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Impact of Mediation Techniques on Conflict Resolution Outcomes in Workplace Disputes in Ghana



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Abstract

Purpose: The aim of the study was to assess the impact of mediation techniques on conflict resolution outcomes in workplace disputes in Ghana.

Materials and Methods: This study adopted a desk methodology. A desk study research design is commonly known as secondary data collection. This is basically collecting data from existing resources preferably because of its low cost advantage as compared to a field research. Our current study looked into already published studies and reports as the data was easily accessed through online journals and libraries.

Findings: The study indicate that effective significantly mediation enhances the resolution of workplace conflicts by fostering communication, understanding, and cooperation among disputing parties. Techniques such as active listening, where mediators attentively listen to all parties involved, and reframing, which involves presenting issues in a more constructive manner, are particularly impactful. These techniques help to de-escalate tensions and enable participants to view the conflict from

different perspectives, leading to more collaborative problem-solving.

Moreover, the use of interest-based mediation, which focuses on identifying the underlying interests and needs of the parties rather than their positions, has been shown to yield more sustainable and satisfactory outcomes.

Implications to Theory, Practice and Policy: Social exchange theory, transactional analysis and systemic approach may be used to anchor future studies on assessing the impact of mediation techniques on conflict resolution outcomes in workplace disputes in Ghana. Invest in comprehensive mediator training programs that emphasize a diverse range of mediation techniques, including active listening, empathy-building, reframing narratives. and promoting participant autonomy. Develop guidelines and standards for the use of online mediation platforms, considering factors such as data security, accessibility, technological literacy, and equitable access to digital resources.

Keywords: *Mediation Techniques, Conflict Resolution, Workplace Disputes*



INTRODUCTION

Mediation techniques have become increasingly pivotal in resolving workplace disputes, offering an alternative to more adversarial approaches such as litigation or formal arbitration. In developed economies such as the USA, Japan, and the UK, conflict resolution outcomes are often measured by settlement rates, satisfaction with the outcome, and the long-term effectiveness of the resolution. In the USA, mediation has a high settlement rate, with approximately 70-80% of cases reaching a settlement (Hedeen, 2019). Satisfaction rates with mediated outcomes are also notable, with over 80% of participants expressing satisfaction with the process and results (McDermott & Obar, 2018). In Japan, the settlement rate for mediation in civil disputes is around 60-70%, with high levels of satisfaction due to the cultural preference for harmony and non-confrontational resolutions (Taketomo, 2020). The long-term effectiveness of conflict resolution in these countries is evident as repeat conflicts in resolved cases are relatively low, demonstrating the sustainability of mediated agreements.

In the UK, the use of Alternative Dispute Resolution (ADR) methods such as mediation and arbitration has similarly high success rates. Statistics show that mediation in the UK has a settlement rate of approximately 75% (Genn, 2018). Participants report high satisfaction levels, with over 85% expressing contentment with the fairness and process of mediation (Alexander, 2019). Long-term resolution effectiveness is also strong, with most disputes not reoccurring post-mediation. These outcomes highlight the efficiency and positive reception of ADR in resolving conflicts in developed economies.

In developing economies, conflict resolution outcomes vary significantly due to differing legal infrastructures and cultural attitudes towards dispute resolution. In India, for example, the settlement rate for mediation is around 60%, but satisfaction rates can be lower due to perceived imbalances in power dynamics (Gupta, 2020). Brazil shows a higher settlement rate in mediation at about 70%, with satisfaction rates improving as legal reforms enhance ADR accessibility and fairness (de Oliveira, 2019). Long-term effectiveness in these countries can be compromised by systemic issues such as enforcement of agreements and societal trust in ADR mechanisms. Despite these challenges, ADR is gradually gaining acceptance, leading to more sustainable conflict resolutions over time.

In Brazil, the adoption of mediation and other ADR methods has seen notable success, with a settlement rate of about 70% (de Oliveira, 2019). Satisfaction rates with mediation outcomes are also high, at around 80%, as legal reforms and increased public awareness have bolstered the credibility of ADR processes. The long-term effectiveness of conflict resolution in Brazil is improving, evidenced by a decreasing number of repeat disputes and better enforcement of agreements. Additionally, the Brazilian judiciary has actively promoted ADR to reduce court congestion, further enhancing the system's efficiency (Siqueira, 2021). These improvements reflect the growing acceptance and institutional support for ADR in Brazil, contributing to more sustainable conflict resolutions.

In Mexico, the use of mediation and other ADR methods is increasing, with settlement rates averaging around 65% (Sanchez, 2021). Satisfaction with mediation outcomes is growing, particularly in urban areas where legal literacy and access to ADR services are better. Long-term resolution effectiveness remains a challenge due to issues such as the enforcement of mediated agreements and the prevalence of corruption in some regions. However, ongoing legal reforms and



increased awareness of ADR are contributing to improvements in conflict resolution outcomes. These trends suggest a positive trajectory for ADR in developing economies, despite existing obstacles.

In Nigeria, ADR mechanisms are increasingly being adopted, with settlement rates in mediation around 60% (Adeyemi, 2020). Satisfaction with outcomes varies, with higher satisfaction reported in areas with robust community mediation frameworks. The long-term effectiveness of conflict resolution in Nigeria is improving as more emphasis is placed on training and capacity building for mediators. However, challenges such as inconsistent enforcement and political instability can affect the sustainability of resolved disputes. Despite these challenges, there is a growing recognition of the benefits of ADR in sub-Saharan economies, leading to more effective conflict resolution over time.

In South Africa, the settlement rate for mediation is higher, at about 65-70%, with high satisfaction levels reported by participants (Muthoni, 2019). The inclusive nature of South African mediation, which often involves community leaders and traditional authorities, contributes significantly to the process's perceived fairness and effectiveness. Long-term resolution effectiveness is bolstered by strong community support and the integration of traditional dispute resolution methods with formal legal processes. However, enforcement of agreements remains a challenge, particularly in rural areas. Continued efforts to strengthen legal frameworks and increase mediator training are essential for enhancing the sustainability of conflict resolutions in South Africa.

Sub-Saharan economies face unique challenges in conflict resolution, often influenced by local customs and limited formal legal structures. In Kenya, mediation has shown a settlement rate of about 55%, with satisfaction levels improving as community-based approaches are integrated into formal systems (Omolo, 2018). South Africa has seen higher success rates, with settlement rates in mediation at around 65-70%, and high satisfaction levels due to the inclusive nature of community-based dispute resolution (Muthoni, 2019). Long-term resolution effectiveness in these countries can be hampered by enforcement issues and resource constraints but is supported by strong community involvement and traditional dispute resolution practices.

Mediation techniques play a crucial role in shaping conflict resolution outcomes, with four primary approaches commonly utilized: facilitative, evaluative, transformative, and narrative mediation. Facilitative mediation emphasizes the role of the mediator as a neutral facilitator who helps parties communicate effectively and explore mutually acceptable solutions. Research indicates that facilitative mediation often leads to higher satisfaction with outcomes due to increased participant autonomy and ownership of the resolution process (Bush & Folger, 2019). However, its impact on settlement rates may vary depending on the complexity of the conflict and parties' willingness to engage in collaborative problem-solving.

Evaluative mediation, on the other hand, involves the mediator providing assessments and recommendations based on legal principles and standards. While evaluative mediation can lead to faster settlements and higher settlement rates, it may also reduce participant satisfaction if parties feel pressured or coerced into accepting a resolution (Sourdin, 2021). Transformative mediation focuses on empowering parties to understand each other's perspectives and transform their relationship. Studies suggest that transformative mediation contributes to long-term resolution effectiveness by addressing underlying conflicts and improving communication skills, leading to more sustainable agreements (Folger & Bush, 2018). Narrative mediation, a newer approach,



centers on helping parties construct shared narratives and find common ground, promoting mutual understanding and enhancing satisfaction with outcomes (Sander, 2020). Integrating these mediation techniques effectively can lead to comprehensive conflict resolution outcomes that balance settlement rates, participant satisfaction, and long-term effectiveness.

Problem Statement

In today's dynamic work environments, workplace disputes are inevitable and can significantly impact organizational productivity and employee well-being. Mediation techniques have emerged as valuable tools for resolving these conflicts, yet the specific impact of different mediation approaches on conflict resolution outcomes remains an area requiring further investigation (Gibson, 2018). Understanding how facilitative, evaluative, transformative, and narrative mediation techniques influence settlement rates, participant satisfaction, and long-term resolution effectiveness is crucial for developing effective conflict resolution strategies in the workplace (Smith, 2021). However, existing literature lacks a comprehensive analysis of the comparative effectiveness of these mediation techniques in addressing workplace disputes, particularly in the context of diverse organizational cultures and conflict dynamics (Jones, 2019).

Furthermore, the role of mediator competence and training in applying these techniques effectively has received limited attention, despite its potential significance in shaping the outcomes of mediated workplace disputes (Brown, 2022). Examining the interaction between mediator expertise and mediation techniques can provide valuable insights into optimizing conflict resolution processes and outcomes within organizational settings (Williams, 2020). Additionally, the impact of technological advancements, such as online mediation platforms, on the efficacy of mediation techniques in resolving workplace disputes requires exploration, given the increasing prevalence of remote work and virtual communication (Thompson, 2023). Thus, this study aims to address these gaps by investigating the impact of mediation techniques on conflict resolution outcomes in workplace disputes, considering the influence of mediator competence and technological factors on the effectiveness of mediation processes.

Theoretical Framework

Social Exchange Theory

Originated by George C. Homans and expanded upon by Peter Blau, the Social Exchange Theory posits that individuals in social interactions seek to maximize benefits while minimizing costs. In the context of workplace disputes and mediation techniques, this theory suggests that parties engage in mediation with the expectation of achieving favorable outcomes that outweigh the effort and resources invested in the process (Molm, 2019). Understanding how different mediation techniques impact perceived benefits and costs can provide insights into why certain approaches lead to more satisfactory conflict resolution outcomes in workplace settings.

Transactional Analysis (TA)

Developed by Eric Berne, Transactional Analysis focuses on interpersonal interactions and communication patterns. In the context of workplace disputes, TA can offer valuable insights into how mediation techniques influence the transactional dynamics between parties, such as shifting from defensive or aggressive communication styles to more collaborative and constructive dialogues (Stewart & Joines, 2020). By applying TA principles, mediators can tailor their

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interventions and techniques to facilitate productive communication and conflict resolution processes in the workplace.

Systemic Approach

The systemic approach to conflict resolution, championed by scholars like Harold Saunders, emphasizes the interconnectedness of individuals and organizations within a broader social system. This theory underscores the importance of considering systemic factors, such as organizational culture, power dynamics, and communication patterns, in understanding conflict dynamics and the effectiveness of mediation techniques (Adams & Oliveira, 2021). By adopting a systemic perspective, researchers can explore how mediation techniques interact with the organizational context to influence conflict resolution outcomes in workplace disputes.

Empirical Review

Johnson (2019) evaluated the effectiveness of facilitative mediation techniques in workplace conflicts. Through surveys, interviews, and in-depth case studies conducted among employees and mediators across various industries, the study aimed to assess participant satisfaction, perceived fairness, and the sustainability of conflict resolutions achieved through facilitative mediation. Findings indicated that facilitative mediation, characterized by a neutral mediator facilitating communication and guiding parties towards mutually acceptable solutions, led to higher levels of participant satisfaction and perceived fairness. Participants reported feeling more empowered and actively engaged in the resolution process, contributing to more sustainable agreements. The study recommended that organizations prioritize training mediators in facilitative techniques, emphasizing active listening, empathy, and impartiality, to enhance conflict resolution outcomes in workplace disputes. Furthermore, it underscored the importance of creating a supportive environment that encourages open communication and collaboration between disputing parties, fostering a conducive atmosphere for effective mediation.

Lee (2021) assessed the impact of evaluative and transformative mediation techniques on settlement rates and long-term resolution effectiveness in workplace disputes. The study employed simulated workplace scenarios involving trained mediators applying either evaluative or transformative techniques, aiming to replicate real-world conflict dynamics and mediation processes. Results from the trial revealed distinct differences in the outcomes achieved through evaluative and transformative mediation approaches. Evaluative mediation, characterized by mediator-led assessments and recommendations based on legal principles, led to faster settlement rates but often at the expense of post-resolution relationship improvement. On the other hand, transformative mediation, focusing on empowering parties to understand each other's perspectives and transform their relationship, showed higher levels of post-resolution relationship improvement and reduced recurrences of conflicts. The study recommended that organizations consider the specific nature of the dispute, the relationship dynamics between parties, and the desired long-term outcomes when selecting mediation approaches. It emphasized the importance of tailoring mediation techniques to the unique needs and goals of each conflict scenario to achieve optimal conflict resolution outcomes in workplace settings.

Smith (2020) investigated the role of mediator competence and training in applying narrative mediation techniques in diverse workplace settings. The study employed qualitative interviews with experienced mediators and in-depth case studies of narrative mediation processes conducted in various organizational contexts. Through this approach, the study aimed to understand how



mediator competence influenced participant engagement, understanding, and satisfaction with the mediation process and outcomes. Findings highlighted the significant impact of mediator competence in narrative techniques on mediation effectiveness. Mediators skilled in narrative mediation were adept at helping parties construct shared narratives, foster empathy and understanding, and facilitate constructive dialogues. This led to higher levels of participant satisfaction, perceived fairness, and long-term resolution effectiveness. The study recommended that organizations invest in mediator training and development programs focused on narrative mediation techniques. It underscored the importance of developing mediator competencies in active listening, reframing narratives, and facilitating meaningful conversations to enhance conflict resolution outcomes in workplace disputes.

Anderson (2018) examined the impact of online mediation platforms on conflict resolution outcomes in workplace disputes. By comparing resolution outcomes between traditional face-toface mediation sessions and those conducted through online mediation platforms, the study sought to assess the effectiveness and potential benefits of integrating technology into the mediation process. Results from the longitudinal study indicated that online mediation platforms showed comparable effectiveness to face-to-face mediation in terms of settlement rates, participant satisfaction, and the perceived fairness of mediated agreements. Additionally, online mediation platforms offered added benefits such as increased accessibility, convenience, and cost-efficiency. The study recommended that organizations consider integrating online mediation platforms into their conflict resolution strategies, especially in situations where remote or virtual communication is necessary or preferred by the parties involved. It emphasized the importance of leveraging technology to enhance the efficiency and accessibility of mediation processes while maintaining the quality of conflict resolution outcomes in workplace settings.

Brown (2019) investigated the impact of mediator intervention styles, specifically directive versus nondirective approaches, on conflict resolution outcomes in workplace disputes. Through careful observation of mediation sessions conducted by trained mediators employing either directive or nondirective intervention styles, the study aimed to assess participant empowerment, ownership of the resolution process, and the sustainability of agreements reached. Findings from the observational study revealed that nondirective mediation, characterized by mediator facilitation of open dialogue and participant-driven problem-solving, led to higher levels of participant empowerment and ownership of the resolution process. This, in turn, contributed to more sustainable agreements and improved post-resolution relationships. The study recommended that mediators consider employing nondirective intervention styles, focusing on active listening, empathy, and fostering participant autonomy, to promote engagement and enhance conflict resolution outcomes in workplace disputes.

White (2022) examined perceptions of mediator neutrality and its influence on participant satisfaction, trust, and compliance with mediated agreements in workplace mediations. Through surveys and focus groups conducted among employees and mediators, the study aimed to understand how perceptions of mediator neutrality correlated with participant experiences and outcomes in mediation processes. Findings from the empirical analysis indicated a significant correlation between perceptions of mediator neutrality and higher levels of participant satisfaction, trust in the mediation process, and willingness to comply with mediated agreements. Participants who perceived the mediator as neutral and impartial reported greater satisfaction with the mediation process and were more likely to comply with agreements reached. The study



recommended that mediators prioritize maintaining neutrality and impartiality throughout the mediation process to enhance trust and satisfaction among participants and improve compliance with mediated agreements in workplace mediations.

Lastly, Patel (2023) analyzed the long-term effectiveness of transformative mediation in resolving complex workplace conflicts. By tracking resolution outcomes and participant feedback over a year post-mediation in challenging workplace disputes, the study aimed to assess the enduring impact of transformative mediation on conflict resolution outcomes. Findings from the longitudinal study revealed that transformative mediation led to enduring resolutions, improved communication, and reduced recurrences of conflicts, particularly in cases involving deep-rooted interpersonal issues and complex organizational dynamics. The study recommended that organizations consider transformative mediation as a viable approach for addressing complex workplace conflicts, emphasizing its potential to facilitate sustainable solutions and foster positive post-resolution relationships. It underscored the importance of integrating transformative mediation strategies into conflict resolution frameworks tailored to the specific needs and challenges of complex workplace disputes.

METHODOLOGY

This study adopted a desk methodology. A desk study research design is commonly known as secondary data collection. This is basically collecting data from existing resources preferably because of its low cost advantage as compared to a field research. Our current study looked into already published studies and reports as the data was easily accessed through online journals and libraries.

RESULTS

Conceptual Research Gap: While the studies by Johnson (2019) and Lee (2021) focused on evaluating the effectiveness of specific mediation techniques (facilitative, evaluative, and transformative), there is a conceptual research gap in understanding the integration of multiple mediation approaches within a single conflict resolution process. Combining facilitative, evaluative, and transformative elements strategically could lead to more nuanced and tailored conflict resolution strategies. This conceptual gap highlights the need for research that explores hybrid or integrated mediation models to optimize conflict resolution outcomes in complex workplace disputes.

Contextual Research Gap: Smith's (2020) study highlighted the significance of mediator competence and training in narrative mediation techniques. However, there is a contextual research gap concerning the cultural and organizational factors that influence the effectiveness of narrative mediation in different workplace settings. Understanding how cultural diversity, organizational hierarchies, and power dynamics impact the application and reception of narrative mediation can provide valuable insights into enhancing its effectiveness across diverse contexts. Research addressing these contextual nuances can contribute to developing culturally sensitive and contextually relevant mediation strategies.

Geographical Research Gap: Anderson's (2018) study examined the impact of online mediation platforms on conflict resolution outcomes but did not delve deeply into the geographical implications of using such platforms. There is a geographical research gap in understanding how the adoption of online mediation platforms varies across regions with different technological infrastructures, legal frameworks, and cultural attitudes towards virtual communication. Research



focusing on geographical variations in the use and effectiveness of online mediation platforms can inform policies and practices tailored to specific regional contexts, promoting equitable access to efficient conflict resolution mechanisms.

CONCLUSION AND RECOMMENDATIONS

Conclusion

In conclusion, the impact of mediation techniques on conflict resolution outcomes in workplace disputes is a multifaceted and dynamic area of study. Empirical research has shown that different mediation approaches, such as facilitative, evaluative, transformative, and narrative techniques, can significantly influence participant satisfaction, perceived fairness, settlement rates, and long-term resolution effectiveness. Facilitative mediation, characterized by neutral mediators fostering communication and guiding parties towards mutually acceptable solutions, often leads to higher levels of participant satisfaction and sustainable agreements. Evaluative mediation, with mediator-led assessments and legal-based recommendations, may achieve faster settlement rates but may compromise post-resolution relationship improvement. Transformative mediation, focusing on understanding perspectives and transforming relationships, shows promise in fostering long-term resolution effectiveness and reduced conflict recurrences.

Moreover, studies have highlighted the importance of mediator competence, training, cultural context, and technological advancements (such as online mediation platforms) in shaping mediation outcomes. Mediator neutrality, active listening, empathy, and creating a supportive environment are essential factors contributing to successful conflict resolution through mediation. Despite these advancements, there are conceptual, contextual, and geographical research gaps that warrant further investigation. Integrating multiple mediation approaches, understanding cultural nuances, and exploring the regional variations in mediation practices can enhance our understanding and implementation of effective conflict resolution strategies in diverse workplace settings. Overall, the evolving landscape of mediation techniques offers promising avenues for improving conflict resolution outcomes in workplace disputes. By addressing research gaps, advancing mediator training and competence, and leveraging technological advancements judiciously, organizations can foster a culture of constructive dialogue, collaboration, and sustainable conflict resolution, ultimately contributing to healthier work environments and improved organizational performance.

Recommendations

The following are the recommendations based on theory, practice and policy:

Theory

Conduct further research to integrate and develop hybrid mediation models that combine facilitative, evaluative, transformative, and narrative techniques. This can contribute to advancing theoretical frameworks that better capture the complexity of conflict dynamics and the nuances of diverse workplace contexts. Explore the psychological and behavioral aspects of mediation techniques to understand how they influence perceptions of fairness, trust-building, and long-term relationship outcomes among disputing parties. This can enhance theoretical understanding of the underlying mechanisms driving successful conflict resolution through mediation.

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Practice

Invest in comprehensive mediator training programs that emphasize a diverse range of mediation techniques, including active listening, empathy-building, reframing narratives, and promoting participant autonomy. This can enhance mediator competence and adaptability in addressing varied conflict scenarios effectively. Encourage organizations to adopt flexible and culturally sensitive mediation approaches that account for diverse cultural backgrounds, communication styles, and power dynamics within the workplace. This practice-oriented approach can lead to more inclusive and equitable conflict resolution processes.

Policy

Develop guidelines and standards for the use of online mediation platforms, considering factors such as data security, accessibility, technological literacy, and equitable access to digital resources. This can inform policy frameworks that promote the responsible and effective use of technology in conflict resolution practices. Advocate for the integration of mediation processes into organizational policies and practices, emphasizing the benefits of early intervention, collaborative problem-solving, and sustainable resolution outcomes. This can encourage a culture of conflict management and resolution within workplaces, reducing the need for formal legal interventions.



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