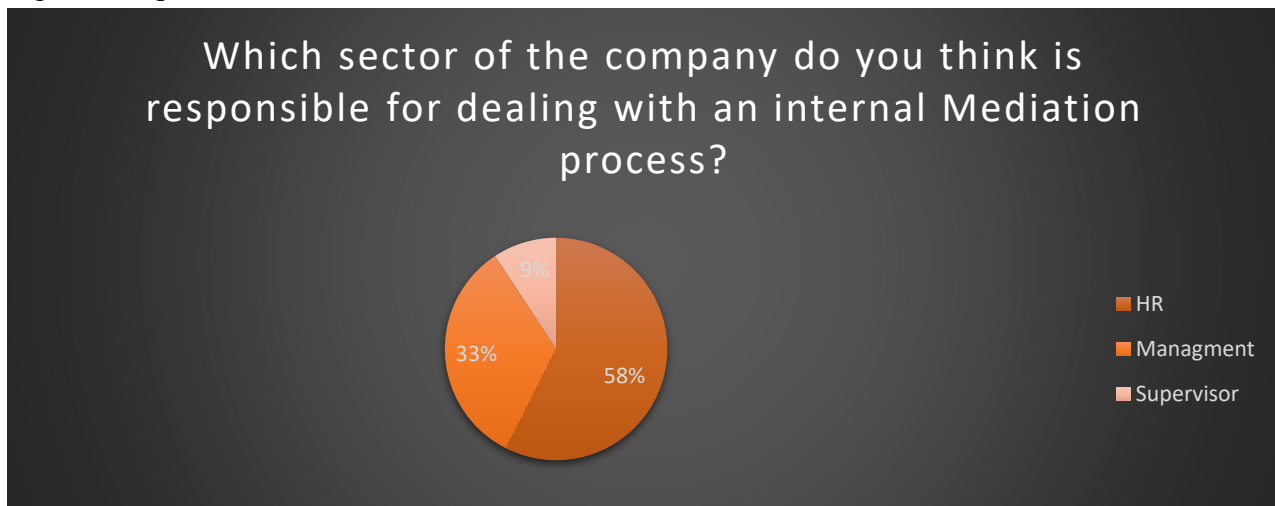
Figure 18 (question 18)

Have you ever considered leaving a job because of communication problems?



Figure 19 (question 19)

Figure 20 (question 20)



CHAPTER 5 – Data Analysis/Findings

The intention of this dissertation was to understand how the communication process has been used to solve conflicts from an organisational perspective, especially in relation to the applicability of mediation. Also, if, through communication the mediation process, can it be more effective in dealing with the conflict management. In this way, two perspectives are explored in this study. To understand a process that already occurs and to evaluate if this process is in accordance with the objectives proposed by this

research. Does communication really play a leading role when it comes to dealing with conflicts within a company?

Whereas this study was developed on theoretical basis and application of a questionnaire, to describe the results obtained, first, the responses of the questionnaire were detailed in the previous chapter. The questionnaire obtained 113 responses in a 3 week period.

To summarize the most important findings from this study: Communication is widely studied in the academic environment. It is seen as a key element in conflict management and in the mediation process. Conflicts are inevitable. However, a good conflict management strategy will strengthen any company. Mediation has been used to deal with disputes in the commercial area. Nevertheless, it is still a not well-known process, which shows that there is still room for growth in the sector. These conclusions are observed with the theoretical basis in the literature review chapter.

Most respondents in this study are women (62.8%), the predominant age group is between 26 and 35 years old (69.9%). More than half of respondents have, at least a bachelor's degree (85.9%), 85.8% are employed and 30.1% work for a company with more than 100 employees (a large company).

Observing the answers obtained through the questionnaire, the data found in the literature review is reinforced. Organisational culture is a process known by 85% (Figure 8) of the respondents with 32.3% of them working for a company with more than 100 employees. The Financial sector have 15.6% in contrast with the Technologies sector with 2% of the respondents. "Other" have the most numbers of answers with 36.4% (unfortunately, the respondents did not specify the sector of their jobs).

79% consider that the company that they work for have a culture that recognize the importance of the communication (Figure 10). Of those 31.4% work for a company with more than 100 employees. The

most prominent sector is IT, software & computers with 13.4% and the lowest is Life Sciences and Technologies both with 2.2%. Again “Other” has 28%.

72% of the respondents (Figure 9) know about organisational communication, most of them from large companies (35.5%) and from “Others” sector (24.6%) and Finance sector (16%). The lowest participation has come from Life sciences, Technologies and Engineering sectors with 2.2%, each. Also, 67% recognize that the company that they work for have been doing some sort of organisational communication process internally (Figure 11). The sector that has the most answers indicate “Other” as the sector with more people recognizing an organisational communication processes in the company (34,6%), but also Business/ Banking (12%), Finance (10,6%) and IT, software & computers (10,6%) have showed some expressiveness. On the other hand, Hospitality (9,2%), Health (8%), Advertising & Marketing (6,6%), Life Sciences (4%), Engineering (2.6%), and Technologies (2.6%) point out lower indices. In relation to the size of the company, it was exposed that 37.3% corresponded to employees of companies with more than 100 employees.

In the Figure 18 it appears that 89% of the responders are interested in participating in an organisational communication process. 70.3% of them work in a medium-sized company and 15.8% belong to Hospitality and 13.8% to Finance sector and only 0.1% belong to Technologies sector, even though 31.6% were in the “Other” sector. 67% of the people who answered the questionnaire (Figure 13) already have had some sort of conflict arisen from communication problems. The figure is 35.6% in large companies. The most affected sectors are Hospitality with 17.3% and the least affected is Technologies with 1.3%, but the most answers are placed in the “Other” sector with 26.3%. Figure 19 shows that 67% consider leaving a job because of a communication problem. Considering that 27.6% of them work for a small company (less than 10 employees) and the sector most affected, after the “Other” (32.8%), is the

Hospitality with 17.1% of the responses. And the least affected sector are Engineering and Technologies both with 1.3%.

In relation to conflict management 66% of the respondents (Figure 12) believe that there is a strategy in the company that they work for. The analysis shows that 50% of these work for medium-sized companies and 50% have at least a bachelor's degree. In Figure 14, 70% are interested in learning more about the conflict management process. The largest number of responses comes from people of medium-sized companies with 49.3%. As well as the largest number of responses came from individuals with a bachelor degree (49.3%).

With regards to commercial mediation, 58% of the respondents (Figure 15) do not know about it. There is an average among the size of the companies: small (26.15%), medium (32.3%) and large (41.5%). This shows that in general there is no knowledge of mediation in any company size, but large companies have the biggest instance of lack of knowledge. Figure 16 shows that 74.3% of them have never participated in a mediation process. This can demonstrate that the lack of knowledge can be the impetus to increase the number of people interested in participating in mediation. It also shows that there is still a field to be explored, through participation and clarification.

69% of the respondents (Figure 17) consider participating in a Mediation in order to solve commercial conflicts, that is a really interesting number since, as in the Figures 15 and 16 show, people don't really know the mediation process. Figure 20 shows that 58% of the respondents believe that Human Resources (HR) should be the responsible for handling a mediation process in a business environment. 35.5% of these responses belong to large companies, which demonstrates the strength and credibility of this sector specifically in this type of company.

CHAPTER 6 – Discussion

The main purpose of this dissertation was to explore the importance of the communication in a conflict management process and its importance in what concerns a mediation when applied in the commercial field. This is a well-known correlation, conflict and communication (or lack of it) and mediation and communication. The focus here was to demonstrate the importance of those areas and how its dependence could affect people in their workplace environment. A questionnaire was applied in order to quantify the findings.

In particular, this study looked across the strong relation between communication, conflict management and mediation. Its objectives were to show how this correlation could mitigate the effects of a lack of communication in companies and how the people involved consider it. Also, the study observed how people react in order to participate in an attempted to solve problems through conflict management and mediation. And, how the company can improve these tools of conflict management using mediation and encourage internal communication process.

The results obtained, in both scenarios (theory developed until now and the questionnaire responses), brought the same outcome. Communication is the key for the conflict management process, and it is also a key for the mediation process. Once conflicts are inevitable the important question is: how to handle the conflict in a way that makes the company strong and a healthy place for everybody?

Make people get involved. In the study 67% of the interviewees stated that they already have a problem related to communication, and 67% also consider leaving a job because of communication issues. In contrast, 89% were willing to participate in organisational communication processes, 70% would take a course or lecture in conflict management and, 69% would opt for a commercial Mediation to solve a

dispute. This shows that people are, overall, willing to deal with conflicts positively, rather than just escalating them, if they are given the opportunity and tools to do it so.

It is interesting to note that, as Figures 8-10 demonstrate, a lot of people are aware of the culture of their company and organisational communication. This is related to people that work for large companies (32.2%) and the sectors that appear better is Business and Hospitality. With respondents aged between 26-35.

As it has been shown most of the responses came from employees of large companies. However, in Figure 19, most of the responses came from employees of small companies. It is interesting that the employees of small companies showed less knowledge of the processes of communication, culture and conflict management. On the other hand, the largest number of people who would consider leaving a job due to communication problems are from small companies, this is because these companies maybe do not have mechanisms or have an inefficient way of dealing with conflicts that arise due to communication problems.

In relation to the knowledge of mediation the numbers are not that expressive, as they are in conflict management and communication. 58% of the respondents have no knowledge of mediation and 26% already participated in a mediation. Perhaps companies should make a greater effort to clarify the mediation process for their employees. Promoting this process is one of the conflict management tools.

The study observed that larger companies deal better with the conflict management process and with the internal communication processes. But that does not mean that small companies are inattentive to the subject. Perhaps costs of mediation could be an issue for small business. Medium-sized companies are also tending to improve their approach to communication and conflict management as shown in the Figure 14 and Figure 18.

Another important aspect to be pointed out is the sector of companies that stood out the most, positively and negatively. Even though the category “other” is the most mentioned, which makes it difficult to ensure accurate association, some sectors like Business, Finance and Hospitality almost always appear in second place, while sectors such as Technologies, Life Sciences and Engineering, appear several times in last place.

The Human Resources (HR) department, for 58% of respondents, would be the most efficient department of the company to promote conflict management or mediation. This makes perfect sense, since this department, as part of the recruitment and management of human resources, has already been dealing transparently with hiring, and other problems of the employees. This matches with the basic premise of the mediation process. A third party, in this case, could be HR, dealing with conflict solving situation in an impartial and confidential way. This department also proved to be very efficient in large companies, as shown in the Figure 20

This research reaffirmed that communication, conflict management and mediation can be used together as a way to improve a company’s environment for everyone. One of the answers of the respondents had special importance for this study: “I have joined the Communications and Community Affairs into the company where I have been working and now I can see in a close focus, how it is important to have a clean and transparent communication culture at the work environment”. This shows that people are really open to engaging and participating in a process that does make a place better. These results corroborate with the theoretical basis of this study. The review literature showed the same aspects obtained with the questionnaire

The author of this dissertation is enormously grateful for the support and commitment of the participants who shared personal information, believing in this research. They are the reason for maintaining the motivation for completing this study.

CHAPTER 7 – CONCLUSION

Conflict management and Mediation have some aspects in common, both seek to solve conflicts in different ways and perspectives, but communication is key for both processes. Also, communication is an essential process in all areas of an organisation, in its daily operations and activities. Observing these aspects, this study aims to reinforce this importance, looking at numbers to show that with communication, conflict management combined with mediation can form a strong company. In this way:

When internal communication channels work well, tasks can be carried out in an efficient and timely manner, and employees are informed and involved and feel more engaged, committed, and valued. In addition, relationships can flourish at all levels of the organisation, improving coordination and collaboration between bosses, peers and employees. (The Chartered Management Institute 2015, p. 160)

The first question proposed by this dissertation is about the communication process and the impact that it can make in a conflict management strategy. It was shown that communication is the accretive way to get an efficient result in conflicts. Communication is an open door for a company to have access to its employees and can solve problems of turn over, dissatisfaction and productivity, when well used. The second question made reference to the recognition that employees have of companies using any type of conflict management, especially mediation, as a tool to deal with conflicts within companies. The responses obtained through the questionnaire showed two aspects. First, the vast majority of employees know the culture of the company where they work and are willing to participate in a conflict management and mediation project and, in contrast, few know about mediation or already participated in some process.

But the important thing is the availability factor for engagement, which is high. The third question is how employees respond to the ways of dealing with conflict. As said before, employees are very positive in responding to ways of dealing with conflicts inside a company especially, that leads to the last question, when they feel they are part of it. This is the benefit in involving employees in communication processes, conflict management and company's culture.

This research was conducted to demonstrate that mediation combined with the techniques of conflict management combined with well-structured communication can determine some factors of the company. These factors include employee engagement, satisfaction with the company generating less turnover and productivity, as well as a healthy environment.

With the findings reached in this dissertation the author could consider some steps for any company that is interested in creating a system that resolving conflicts. The results of the survey indicate an appetite for training and lack of understanding of employees with respect to conflict management and mediation. That way, providing small courses or lectures for employees teaching the basic concepts of mediation, conflict resolution and organisational communication is a way of stimulating use. This would promote an internal commission of communication and conflict management by encouraging employees to talk about conflicting issues by seeking a participatory solution that will satisfy all parties. It would encourage the use of mediation, whether formal or informal, within companies as a tool for resolving conflicts between employees. Taking into account that this process involves all levels of the company, once employees must have the perception that conflicts are resolved equally.

Mediation strategies and techniques can improve the communication in the workplace and reduce the cases of internal disputes. Companies can use this as a management strategy seeking greater participation by employees making the mediation part of the organisation's culture. This process might reduce disputes between employees and employers and reduce the cases of staff turn-over. It should be noted that large

companies showed better performance in having communication and conflict management strategies. Some sectors stood out as those that use these aspects the most, such as Business, Finance, and Hospitality.

The reason why this dissertation is relevant to the field is because it considers the importance of communication within the workplace as an active tool in how to reach conflict management. Especially when it comes to mediation. It is also a relevant study within the workplace for professionals who seek to improve communication and conflict management processes within their companies. The objective of the study is to show that investing in communication, conflict management and using mediation as a tool can transform an environment into a potential prosperous and positive environment.

Specifically clarifying the main points of this study, the main questions were answered as expected. Reinforcing what had already been seen in the literature review with the answers obtained in the questionnaire the findings indicate that communication is the key to mediation and the conflict management in a company. Those processes, when applied in a structured way, can restore relationships by allowing the parties involved in a conflict to fully engage in its solution.

In detail, this dissertation gets to assess the correlation between communication, conflict management and mediation. It clarified how this correlation could mitigate the effects of internal conflicts. It showed how employees react positively when they feel like an equal part of the construction of the company's communication and conflict management process. It also proposes actions that companies can take to improve the employee's participation in the communication process.

The author is satisfied with the results obtained. The results reaffirm the belief that communication combined with mediation strategies and conflict management would be the best alternative to dealing with conflicts in the corporate environment.

REFLECTION

The process of preparing a study always involves a lot of reflection and dedication. The development of this research started from the first semester of the master's in dispute resolution. Creating the proposal was a huge test. Thinking about something compatible with a communications background, that could be applied (in practice and academically) and that was significant for the Alternative Dispute Resolution field was very challenging for the author.

In this dissertation it was possible to put together the experience from different backgrounds: communication college degree and 7 years professional experience in a multinational, combined with the premises of the MA Dispute Resolution. Likewise, it was an opportunity to develop a study applicable directly to a workplace.

For the author, developing a project like this, in a second language, was not the main difficulty, but it was an obstacle to be overcome. In addition to the natural research of the dissertation, there was also a research of words, sentence structure and structure of how to develop the dissertation.

The way the author developed this project was to follow the student handbook in regard to the chapters. Also, the author determined topics to write about, each of which was addressed in each chapter. The choice of the reviewed literature and why those topics were relevant was the hardest part to be developed. The creation of the questionnaire, involving what each question represents within the universe of the proposed objectives and how to develop the analysis as clearly as possible, was an extremely delicate exercise that involved a lot of research.

The limitations encountered were diverse. Due to the lockdown caused by the coronavirus pandemic, there were no physical libraries available, meetings with the supervisor were virtual and questions about the future often took the author's concentration and focus, but all obstacles were overcome. The help of the supervisor and colleagues, always willing to share literature sources, were crucial. Also, trying to reach the largest number of employees at a time when people are at home was more difficult than it seems. The author had planned visits, interviews with HR and Management stores, which could not happen.

Despite any concern or trouble faced, the author considers herself satisfied with the results obtained in this study. Whenever the text is reread, there is a feeling that something else could be done differently. This is a relatively common feeling when developing a dissertation. This demonstrates a process of constant self-evaluation. Nonetheless, considering the results obtained and the assumptions answered this study was completed as expected.

Similar studies developed in the area of this research showed that communication and conflict management are as important as any other sector in a company and that mediation is not only a money, time and energy saver, it is also a way to build better relationships and places for people to interact.

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APPENDIX I – QUESTIONNAIRE RESPONSES

Master's Dissertation Questionnaire Research: Commercial Mediation, an Organisational Communication approach

My name is Caroline Machado and I am currently completing a Masters in Dispute Resolution at the Independent Colleges Dublin. I am conducting research on Commercial Mediation and Organisational Communication aiming to improve previous studies and applicability in both areas inside companies in order to provide a better environment. Prior to you answering this questionnaire I would like to explain some concepts. Every company has its own culture, basically it is the values, behaviours and shared targets that every single person contributes to achieve the main objectives of the organisation. In any company people work together and develop a unique way to communicate internally, horizontally and vertically, in order to achieve individual and collective goals, this is called Organisational Communication. Once people are working together conflicts may arise. As an alternative to litigation or lawsuits companies can deal with these conflicts with Mediation. Mediation is an alternative dispute resolution method where a third impartial person helps the parties to solve their problems. When these conflicts are in a company, the Commercial Mediation is applied. This questionnaire consists of 21

questions and will take no longer than 15 minutes to complete. Your answers will be treated with complete confidentiality and you will be entirely anonymous. Thank you for taking the time to fill in this survey.

1. Gender:

Male – 71 responses

Female – 41 responses

Prefer not to say – 1 response

2. Age:

18-25 – 6 responses

26-35 – 79 responses

36-45 – 26 responses

46-55 – 1 response

56+ – 1 response

3. Education

High School – 4 responses

College – 12 responses

Bachelor degree – 55 responses

Master Degree – 42 responses

PhD - none

4. What is your current employment status?

() Employed – 97 responses

() Self Employed – 8 responses

() Unemployed – 8 responses

5. What is the current sector that you work on?

() Advertising & Marketing – 6 responses

() Arts – none

() Business/ Banking – 10 responses

() Engineering – 3 responses

() Finance – 15 responses

() Health – 10 responses

() Hospitality – 17 responses

() IT, software & computers – 12 responses

() Law or Legal Sector – none

() Life sciences – 3 responses

() Technologies – 2 responses

() Other – 35 responses (nobody have specified the sector)

6. How many co-workers in your current job?

() <10 – 30 responses

() 10-39 – 27 responses

() 40-59 – 13 responses

() 60-79 – 4 responses

() 80-99 – 5 responses

() >100 – 34 responses

7. How long have you been working in your current job?

() Less than one year – 32 responses

() 1-5 – 58 responses

() 6-10 – 10 responses

() 11 years + – 4 responses

8. Do you know the Culture of the company that you work for?

() Yes – 96 responses

() No – 17 responses

9. Do you have any knowledge of Organisational Communication ?

() Yes – 81 responses

() No – 32 responses

10. Do you consider that the Culture of the company you work emphasises the importance of internal communication?

() Yes – 89 responses

() No – 24 responses

11. Do you consider that there are any tools of Organisational Communication applied in the company that you work for?

() Yes – 76 responses

() No – 37 responses

12. Do you consider that there is any sort of internal management of conflicts in the company that you work for?

() Yes – 75 responses

() No – 38 responses

13. Have you ever had a conflict at your job because of a communication issue?

() Yes – 75 responses

() No – 38 responses

14. Would you be interested in participating in a course or lecture about management of conflict?

() Yes – 79 responses

() No – 34 responses

15. Have you ever heard about Commercial Mediation?

() Yes – 48 responses

() No – 65 responses

16. Have you ever participated in any Mediation process, inside a place of employment or otherwise?

() Yes – 29 responses

() No – 84 responses

17. Would you consider participating in a Commercial Mediation process?

() Yes – 78 responses

() No – 35 responses

18. Are you willing to actively participate in an Organisational Communication process at the company that you work for in order to get better results in relationships and a healthier environment?

() Yes – 101 responses

() No – 12 responses

19. Have you ever considered leaving a job because of communication problems?

() Yes – 76 responses

() No – 37 responses

20. Which sector of the company do you think is responsible for dealing with an internal Mediation process?

() HR – 62 responses

() Management – 36 responses

() Supervisor – 10 responses

() Other – 5 responses (not specified)

21. Any other comments:

<i>Number</i>	<i>Timestamp</i>	<i>Comments</i>
42	17/03/2020 18:15:40	No
66	18/03/2020 22:06:39	Thank you for your questions and good luck! DB
74	21/03/2020 10:25:45	Some of the answers I would've liked the option of 'don't know' as I would like to explore the detail more
75	21/03/3020 11:11:32	Some of the answers I would've liked the option of 'don't know' as I would like to explore the detail more

83	23/03/2020 14:18:32	I've joined the Communications and Community Affairs team into the company where I have been working and now I can see in a close focus, how it's important to have clean and transparent communication culture at the work environment.
87	24/03/2020 12:55:53	Tu broca negona. Ap 49 carai! Hehe
88	24/03/2020 13:29:15	No
90	24/03/2020 13:36:28	Good questions.