



# ALTERNATIVE DISPUTE RESOLUTION AND COMMITMENT OF STAFF OF SELECTED CONSTRUCTION COMPANIES

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## ABSTRACT

*The article presented an integrated data set on the alternative dispute resolution and employee commitment of selected Construction Companies. The objective of the study was to determine the effect of negotiation on continuance commitment; identify the influence of mediation on affective commitment; determine the effect of conciliation on continuance commitment and investigate the influence of arbitration on normative commitment. A structured questionnaire was administered to 268 respondents which was determined using stratified random sampling techniques. The copies of questionnaire were analysed using AMOS 21, while Structural Equation Modelling (SEM) analysis was done on the constructs to enable further comprehensive investigations. However, further comprehensive investigations will help in establishing the significant effect of alternative dispute resolution on employee commitment and how this can be incorporated in organisations/institutions for ultimate success.*

**Keywords:** Litigation, Negotiation, Commitment, Dispute, Resolution, Civil Engineering Construction Companies.

**Cite this Article:** Anthonia ADENIJI; Adewale OSIBANJO; Odunayo SALAU; Olusola OLUJOBI; Hezekiah FALOLA; Maxwell OLOKUNDUN and Chimazuru AKANWA, Alternative Dispute Resolution and Commitment of Staff of Selected Construction Companies, *International Journal of Civil Engineering and Technology*, 10(2), 2019, pp. 1071-1081.

<http://www.iaeme.com/IJCIET/issues.asp?JType=IJCIET&VType=10&IType=02>

## 1. INTRODUCTION

The emergence of dispute in the process of day-to-day activities is eminent, even in the context of organizations. For a harmonious environment to be in existence for the accomplishment of organizational goals, there is a need for alternative dispute resolution among others. The concept of alternative dispute resolution can be said to be the entirety of

processes involved in the amicable resolution of disputes that may arise in the organization, which are legally permitted but do not involve litigation. Alternative dispute resolution is the umbrella term used to refer to every other alternative to conflict resolution that involves adjudication from the court of law. Often times, people refer to the acronym 'ADR' as Appropriate Dispute Resolution or Amicable Dispute Resolution. This is a validation of the concept of alternative dispute resolution as a more effective and efficient way of conflict resolution. Alternative Dispute Resolution (ADR) has gained extensive recognition in resolving industrial disputes while preserving business relationships and the way it is handled can have a profound impact on the performance, success and sustainability of the organisations. In this context, ADR means a collaborative process of settling disputes without litigation. As the labour market becomes more dynamic and competitive across the globe, especially in Nigeria, the implementation of ADR in many organisations still becomes worrisome and abysmal and this subsequently affect both individual and organisational commitment.

The processes of mediation, conciliation, negotiation and arbitration to a large extent influence the commitment of employees in the organization. These processes of Alternative Dispute Resolutions which involve all methods of dispute resolution except litigation process to a large extent affects employees behavioral outcomes, including their commitment as their interpersonal relationship within the organization and outside the organization would be improved through the processes of alternative dispute resolution. This method of dispute resolution is also cost effective when compared with the litigation process as most of them require little or no cost. They only require time and efforts of the parties involved. Alternative dispute resolution is in fact necessary to establish and maintain the commitment of employees in the organization. Kovach (2005) and Azeem & Akhtar, (2014) stated that an individual's experience and relationship with their co-workers has an effect on organizational commitment.

In today's organizations, the level of employee commitment is relatively low as compared to the expectations of the employers (Adeniji, Osibanjo Abiodun & Oni-Ojo, 2014). This is highly detrimental to the success and growth of organizations. The institution is no exception. Institutions often do not see the need for ADR and these institutions end up being litigated for the same issues that ADR would have resolved silently and reduced the cost the institution would have expended in such cases. However, the concept of alternative dispute resolution has a huge impact on employee commitment as no organization can effectively operate with strife internally. This concept also influences an organizations relation with external environment as disputes which are bound to occur can be settled amicably at a lower cost than litigations. Relationships can also be established after the conclusion of the alternative dispute resolution processes. Thus, necessitating this study on the effect of alternative dispute resolution process and employee commitment.

Furthermore, disputes in the workplace can have different effects depending on how it is managed. In institutions, such as universities, clear-cut policies ought to exist to provide guidance on how the administrators ought to manage or resolve disputes at the lowest cost and most effective practice. A negative dispute amongst departments reduces efficiency of work. Again, employee's frustration arising as a result of disputes at work leads to a rise in absenteeism and employees' turnovers. Also, the process of mediation, conciliation, negotiation and arbitration are not effectively maximized, the potentials of these processes are greatly undermined and this is a major problem in a number of organizations. In conclusion, the Alternative Dispute Resolution Practice would effectively lead to effective settlement of disputes that may arise, at minimal cost. This would also invariably lead to a

higher level of commitment (Tanriverdi, 2008; Tjosvold, 2008 & Tjosvold, Law &Sun, 2006) and productivity from the employees which in most organizations is non-existence or existent at a very low level.

Dispute exists in society in general, involves family, work and so on. However, it is important and necessary to solve all types of disputes effectively and successfully (Hanenga & Visagie, 2011). Disputes are inevitably also a reality in the building industry. It influences project operations, increases project costs, wastes different resources, delays engineering and reduces the motivation of personnel (Owolabi et.al 2014). Dispute in the construction industry has become a serious problem, and therefore dispute resolution is increasingly important and useful in a variety of organizations.

Past researchers have failed to identify ways of handling administrative disputes amid individuals in the early stages, (Ahmad ( Marinah, 2013; Afzalur, 2001 & Hanenga & Visagie, 2011). There is little or no research on how best to implement alternative dispute resolution instruments in the business, with the goal of motivating them to work harder, while simultaneously allowing them to express their thoughts and views, and exposing them to ways to benefit from dispute situations in the workplace and pay attention to positive disputes that lead to growth of ideas. Therefore, the study focused on the effect of alternative dispute resolution process on the commitment of employees. Finally, various stakeholders such as investors, managers, and government of the nation will benefit on matters pertaining to labour in the country, have good knowledge of the various resolution strategies, make and effect appropriately, laws on matters concerning retirement ages and minimum working age.

## **2. LITERATURE REVIEW**

### **2.1. ALTERNATIVE DISPUTE RESOLUTION (ADR)**

The emergence of dispute in the process of day-to-day activities is eminent, even in the context of organisations. The concept of Alternative Dispute Resolution can be said to involve all the processes involved in the friendly or amicable resolution of disputes that may rise in the organization or among individuals in the organization, which are legally permitted but do not involve litigation or court hearing. Alternative dispute resolution is the general term used to refer to every other alternative to conflict resolution that do not involve adjudication from the court of law. Often times, people refer to the acronym ‘ADR’ as Appropriate Dispute Resolution or Amicable Dispute Resolution. This is a validation of the concept of Alternative Dispute Resolution as a more effective and efficient way of conflict resolution. Alternative dispute resolution is a voluntary process (Kovach, 2005; Jehn & Mannix, 2001; Meyer, Srinivas, Lal & Topolnytsky, 2007 ).

### **2.2. EMPLOYEE COMMITMENT**

Commitment is an emotional attachment that describes the affiliation of an employee with the organization and the consequences of this action determines the employee continuous identification with the company (Meyer & Allen, 1991). According to Mercurio (2015) and Rahim (2011), employee commitment is defined as the degree of a person’s allegiance to a company he/she is identified with. Employee commitment is the level of dedication that an employee feels towards a company (Adeniji & Akinbode, 2018; Roe, Solinger & Van, 2008; Somech, Desivilya & Lidogoster, 2009). Employee commitment is the emotional attachment and the level of allegiance an employee has for an organization (Salau, Adeniji & Oyewunmi, 2014). Employee commitment is simply defined as an employee’s assertiveness to its company (Akanji & Nwagbara, 2012). According to Stenrnberg and Dobson (2004),

employee commitment is the degree of devotion and steadfastness a worker has for the company he/she is working for. Also, it is what inspires the workers to give their best to the company.

According to Sheldon (2003), employee commitment is a worker's affinity with an organization and his/her emotional assistance to its mission. Boulian, Mowday, Porter and Steers (2002) opined that employee commitment is a worker's affinity with an organization and its objectives and also its degree of devotion. Herscovitch and Meyer, (2001); Herscovitch, Meyer, Stanley and Topolyntsky (2002) affirm that workers are deemed as loyal to an organization if they readily carry on their relationship with the company and dedicate substantial strength to realizing the company's objectives. According to Meyer and Allen (1991), we have three models of commitment and they are classified as: (a) Affective Commitment; (b) Continuance Commitment; and (c) Normative Commitment.

### ***2.2.1. Affective Commitment***

This signifies a person's devotion to an organization (Cronin & Weingart, 2007). Also, Christie, Wagner and Winter (2001) noted that an individual's psychology, devotion, affiliation, participation and loyalty to an organization is based on the individual's belief in the organization. Employees who are emotionally devoted and attached, identify with the organization because in their own opinion their individual employment relationship is similar to the organizational core values (De Dreu & Weingart, 2007). They are also committed to the organization because they want to be connected with the organization (Meyer & Allen 1991). According to Li, Chun, Ashkanasy and Ahlstrom (2012), there are determinants of affective commitments which include role clearness, peer pressure, organizational goal clarity and struggle, fairness, receptivity of employers and goal clarity, also role ambiguity, low reward system and poor compensation package are determinants of affective commitment by Weiner, (2012). To Folberg and Rosenberg, (1994), the comfort associated with a job is affiliated with an employee's emotional devotion.

### ***2.2.2. Continuance commitment***

A worker's devotion to elongate his stay in a company as a result of the risk he/she might confront is called continuance commitment (Goldfien & Robbenolt, 2007). An employee maintains his/her commitment to the organization because the new employer might not be able to afford their salaries /allowances. Continuance commitment is the consciousness of the financial expenses related to exiting the company (Cronin & Weingart, 2007). It is calculative in nature because the employee is only deliberating on the costs and threats related with leaving the present organization (Morris-Conley & Kern, 2003). It can be said that employees become devoted to an organization because of the financial benefits acquired through effort-bargain without recognizing the organization objectives (Morris-Conley & Kern, 2003). It is defined as an intellectual – continuance commitment which happens when earnings are related to an employee continue membership and a price is related to the exit (Kanter, 1968). This is divided into two: extraordinary sacrificial devotion (the private things you are giving up that is related to existing the firm) and little substitute devotion (narrow chances for other engagement- Somers, 1993).

### ***2.2.3. Normative Commitment***

A sense of duty by a worker to continue working with a company is called normative commitment (Meyer & Allen, 1997). It is an employee's devotion to remain with the company because the individual feels obligated to the employer to stay with the organization (Ibiduuni, Osibanjo, Adeniji, Salau & Falola, 2016). According to Rahim, (2011) in

normative commitment, employees remain in the organization because they feel that is the proper thing to do. Employee commitment will increase when they feel identified by the organization and also when the organization identifies them as part of the success story (Li, Chun, Ashkanasy & Ahlstrom, 2012). An employee being identified as part of the success story of an organization will boost both the individual and organizations productivity (Buchanan, 2001).

### 3. METHODS AND DATA PRESENTATION

The data set is quantitative in nature and contained effects of alternative dispute resolution on employee commitment. The data set presented made use of quantitative research method to find out the impact of alternative dispute resolution on employee commitment among staff of the sampled construction companies. Descriptive research design including mean, median, mode, standard deviation and correlation which provides clear, detailed and vivid descriptions of situation without influence were employed.

A total number of 268 questionnaires were administered but 229 were returned and valid representing 85% response rate. The demographic data presented an analysed include gender, age, marital status, educational qualification, department and tenure of service respectively. The collected data and coded was analysed with Structural Equation Modelling (PLS\_3). This gives an in-depth knowledge of the alternative dispute resolution processes why the management should embrace proper treatment of their employees to avoid conflict from occurring and how the employee could embrace discussions in resolving of conflicts which is suggested through establishment of strong relationship among both parties to the level that they are free to voice out matters that distress them.

**Table 1** Analysis of response rate

Questionnaire	Respondent	Percentage of response
Returned and valid	229	85%
Not returned	39	15%
Total Distributed	268	100%

Source: Field Survey, 2018

**Table 2** Demographic Characteristics

Variables	Items	Frequency	Percent
Gender	Male	130	56.8
	Female	99	43.2
Marital Status	Single	57	24.9
	Married	163	71.2
	Others	9	3.9
Educational Status	OND/NCE	48	20.9
	B.Eng/Bsc/HND	149	65.1
	M.Eng/Msc/MBA	26	11.4
	PHD	6	2.6
Years of Work Experience	less than 5 years	48	20.9
	5 to 10 years	147	64.2
	11 to 15 years	18	7.9
	16 to 20 years	11	4.8
	21 years and above	5	2.2

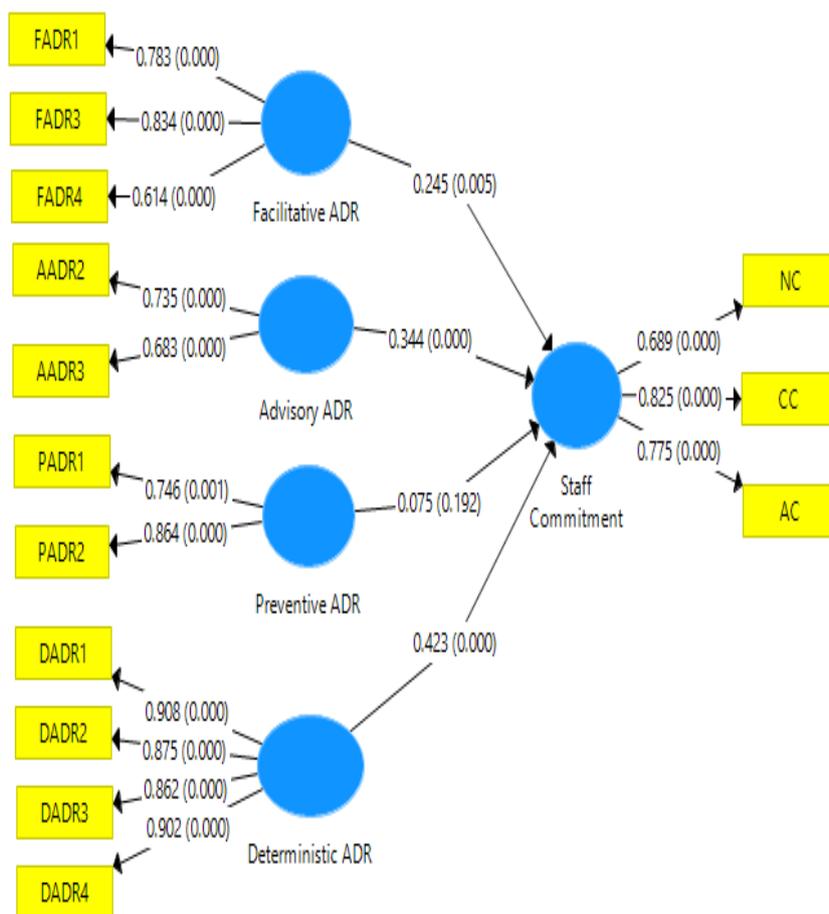
From Table 2 above, it can be deduced that most of the respondents were male and married. It was also evident the all the respondents are educated which means they are highly qualified to provide reasonable answers to the items in the questionnaire. It was noted that most of the employees have spent less than 10 years in the institution.

**Table 3** Measurement Model: Construct Reliability and Validity

	<b>Cronbach_Alpha</b>	<b>rho_A</b>	<b>Composite Reliability</b>	<b>Average Variance Reliability</b>
<b>Threshold</b>	<b>&gt; 0.7</b>	<b>&gt; 0.7</b>	<b>&gt; 0.7</b>	<b>&gt; 0.5</b>
Advisory ADR	0.714	0.714	0.769	0.504
Deterministic ADR	0.910	0.914	0.937	0.787
Facilitative ADR	0.702	0.726	0.791	0.562
Preventive ADR	0.772	0.795	0.788	0.651
Staff_ Commitment	0.742	0.753	0.808	0.585

#### 4. STRUCTURAL MODEL

To validate the descriptive statistics, the use of structural equation modelling was adopted to explain the relationship between sets of observed and latent variables. SEM is a comprehensive statistical method used for representing, estimating and testing hypotheses about causal relationships among observed and unobserved (latent) variables and has proved useful in solving the problems in formulating theoretical constructions (Reisinger & Turner, 1999). Its function has found to be better than other multivariate statistics techniques which include multiple regression, path analysis and factor analysis. SEM was adopted in this study to expand the explanatory ability and statistical efficiency for model testing with a single comprehensive method (Pang, 1996; Yilmaz, 2004). This model describes three main components in the historical course of structural equation modeling: (1) path analysis, (2) the conceptual synthesis of structural model and measurement model and (3) overall forecasting processes. The conditions for structural model indicate firstly, that all scale and measurement items such as NFI, CFI, GFI and IFI are significant when it exceeds the minimum value criterion of 0.90; second, the RMSEA becomes significant when it is less or equals 0.08 and thirdly, the CMIN/DF is also significant when it is less or equals 3.00, as presented in Tables 4 and 5 including Figure 1 respectively.



**Figure 1** Regression Weight for the Variables

There are many kinds of goodness of fit indexes and the statistical functions to put a good use of the model fit. The most common of them are: RMSEA (Root-mean-square error approximation) and GFI (Goodness-of-fit index) (Joreskog & Sorbom, 2015). As Hayduk (1987) stated, if the RMSEA is equal or smaller than 0.05, it shows a perfect fit. If it is between 0.08 and 0.10 then it means that there is an acceptable fit, but if it is greater than 0.10 then it corresponds to a bad fit.

**Table 4** PATH CO-EFFICIENTS

	Original Sample (O)	Sample Mean (M)	Standard Deviation (STDEV)	T Statistics (OI/STDEV)	P Values	Decision
Advisory ADR	0.344	0.352	0.085	4.040	0.000	Significant
Deterministic ADR	0.423	0.410	0.109	3.867	0.000	Significant
Facilitative ADR	0.245	0.249	0.087	2.832	0.005	Significant
Preventive ADR	0.075	0.080	0.058	1.307	0.192	Not Significant
R-Square	0.745					
R-Square Adj.	0.731					
RMSEA	0.062					
NFI	0.965					
GFI	0.936					

**Table 5 DISCRIMINANT VALIDITY**

	Advisory ADR	Deterministic ADR	Facilitative ADR	Preventive ADR	Staff_Commitment		Estimated Model
Advisory ADR	<b>0.710</b>					SRMR	0.063
Deterministic ADR	0.641	<b>0.887</b>				d_ ULS	1..564
Facilitative ADR	0.272	0.500	<b>0.750</b>			d_G1	1.852
Preventive ADR	0.278	0.397	0.133	<b>0.807</b>		d_G2	1.727
Staff _Commitment	0.703	0.796	0.561	0.371	<b>0.765</b>	ChiSquare	308.076
						NFI	0.921

Worthy of note is the fact that a negative dispute amongst departments reduces efficiency at work and employees' frustrations arising as a result of disputes at work which leads to rise in absenteeism and employees' turnover. Thus, the data set provides a model to effective settlement of disputes which would lead to a higher level of commitment and productivity.

Based on the theoretical and empirical findings, the following recommendations have been drawn to help organizations understand the usefulness of alternative dispute resolution on employee commitment, especially in construction companies.

1. The empirical findings showed that facilitative ADR does not have significant influence on affective commitment but this does mean that the management should avoid the proper treatment of their staff to avoid such conflict from occurring. The organization should endeavor to treat the staff in the best probable way. These staff should also embrace discussions in resolving of conflicts.
2. The institution should continually undertake employee' satisfaction reviews to measure the attitude and behaviour of employers and their workforce towards various methods to governance particularly the communication networks. The administration ought to likewise grasp direction and counselling system since its extraordinary compared to other approach to stop destructive instruments of settling both relational and intrapersonal clashes particularly among employees. Direction and counselling are the most proper to control spread of awful inward emotions.
3. The origin of every conflict is when parties involved in a particular industry do not carry out their roles and responsibilities. Both management and employees of every organization and institution must ensure that each responsibility and role given to them should be properly fulfilled to avoid such conflict arising and when conflict arises, the best solution is not litigation. The ADR process should be used before extreme measures are applied.

In Nigeria, litigation is seen as the major way to settle disputes because the alternative dispute resolution process has not been properly implemented and individuals properly educated. This study shows that employees in the country should see the importance of the alternative dispute resolution in resolving conflict.

## 5. CONCLUSION

This study has successfully achieved its objectives and as well as proffer recommendations. The Nigerian work environment is very dynamic in nature and every organization that intend to be at a competitive advantage and also maintain success must be able to properly resolve dispute in the organization. This study, effect of alternative dispute resolution on employee commitment is very significant, although the focus was on construction firms, it can also be applied to other organizations and private institutions. The conclusion that alternative dispute

resolution has a significant effect on employee commitment should be incorporated in organizations and institutions for ultimate success.

### 5.1. Suggestions for Further Study

Research is inexhaustible and knowledge is vast likewise this research topic. The researcher has made effort to investigate the effect of alternative dispute resolution on employee's commitment. However, this field of study is not extensive therefore it is suggested that:

1. Further research can be carried to determine the effect of alternative dispute resolution on both public and private institutions.
2. Researchers should delve into other methods of resolving disputes in other to create a broader perspective on how conflict can be managed effectively.
3. Further research can be carried out in other government parastatals and organizations.

### ACKNOWLEDGEMENT:

The authors appreciate the management of Covenant University for providing full sponsorship of this study.

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