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Understanding benefits of alternative dispute resolution (ADR) in the work place mediation

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The purpose of this article is to explore the benefits of Alternative Dispute Resolution in the work place mediation. ADR is a process and procedure that provides alternatives to adjudicated settlement and institutional framework of conflict. It is revolutionizing the whole court system in many countries, although most people are not committed to it. A trusted judicial structure is of importance to the legitimacy of ensuring justice. However, as the dissatisfaction continues to grow in administration of justice in the court systems, we need a model that provides a new arena where parties can manage their own disputes.

Key words: Third party, mediation, negotiation, arbitration, litigation, alternative dispute resolution, disputes, dispute settlements, conflict management, corporate culture.

INTRODUCTION

This article explores the case of Julia and Richard, for example, who co-owns a cosmetics firm. They are currently having disputes about future investments as well as some seemingly personal issues with each other. As a result, they have requested my assistance in facilitating a dispute between them. More so, their disputes are surrounded with a lot of dilemma, following the dynamism of issues such as power, trust, transparency and communication. It is under this dimension, the article aims at making contribution to systematize workplace mediation that could be used in any organization or institution rather than turning to arbitration through diagnosis, prognosis and therapeutic theoretical framework. Similarly, the article aims at attaining *win-win solution, if any, and finally to make suggestions on how to improve the relationships between business partners or workers in an organization. Win-win is a term often used to describe negotiations between persons who are interested in the welfare of each other, which implies that genuine interest in the other party's outcomes is necessary for integrative agreement (Thompson, 2001). Some interviews were conducted on conflict management in an organization to identify key factors that contribute to conflict in an organization. Finally, we shall use the Reynolds model of trust to analyse positive changes in the organization without element of bias or resistance to accepting good results.

DIAGNOSIS ANALYSIS OF ALTERNATIVE DISPUTE RESOLUTION MEDIATION

According to Jeong, conflicts date back from the beginning of human history and will probably never end. He continues, saying that our survival on this planet hinges on how we manage the various features of conflict that are fuelled not only by seemingly incompatible interests and values, but also by hostilities (Jeong Ho-Won, 2008). Seemingly, conflicts can occur in many aspects of business life such as finance, marketing, customer relations, product development, workplace, family, or employment sectors. Such conflicts can take place at many levels like between employees, between the employees and managers, among management or between different organizations. Given this frequent and ubiquitous nature of conflict at the organizational settings, some corporations have long employed certain measures such as arbitration or legislation to address them. However, some of these formal methods have proven to be too burdensome financially and psychologically due to costly litigation, loss of energy, time, and productivity. It is on this ground that many organizations have resorted to Alternative Dispute Resolution (ADR) or Mediation schemes that seek to resolve disputes outside the courtroom. According to Tidwell, ADR techniques are often used in the context of court-annexed dispute resolution,

Picture 1. Listening, talking and story telling during mediation process

Picture 2. Centre for Justice and Peace building – Eastern Mennonite University graduate Students perform rituals with symbolic gestures from different nationalities as means of unity and diversity. From left; Mary Beth, Lynn, Fondoh, Dennis, Pam, Krista, Pushpi and Hamid.

Picture 3. Dennis expounds the benefits of litigation against ADR mediation.

resolution, where courts use the ADR process to reduce the caseload of the court, or an attempt to provide a better method for resolution (Tidwell, 1998).

Apparently, ADR has become so common in Africa, Western World, and Europe. Further, most corporations have their built-in alternative conflict management and transformation departments in this system. Recent study has shown that most basic fundamental negotiation involves two people facing one another at the bargaining table. This could be you and a potential employer, you and a car dealer, you and a house seller, and you and a business partner (Thompson, 2001). Nevertheless, it is often very difficult to understand how it works and why it brings settlement much easier than if parties in disputes had to resort to arbitration or to litigation. The latest experience in many countries has shown that ADR mediation facilitates the solution of conflict much quicker than under normal legal circumstances (Pictures 1, 2 and 3).

In particular, the culture that embraces the resolution of disputes has for many years centred on the long process of litigation. Parties to the conflict feel safer to resort to advice, to representation and to the decision of a judge or a Magistrate to resolve their dispute. In particular, Tidwell suggests that even before there was an ADR movement, methods other than litigation were used for resolving disputes. Some claims were not voiced at all for fear of alienating the offender, and those that were raised often were resolved by a host of indigenous mechanisms such as the word boss, the village priest, and the family friends (Tidwell, 1998). This is unlike ADR mediation process which has formal setting that legitimizes the space for administration of justice. In Europe for example in the early nineties, the philosophy of ADR became the buzz term in an attempt to ease the heavy burden on the law courts and to provide an alternative to the solution of disputes. A good example in England is the Centre for Conflict Resolution (CEDR), which is now the Centre for Effective Conflict Resolution (CEDR), that promoted ADR techniques to a business and legal community that knew little of any alternatives to litigation for the resolutions of the conflicts.

The solution of disputes largely depends upon the actors themselves. However, when adequate structures are set up for ADR to take place effectively and efficiently, people and particularly business and management communities always realized that the process of mediation is the best way to save time, money, and energy while keeping the business running without the need to close shop in order to wait for the formalization of the decision taken at the Law Courts. However, the concept of ADR in the organizational setting is quite new in some developing countries due to systematic framework structures and institutions of governance. This is due to the fact that the levels of institutionalization for corporations, except for a few conglomerates are still pretty low, especially when compared against the standards of the global markets in which they aspire to compete. This is why conflict management and resolution systems as institutional elements are mostly non-existent in the country, which brings a number of disadvantages to many business sectors in general, family and companies.

Currently, the global businesses are rapidly systematizing ADR and are profiting immensely from it. For instance, Georgia-Pacific announced 2005 as the 10th year of its ADR program, which was estimated to save the company $33 million over the years (Howard, 2007).

In the United States of America (U.S.A.) for example, the business sector is rapidly globalizing and foreign investment has been increasing in the country, especially following the election of Barrack Obama the 44th president, with effort to review the U.S policy and expanding markets with the entire world. Such increasing alliance means that U.S.A companies will need to adapt themselves to Western business systems and markets. However, the U.S.A economy recently suffered from the loss of billions of dollars due to bad governance enforced by the previous regime. As a result, there is a need to strengthen existing conflict resolution systems in such situation, if there are any, to introduce new ones, if there is such need and to generally systemize measures that companies may have been taking unconsciously in bringing the economy to the world class. To achieve this, there is need for the mediator in this case who can clarify the issues, design a way forward with the least possible damage to the parties in disputes, to establish the line of communication which may have been lost in the process of litigation job loss.

It is more likely that whether the parties decide to reconcile or not, governments, institutions or work associates who have experienced mediation have left with a new insight on how one can actually protect one's dignity from the exposure of litigation. It can be said that ADR henceforth has the advantage of being useful in order to resolve family problems, commercial issues, community disputes, incompatibilities at workplace, and industrial conflict. More importantly, it is confidential, private and without prejudice. The mediator facilitates a solution. He or she is there to build bridges between opposing parties to the disputes. It is the process that aims at attaining win-win situations. No one is completely right and no one is completely wrong. Unfortunately, it is in most cases expected that a process such as mediation, which involves the transformation of disputes between people, will always involve ethical dilemma and difficult situations to decide on. This may result not only from the discrepancies of perceptions, beliefs or understandings between parties in dispute, but rather from the sheer fact that people, being people, will attempt to influence, seek favour, manipulate and even con each other for their own benefit, interests, desires, and fears. It is, then, of paramount importance for a mediator, when faced with such kind of dilemma, to be able to analyze the situation, render a decision that will benefit all involved and be able to design a back-up plan in the case of rejection of the decision by either party.

To underscore the underlying factor of work place mediation, the research was made through face-to-face interviews that were conducted at different settings of the organization with main disputants. The interviewees were the General Manager Richard, and the Co-director, Julia. Although a semi-structured interview protocol was prepared for the project in the form of open-ended questions which was not always followed by the interviewees. However, if there were any questions left uncovered at the end of the interview, they were definitely addressed. There was also time to meet Richard and Julia on a face-to-face dialogue mostly to listen from them equally. The data were then codified and examined through content analysis. All the data concerning the company come from these analyses of the interview. In other words, all the findings about the internal and external dynamics of the disputes came from what was articulated to the researcher by the interviewees through open ended question. In particular, secondary data sources from the Eastern Mennonite University Metzler Library were used to scientifically back-up the findings and literature review. Any other relevant detail or limitations encountered during this mediation process and interview due to ethical dilemmas were treated with confidentiality, professionalism, and objectivity in helping parties build mutual trust and relationships as business partners.

PROGNOSIS THEORETICAL FRAMEWORK

To date, a lot of studies and scholarly writings on third party mediation have clearly been documented but with little focus on ADR, as such, it offers a taxonomy of third party intervention types as following: a) Conciliation –a trusted third party provides an informal communication channel between the disputants in order to identify the major issues, lower the tension and encourage them to move toward direct interaction, b) Consultation –a skilled and knowledgeable third party attempts to facilitate creative problem solving through communication and analysis of the conflict, c) Pure mediation –a skilled and experienced third party intervenes in order to facilitate a negotiated settlement to the dispute, d) *power mediation* –also includes the use of leverage or coercion in the forms of rewards or punishment, e) Arbitration –a legitimate and authoritative third party provides to the parties a binding judgment, and f) Peacekeeping –the third party provides military personnel to supervise and monitor a ceasefire between the disputants (Keashley and Fisher, 1996). These core ideas of a mediator cannot be ignored whatsoever. However, conflicts and contro-versy about effectiveness and viability of mediation as a method remain extant. In mediation, some cases have gone unresolved due to various interests and position of the parties while others have been amicably settled. The case of Richard and Julia for example, as the joint ow-ners and joint managers of a company that manufacture cosmetics gives candid thesis of what happens in many organizational conflicts.

From the onset, after going through a major restructuring in terms of the product line and management, the company started operations in the retail sector as well as majoring in cosmetics. In 2002, it formed a joint venture with Richard and Julia as main owners and managers. Though this joint ownership on 50 - 50 shareholding was uncommon practice, the joint owners did not have any members on the board that provide more financial and product development type of support. Some of the cosmetics products produced were either imported or replicated by regional market. Product development and strategy planning is handled equally by the two owners but with corporate mind. However, due to some misunderstanding between the two joint owners, they tried to seek mediation assistance to improve their relationship instead of going to law court.

Having made an appointment and talked with the parties on the phone that the first meeting begins at 8.30 am, Julia arrives at 8.29 am Monday morning, an indication of being time conscious and willingness to start the process, contrary to Richard who arrives late. However, Julia tried to engage me on the issue before the arrival of Richard. Unfortunately, since I am to meet all of them at the same time, I tried to ignore the first informal part of discussion with Julia so that we do not appear continuing with the session in Richard's absence. Hence, whatever comes out of this, I intend to consider informal discussion unless the same issues come up during the main session. Certainly, Richard arrives 5 minutes late. Reading from Julia's facial expression, the issue about time management of Richard seems to be bothering her for long to the extent she feels used to it. It is in this perspective that I decided to zoom-out to get more information from Julia about on how lateness of Richard seems to be part of the dispute in the company. To keep the ball rolling, and without wasting time, I assumed that it will appear in the main discussion and not to waste much time on it at the moment. Now, since the first impression of Richard arriving late irritates Julia and made her share many things informally, I tried to expand the pie and space for all the parties to share more on the nature of cooperate culture between them to discuss openly main issues and the moral principles of corporate culture that forms the source of disputes without being partial.

Blumen Lipman expressed that since we see similar behaviour among follows in different contexts, we have to believe it is not something special about the corporate world, the political process, or the church hierarchy that keeps their toxic leaders in power (Blumen, 2005). Like wise, from their story, I realized that Julia and Richard are both corporate owners of the company, hence I started by asking their opinion on understanding of the corporate culture. Eventually Julia was first to begin by saying that, corporate culture is the moral, social and behavioural norms of an organization based on the beliefs, attitudes and priorities of its members. For Julia, the first fact about

corporate culture at Cosmetic Company is to attract one's attention on its participatory nature. This is often achieved through management scheme that reduces hierarchy. For example, the current management's aim is to spread responsibility and authority as much as would be allowed to still have an efficient system without hierarchy. Whilst according to Richard, cooperate culture involves an open door policy whereby the general manager and the rest of the board in particular places emphasis on receiving feedback at all levels of organization or company. Having clarified the terms however, on contrary, Julia still felt that Richard has not been living in accordance to the policy of the company as he has become so bossy, hierarchical, and does things on his own without consultation. This idea seems not to go well with Julia as she believed that Richard is no longer transparent as before and company is in danger of collapse if the root causes of the issues are not constructively addressed that allows space for dialogue. However, Richard opposes the idea by saying that, there are weekly board meetings to discuss operations and all other issues of importance. Julia seems not to be saying the truth and not transparent according to Richard expression. And so, although the first aim in these meetings is to discuss financial issues in terms of product selection, stocking situation or strategic planning, it was emphasized that it also provided the chance for the managers to bring any issue they deem crucial to the attention of the rest of the company.

According to the records, however, the company tries to achieve transparency in the yearly performance. That is, every year in April, the company evaluates the performance of each manager and the whole department in a very comprehensive manner through these performance reports. The expectations are set forth a year in advance, which means that there is open knowledge about the criteria in terms of which they are being evaluated. These reports are not meant to operate like report cards that would intimidate the recipient but rather as an objective assessment tool that can be benefited from. Based on the abovementioned facts as a mediator, the author was to an extent able to note the issue of corporate culture, hierarchy, trust and transparency as part of disputes. Similarly, he tried to paraphrase the issue by asking Julia whether she agrees with Richard's point of view. In which she vehemently acknowledged that Richard is right on some issues but not all. Such confirmation consequently underscored the author's first point for identifying the commonalities on the dispute and the epicentre of discussion.

Furthermore, the issue of communication was brought up and how issues are being channelled between the two joint owners, within the board room and also among employees across levels. Beginning with Julia, she said that "the importance of communication is always emphasized by all members of the company from the General Manager to the lower level employees such that sales

representatives in the branches involved on getting feedbacks". While Richard emphasized that since dispute began, communication has not been good and the author is happy that they can talk over it. Suddenly, Julia asks for time out to receive a phone call. At this point, Richards takes the advantage of Julia absence in receiving a phone by trying to appease me through acknowledgment of my good work and willingness to get more clients for me. Richard's comments place me in another dilemma as a mediator. Well, to save face on such kind of situation and just as much as I needed to get more clients to expand my network and also earn money, but then, compromising Richard's idea immediately could cause some partiality. That is to say, to accept his ideas directly, could put me in a compromising situation on the dispute in question as he may use this chance to undermine the credibility of the process by thinking that I will favour him since he will get more clients for me.

Unfortunately, I boldly told him that I have enough clients in manner that he did not feel rejected or offended. Such cases are common when dealing with high profile and well to do clients in trying to manipulate the decision to favour them. In mediation, no one is completely right and no one is completely wrong. In fact, mediation is not right and wrong, that is for another setting like a court of law. Most importantly, mediation seeks understanding and options and next step, not right or wrong. So then, not to embarrass him, I told him,"...well……., that is a brilliant idea Richard, however, I know at the end of this negotiation process you will be in a better position to make such comments and to start dishing out my business cards to people as a testimony of what you achieved through my assistance in mediation. For now, let us focus on the issue at hand and see whether the outcome will be satisfying to all of you. I hope you are okay with that, thanks". I think this is more ethical and reasonable correction to such a situation meaning that I may consider his offer later but politely putting him off without feeling embarrassed and also keeping in mind my professional ethics and good customer relations.

By and large, Julia comes in after receiving a phone call. She looks disturbed but I try to bring her back to the table. Just as the dual concern model implies that conflict style is determined by the strength of two independent individual difference variables concern about party's own outcomes and concern about others outcome (Clark et al., 2002). Having identified their key problems so far, I tried to ask whether there are further serious issues that needed to be addressed first. As clearly put by Druckman, that scholars develop frameworks that bring together diverse concepts, processes, and practices. Likewise, conflict resolution brings together practitioners and third parties aspire to agreements that satisfy the interests of all disputing parties (Druckman and Daniel, 2003). At this level, the aim was to identity the commonalities and the positive points accumulated by the parties to create a high level of organizational identification,

which is an important part of the corporate culture at Cosmetics Company. So then, organizational identification is the situation that these could be achieved when the goals of the organization and that of the individual become increasingly integrated and congruent (Hall et al., 1970) or when both parties are seeking a middle range of goals, such as redistribution of resources, grievance machinery or tension reduction (Mennonite, 2000). Although the main tool to assess level of organizational identification is the Organizational Identification Survey by George Cheney (Cheney, 1983), which was not given to the interviewees, it was possible from their stories to identify some key points such as team spirit, a feeling that well-accomplished tasks will be rewarded, a general sense of fairness and absence of random or unpredictable actions. As the last element about corporate culture, which binds all of the aforementioned concepts together and creates possibility for new ones, trust should be discussed.

As a starting point, I shared with them the importance of trust building. That is, in the company setting like theirs, trust can contribute to building relationship and communication as partner. This was based on the fact that having realised the main issues of disputes are on the role-based matters. Those that are of importance at cosmetics are role-based and rule-based trust. Role-based trust can be defined as the situation when not the person in the role that is trusted so much as the system of expertise that produces and maintains role-appropriate behaviour of role occupants (Kramer, 1999). An example to this type of trust at company can be the position of the Human Resources or Operations Directors that are critical to addressing conflict in the organization settings. As it shall be explained in detail later, these two managers are the ones to address conflict issues that cannot be resolved at lower levels. However, what gave them the capacity for this position are not necessarily the personal abilities they possess but rather the associations with the position itself. In other words, the employees had enough trust in the system to believe that if somebody else comes to that post, previous practices will continue. Rule-based trust, on the other hand, can be defined as that which is predicated not on a conscious calculation of consequences, but rather on shared understandings system of rules regarding appropriate behaviour (Kramer, 1999). This means that there is a general understanding of how people must behave and also how each action will be received. However, Julia blast into laughter that Richard will never be trusted even in little things like time management. Julia's remark portrays that lack of trust is an issue to be addressed of which Richard appears uncomfortable with reading from his body language.

It is an issue that seems to have been bothering her as business partners. As mediator in this case, since everything so far was moving on well, I listened carefully to the parties though interjecting at some point to open

the space for Julia to say more on the trust relationship and why it bothers her most. It became clear from Julia's conversation that, some money of the company had not been accounted for and anytime he was asked, he does not give clear answers. I tried to paraphrase this allegation, by asking Richard whether what Julia said is right and if he is willing to share about the allegations of accountability and lack of trust brought forward. Looking at the sensitivity of the matter, I tried to create an environment to make them feel comfortable and make them speak more openly. I tried to create favourable environment for negotiation. Most importantly, is now to show both Julia and Richard a sign of appreciation on their comments and sharing on lack of trust which seemed to be affecting their relationships as joint owners of the Cosmetic Company. This being said and heard, I had to share with them the importance of trust building in such circumstances within the corporate culture was to establish mutual relationships. Although it may be somewhat contrary to the concepts of rule or role-based trust, it must still be noted that the character of them as general managers plays an important role for the development of corporate culture.

One example of such an action is by seeing each of them as equal partners, the benefits of which were previously mentioned. Another important point is the trust that employees had towards them as joint owners of Cosmetic Company in terms of being open to negative or positive feedback on any issue as well as having a warm and friendly communication with the rest of the members of the company should be emphasized as a common factor between them. In addition both Richard and Julia feel that they should be treated equally as being expressed by the employees on their recognition and rewarding of well-accomplished tasks. To me, this forms a positive contribution to employee morale, which, in the long run, had valuable contributions to efficiency and productivity. In a situation where most employees support the general manager, there must have been something positive and good about their character which is not being expressed by Julia. However, the entire acknowledge-ment must go to both owners without exclusion or favour of the other to continue cementing trust in the company.

THERAPEUTIC TRUST-BUILDING APPROACH

The corporate culture had implications for conflict management and resolution schemes at the company. Therefore, before examining these mechanisms, it is necessary to look at the general understanding of conflict and the types of conflicts that have been encountered and expressed by both parties. First of all, I noted that there were certain reservations towards referring to conflict using adversarial words such as disagreement, confrontation, fight or the like. Rather, it was articulated as a difference of opinion. The main type of conflict that is encountered at these two partners is task-conflict, which can be defined as an awareness of differences of opinions pertaining to a group task (Jehn and Mannix, 2001). When compared to other types of conflict in the organizational setting, task-conflict is considered to be beneficial since it provokes careful consideration of important task goals and their accomplishment. An example of task conflict is usual occurrences at the board meetings such as discussions about product development, that is, which products are to be imported or manufactured for a certain time period in a certain line. As it can be understood from the definition and the example, task-conflicts are professional by nature and as long as those who experience them have the same level of professionalism, they contribute to the company achievements and cannot be mediated in law courts.

Process conflicts, however, can be defined as an awareness of controversies about how task accomplishments proceed more specifically with issues of duty and resource delegation (Jehn and Mannix, 2001). Process conflicts can be beneficial like task conflicts but can also take on a detrimental turn, if not handled properly or if let to escalate too much. An example of such conflict is the change of position of a senior manager due to lack of managerial skills for the benefit of the entire company. Richard and Julia having worked for Cosmetics Company as joint owners for reasonable amount of years, we cannot categorically deny the human ego and recognition that comes with power and work experience. Consequently, one main issue coming out of their story is the level of seniority and devotion, most of them have been very devoted in their duties but in a matter of a few months, the rate of devotion drastically reduced, due to mere fact of transparency, hierarchy, communication, and trust. As renowned scholars in negotiation Fisher and Ury expressed that we do not see one of them stepping out for the other but feel the best way is to generate more options for mutual gains for the sake of the company (Fisher and Ury, 1991). However, the impression coming out is that, Julia feels that Richard is having a lot of responsibilities that needed to be shared since they have the same shares and ownership of the company. So then, accepting to share some duties equally would definitely change the group dynamics and mode of relationships in settling this kind of dispute.

This situation blends in with relationship conflict, which can be defined as awareness of interpersonal com-patibilities (Jehn and Mannix, 2001). As the definition also suggests, relationship conflict is of a personal nature and is always detrimental for the workplace. That is because no matter what the issues may be, people are not able to look beyond their personal differences or animosities. It is, therefore, inevitable that productivity, efficiency and general climate of the workplace will be negatively influenced by such conflicts. For example, if trust and relationships could be cemented constructively, then the

parties will obviously reach desirable settlements on win-win solutions. I think this is the reason why mediation is the way to achieve such objective. Professional mediators build relationships, make space for the venting of emotions, clarify the proper issues, identify the parties needs, help the parties to hear what each other is saying, uncover hidden agenda, check parties commercial, personal and technical agenda, identify previous settlements, offers and identify settlement strategies on contrary to Court of Law. In other words, my role here was to help parties search for the best alternative to negotiate settlement while at the same time highlight the cost of continued litigation and arbitration through shaping proposals that meet the other party's needs.

This is in line that mediation gives the parties concern the chance to settle disputes on their own. The major benefits that one can derive out of mediation are an opportunity to settle privately, saving money and time in contrary to many Court of Laws. It is what makes mediation a negotiated process that can lead to settlement. The solution of disputes can therefore be negotiated. In the act of negotiating this settlement, many parties often run into deadlocks. At certain point, parties become entrenched into their positions conceding nothing or almost moving rapidly into extreme positions of strength. It may happen that one's bottom line had been explored too early and therefore the other party feels that negotiating further would be of no useful purpose. There might also be emotional blockages particularly if the reputation of one of the parties is at stake and therefore one is expected to save face at all costs when Richard tried while Julia was on the phone call. Similarly, the group dynamics of the mediation process are such that verbal bullying jeopardises the process particularly in joint sessions. To an extent, such scenario might be tactical deadlocks performed by one party to the process to drain the other party. Henceforth, ADR offers the opportunity to break the deadlock based on the fact that objectivity of the exercise is to provide the parties with a way forward which makes it possible for them to rethink the process and facilitate the solution of their dispute.

Furthermore, unlike litigation or arbitration, ADR provides the parties with the opportunity to design their own solution. In mediation parties have full say over the final result. They decide their outcome. Through the mediator, they work together and not against each other maintaining, restoring and rebuilding, if possible their relationships. There is no one to take decisions which would affect the end result of the process. Mediation is informal and non-confrontational; confidentiality is guaranteed at all times. Mediation gives the parties concerned the chance to settle on their own. It is the missing dimension in the solution of disputes which is, all inclusive, but at the same time, it shows parties to the conflict, that they are sole artefacts of their own settlement. Likewise, many institutions, governments, or business partners have realized that recognizing meditation as first compulsory step to dispute resolution is

important step towards a society for negotiated settlements. The adoption of Reynolds model in Figure 1 at the workplace mediation could help workers realize positive change and importance of trust in the organization settings.

Having gone through the process, it is necessary to look at what sort of therapeutical resolution mechanisms that can be employed in conflict management in the workplace or organizations. On this matter, it is possible to argue that although there is no conflict management or resolution scheme in most institutions, there is a general understanding of how conflicts should be handled which almost forms an informal system. The path that is followed is that the first responsibility always lat with the managers or the department heads in which the conflict takes place. In addition, there is a certain expectation that these individuals of authority can address and resolve disputes. If they cannot settle their own disputes, it should not be seen as a shortcoming on their part by the rest of the company or the workplace but as normal way of life in a community. At this point, the conflict may be taken over by the human resources department. Depending on the situation, the operations manager may also be involved. If it is a conflict that takes place at the branches, the branch managers are always involved. The reason for this high participation is by the fact that the company wants to spread the responsibility of decision-making as much as possible. For example, in the conflict involving the employee in another branch, the meetings could be called to look into the matter and the root causes of the conflict before it escalates. During elaborate discussions, I could understand that this was not only a process-conflict but also one which involved personal issues. Therefore, taking into consideration the long and efficient service of the employee to the firm, the solution may be found to transfer an employee to a different branch under the same title, where he/she offers the same services as before.

In the same manner, in the conflict involving the representative of another brand, there must be extensive discussions involving all parties. Galtung points out the all conflicts are born out equal and have the same right to be processed, with transcendence 'going beyond' and transformation, so that people can live with them (Galtung, 2004). As it is obvious, the conflict management system is participatory since it aims to involve all parties that are concerned. This process must also be one that involves open communication since it should aim at getting to the roots of the conflicts addressed to be able to find the healthiest solution to the problem. It is also fair to assert that the elements of conflict management and resolution are bound together by the trust that is a crucial part of the corporate culture. Since the employees and the managers know that the process is not arbitrary and that the decisions will be fair, the resolution processes can be carried on without disagreement.

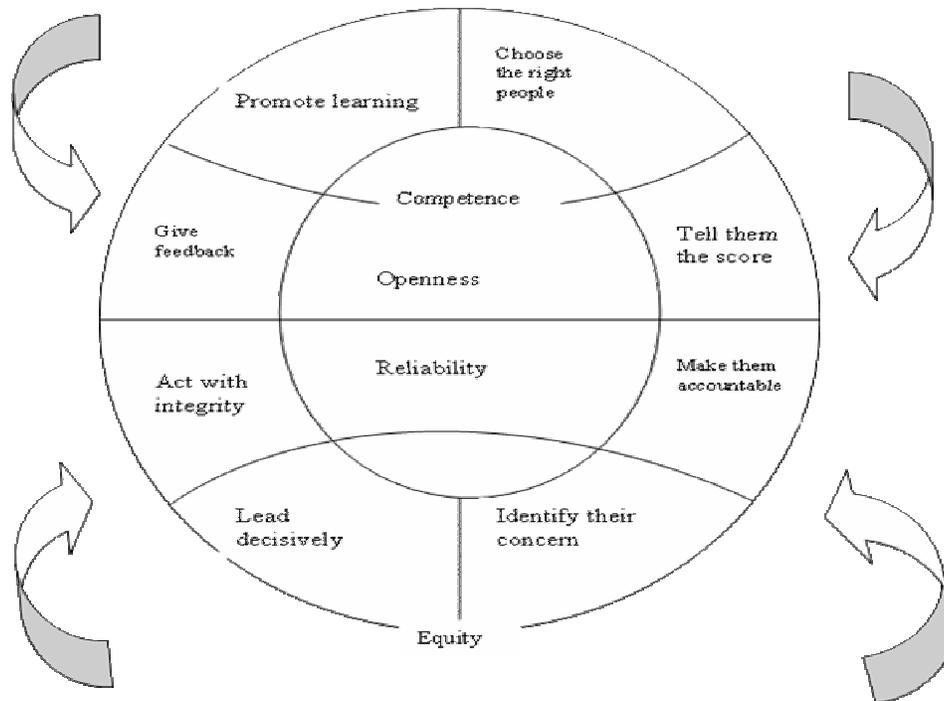Undoubtedly, there is a certain understanding of how

Figure 1. Reynolds(1997) model on the trust effect.

conflict should be handled at Cosmetic Company in light of certain aspects of corporate culture. That is why it is not useful to start a separate conflict management or resolution division or to reorganize an already existing system under this name. A renowned scholar in peace building Lederach adds that such transcendence arises from relational spaces, understanding connections, and being smart flexible (Lederach, 2007). That is to say, the workplace is not receptive towards the concept of conflict as it is obvious from the reservation towards even using the word. Another reason is the fact that the system in place is effective. However, the existing system can be more structured, strengthened and formal knowledge of dealing with conflict can be spread throughout the organization. An effective way to systematize conflict management and resolution schemes in the workplace mediation must be designed for trainings of manager's people sessions that are responsible for addressing conflict at the first place. Burker refers to these trainings as managing (Burke, 2001). This is crucial because managers may not have the necessary knowledge to address such conflict although they may have a lot of managerial expertise and experience. This was the same case with Richard and Julia. They had a lot of skills in managing the company but not for conflict management. The managers may also possess the necessary skills but may not be aware of how to manage the conflict in a certain situation. Therefore, it would be very useful to provide the directors, managers and staffs with more information in a systematic way of conflict management.

These trainings should also provide formal definitions of conflict and of the three types of conflict, that is relationship, task, and process, that can be encountered so that the managers can have well-defined descriptions of what conflict is and what different types of conflict encountered at the workplace may be (Jehn and Mannix, 2001).

The trainings should include information on possible intervention or resolution schemes such as mediation, arbitration or dispute systems design (Constantino and Merchant, 1997) which is the starting point of developing a holistic perspective to conflict management in the workplace settings. One of the key components of this particular design is its adoption of interest-based method, which can be defined as those in which the parties identify their concerns, needs and desires as a starting point in addressing the issues in dispute (Constantino and Merchant, 1997). Acknowledging such different designs or resolution schemes forms important tool for the managers in order to have wider perspective on the various mechanisms that are available than turning to Courts of law for dispute settlements.

Conclusion

In conclusion, as it has been stated above in relation to the corporate culture, cosmetics is a company that values feedback at all levels across all levels, as it is obvious from the performance report system and from Richard and

Julia. The overall judgment made from this study of Cosmetics Company is definitely the fact that there is a well-established, well-functioning corporate culture, which permeates through the whole organization. This institutional nature of the corporate culture makes it easy for newcomers to adapt to it as well as for the new branches to adapt it. The positive climate in the working place also reflects on how conflict is perceived and handled in the workplace and especially among the joint owners. Although there is a certain reservation from using the word conflict, there is also an understanding that conflict is inevitable and that it can be managed through open communication, trust, understanding, and by being transparent. Under such circumstances, what is important is to establish a system which enhances and systematizes the already-existing systems.

The most efficient method to achieve this is to offer managers trainings on the formal concept of conflict, conflict resolution systems in the literature as well as education on how to manage people and group dynamics. Seen from this perspective, Freire affirmed that this type of educational work among the people represents a new factor in social change and development - a new instrument of conduct for the Third World, by which it can overcome traditional structures and later the modern world (Freire, 1993). The importance of Reynolds' model clearly articulates the fundamental concepts of organization management such as; promotion of learning, choosing the right people, lead decisively, identify their concerns, give feedback, act with integrity, competence, openness, reliability, equity, that contribute to employees and employers to be accountable in their tasks. All these factors in the model are presented in a way that they influence each other in the work place and general organization system. The high level of congruence between the data from the interviews made this paper easy in terms of codification and content analysis as well. Coming up with the elements of corporate culture mentioned in the paper, for example, was very easy since they were repeated most often by owners of the parties. The difficult part of this article was designing the intervention mechanism since making suggestions to a well-functioning system is difficult on issue of trust and transparency based on power and dominion.

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