

## The Social Process of Alternative Dispute Resolution and Collective Conciliation: Unveiling the Theoretical Framework

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**Abstract :** This study presents a conceptual analysis and investigation into the development of a systematic framework required for better understanding of the social process of Alternative Dispute Resolution (ADR) and collective conciliation. The critical examination presented in this study is significant because; it draws on insight from ADR, negotiation and collective bargaining literature and applies it in our advancement of a methodical outline which gives an insight into the influence of the key actors and other stakeholder strategies and behaviours during dispute resolution in relation to the outcomes which is novel. This study is qualitative and essentially inductive in nature. One of the findings of the study confirms the need to consider ADR and collective conciliation within the context of the characteristic conditions; which focus on the need for some agreement to be reached. Another finding of the study shows the extent which information-sharing, willingness of the parties to negotiate and make concession assist both parties to attain resolution. This paper recommends that in order to overcome deadlock and attain acceptable outcomes at the end of ADR and collective conciliation, the importance of information exchange and sustenance of trade union and management relationship cannot be understated. The need for trade unions and management, the representatives to achieve their expectations in order to build the confidence and assurance of their respective constituents is essential. In conclusion, the analysis presented in this study points towards a set of factors that together can be called the social process of collective conciliation nevertheless; it acknowledges that its application to collective conciliation is new.

**Keywords :** alternative dispute resolution, collective conciliation, social process, theoretical framework, unveiling

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