

ANALYSIS OF INDUSTRIAL RELATIONS MEDIATOR FUNCTIONS IN DISPUTE RESOLUTION AT THE DEPARTMENT OF MANPOWER AND TRANSMIGRATION OF KOLAKA REGENCY

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Abstract. This study analyzes the role of industrial relations mediators in dispute resolution, as well as the factors facilitating or hindering the mediation process at the Manpower and Transmigration Agency of Kolaka Regency. A descriptive qualitative design was employed, with data collected through in-depth interviews, observation, and document analysis involving informants selected via purposive sampling. Data analysis involved data reduction, data presentation, and conclusion drawing. The results indicate that mediators do not merely facilitate communication but actively guide the mediation process by clarifying labor regulations, maintaining neutrality, managing negotiations, and ensuring procedural fairness until the parties reach a voluntary agreement. The findings reveal that smooth mediation is more readily achieved when mediator competence is supported by effective communication, a command of regulations, and relatively balanced information between the parties. Conversely, the process tends to encounter obstacles when parties display defensiveness, possess limited understanding of their rights and obligations, or when there are time constraints and disparities in human resource competence. These findings demonstrate that mediation is an interaction involving mediator capacity, party readiness, and institutional support; thus, the effectiveness of mediation is determined not only by the mediator's abilities but also by the conditions and level of engagement of the parties involved in the dispute resolution process.

Keywords: Industrial Relations Mediator, Labor Disputes, Mediation Effectiveness, Workplace Conflict, Procedural Justice.

Abstrak. Penelitian ini menganalisis fungsi mediator hubungan industrial dalam penyelesaian perselisihan serta faktor yang mendukung dan menghambat pelaksanaan mediasi di Dinas Tenaga Kerja dan Transmigrasi Kabupaten Kolaka. Penelitian menggunakan desain kualitatif deskriptif dengan data yang dikumpulkan melalui wawancara mendalam, observasi, dan dokumentasi terhadap informan yang dipilih secara *purposive*. Analisis data dilakukan melalui reduksi data, penyajian data, dan penarikan kesimpulan. Hasil penelitian menunjukkan bahwa mediator tidak hanya berperan sebagai pihak yang memfasilitasi komunikasi, tetapi juga secara aktif mengarahkan proses mediasi melalui klarifikasi regulasi ketenagakerjaan, penjagaan netralitas, pengelolaan negosiasi, dan perlindungan terhadap keadilan proses hingga para pihak mencapai kesepakatan secara sukarela. Pola temuan menunjukkan bahwa kelancaran mediasi lebih mudah tercapai ketika kompetensi mediator didukung oleh komunikasi yang efektif, penguasaan regulasi, dan informasi yang relatif seimbang antarpihak. Sebaliknya, proses mediasi cenderung menghadapi hambatan ketika para pihak menunjukkan sikap defensif, memiliki pemahaman yang terbatas mengenai hak dan kewajiban, serta ketika terdapat keterbatasan waktu dan variasi kompetensi sumber daya manusia. Temuan tersebut menunjukkan bahwa proses mediasi merupakan interaksi antara kapasitas mediator, kesiapan para pihak, dan dukungan kelembagaan, sehingga efektivitas mediasi tidak hanya ditentukan oleh kemampuan mediator, tetapi juga oleh kondisi dan keterlibatan para pihak dalam proses penyelesaian perselisihan.

Kata Kunci: Mediator Hubungan Industrial, Perselisihan Ketenagakerjaan, Efektivitas Mediasi, Konflik Kerja, Keadilan Proses

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INTRODUCTION

Industrial relations disputes are an important challenge in modern employment systems because they affect worker welfare, employer continuity, organizational stability, and public trust in labor governance. Disputes commonly emerge from differences in interpretation of rights and obligations, disagreements over working conditions, termination issues, wage claims, and conflicting interests between workers and employers. If such disputes are handled through adversarial litigation only, they may become costly, time-consuming, and damaging for long-term employment relations. Consequently, mediation has become an important non-litigation mechanism for promoting dialogue, procedural fairness, and mutually acceptable settlement in workplace conflict.

The literature on workplace conflict emphasizes that mediation is not merely an administrative procedure but a constructive conflict management process. Mediation allows a neutral third party to facilitate communication, reduce hostility, identify interests, and help disputing parties generate acceptable solutions (Bollen & Euwema, 2013; Munduate et al., 2022; Wall & Dunne, 2012). In organizational conflict research, mediation effectiveness is often associated with mediator neutrality, legal or technical competence, communication and negotiation skills, procedural justice, and agreement quality (Colquitt, 2001; Goldman et al., 2008; Mareschal, 2005; Rahim, 2002). These elements are especially relevant in industrial relations because the parties often have unequal bargaining power and different levels of legal knowledge.

In Indonesia, industrial relations dispute settlement is formally structured through bipartite negotiation, mediation, conciliation, arbitration, and Industrial Relations Court procedures. Within this system, the industrial relations mediator serves a strategic function by helping workers and employers reach voluntary agreement before conflict escalates to litigation. The mediator is expected to maintain impartiality, interpret labor regulations accurately, facilitate balanced communication, and produce settlement recommendations that are legally and socially acceptable. However, the effectiveness of this function is not automatic. It depends on mediator competence, institutional support, and the willingness of workers and employers to participate cooperatively.

Kolaka Regency provides a relevant context for examining this issue because industrial and mining-related employment has expanded over the last decade. Administrative records at the Department of Manpower and Transmigration indicate that labor disputes continue to arise, although most are resolved through bipartite or tripartite mechanisms and agreements. This pattern suggests that mediation can be effective, yet it also raises questions about why some

disputes still face obstacles and why a small number of cases escalate toward formal adjudication. The phenomenon points to a contextual gap between the ideal function of mediation as a quick, fair, and efficient settlement mechanism and the practical barriers encountered by mediators and disputing parties.

Previous studies have examined workplace mediation, conflict management, procedural justice, and dispute resolution systems, but empirical evidence on the everyday practice of government-appointed industrial relations mediators in regional Indonesian contexts remains limited. Most existing studies emphasize mediation as a formal dispute-resolution mechanism or examine general mediator competencies, while less attention has been given to how mediator functions are actually enacted through communication, legal clarification, negotiation, neutrality, and procedural fairness within local labor disputes. This study addresses this gap by examining the practical operation of industrial relations mediation at the Department of Manpower and Transmigration of Kolaka Regency and by identifying how mediator competence interacts with the readiness, attitudes, and cooperation of disputing parties. The novelty of this study lies in its integrated examination of mediation effectiveness as a relational and contextual process, in which mediator competence alone is insufficient to ensure settlement; effective mediation also depends on the willingness of workers and employers to communicate, understand their rights and obligations, and participate constructively in negotiation.

METHOD

This study used a descriptive qualitative approach to understand how industrial relations mediator functions are implemented in the settlement of labor disputes at the Department of Manpower and Transmigration of Kolaka Regency. A qualitative design was appropriate because the study focused on processes, meanings, institutional practices, and the experiences of actors involved in mediation rather than on statistical relationships. The research site was selected purposively because the department is the official public institution responsible for facilitating industrial relations dispute settlement in Kolaka Regency. Informants were selected using purposive sampling. They included industrial relations mediators, workers or union representatives, and employer-side participants who had direct experience with mediation. The selection criteria emphasized direct involvement, knowledge of the mediation process, and ability to provide relevant information about supporting and inhibiting factors.

Data were collected through in-depth interviews, observation, and documentation. Interviews explored mediator neutrality, legal competence, communication and negotiation practices, procedural fairness, mediation outcomes, and factors affecting mediation. Observation was used to understand the mediation setting and administrative process, while documentation included mediation records, regulations, and case-related administrative materials. The use of multiple sources strengthened data credibility through triangulation. Data analysis followed an interactive qualitative process consisting of data reduction, data display, and conclusion drawing. Interview and observation data were first organized according to the main research focus. The data were then coded into thematic categories corresponding to mediator function and contextual factors. A thematic matrix was developed to connect evidence from informants, observations, and documents. To enhance trustworthiness, the study applied source triangulation, technique triangulation, and member checking.

RESULTS

The findings show that the industrial relations mediator function at the Department of Manpower and Transmigration of Kolaka Regency has generally operated effectively. The mediator's role was reflected in five interrelated functions: maintaining neutrality, applying legal competence, facilitating communication and negotiation, ensuring procedural fairness, and guiding the parties toward settlement outcomes. The findings also indicate that mediation effectiveness was shaped not only by mediator competence but also by the readiness and cooperation of the disputing parties. Table 1 summarizes the main themes.

Table 1. Thematic summary of mediator functions

Theme	Empirical indication	Interpretation
Mediator neutrality	Both parties were given opportunities to explain their positions; the mediator avoided explicit alignment with either side.	Neutrality strengthened acceptance of the mediation process.
Legal competence	The mediator clarified labor rules and explained the implications of rights and obligations.	Legal mastery helped prevent unrealistic demands and legally weak settlements.
Communication and negotiation	The mediator used two-way communication, turn-taking, and separate caucus when needed.	Communication skills reduced tension and moved parties toward problem solving.
Procedural fairness	The process was conducted transparently and documented through mediation records.	Fair procedures increased trust and willingness to accept outcomes.
Mediation outcomes	Most disputes were settled through agreements without proceeding to the Industrial Relations Court.	The mediation function supported early dispute resolution and reduced escalation.

Mediator Neutrality

The first major finding concerns mediator neutrality. Informants indicated that mediators attempted to maintain balance by collecting information from both workers and employers, providing equal opportunities to speak, and referring to labor regulations rather than personal preferences. One informant explained:

“Dalam proses mediasi, kami memberikan kesempatan yang sama kepada pekerja dan pengusaha untuk menyampaikan permasalahan dan pendapatnya. Mediator tidak boleh memihak kepada salah satu pihak, tetapi harus berpedoman pada peraturan yang berlaku.” (I1)

This neutrality was important because the parties often entered mediation with different interests and defensive attitudes. The mediator's consistent reference to regulations and documented evidence helped maintain the perceived legitimacy of the process. Although perceptions of partiality could still emerge when a party disagreed with a legal explanation or proposed settlement, the findings indicate that neutrality was primarily maintained through balanced treatment and rule-based mediation.

Legal Competence

The second finding relates to legal competence. Mediators were required to understand employment regulations, dispute categories, rights and obligations, and procedural requirements. One informant stated:

“Penguasaan peraturan ketenagakerjaan sangat penting karena mediator harus menjelaskan hak dan kewajiban para pihak berdasarkan ketentuan yang berlaku. Dengan begitu, para pihak dapat memahami posisi hukumnya masing-masing.” (I2)

Legal competence enabled the mediator to clarify which claims were supported by applicable regulations and which issues required further negotiation. This was particularly important when parties had limited legal understanding or when disputes involved termination, wages, or employment obligations. Thus, legal competence functioned not only as technical knowledge but also as a basis for guiding the parties toward realistic settlement options.

Communication and Negotiation

The third finding concerns communication and negotiation. Mediators facilitated dialogue by managing speaking turns, reframing emotional statements, summarizing the main issues, and encouraging the parties to identify practical solutions. An informant described this process as follows:

“Mediator berusaha menenangkan para pihak dan mengatur jalannya komunikasi agar masing-masing dapat menyampaikan pendapatnya dengan baik. Setelah itu, mediator membantu mencari jalan tengah yang dapat diterima oleh kedua belah pihak.” (I3)

In several situations, the mediator used separate discussions or caucuses to reduce tension and provide opportunities for each party to consider possible compromises. These findings suggest that mediation effectiveness depended not only on legal knowledge but also on the mediator's ability to manage interpersonal interaction and transform disagreement into constructive negotiation.

Procedural Fairness

The fourth finding concerns procedural fairness. The mediation process was perceived as more acceptable when the mediator provided clear explanations, treated both parties respectfully, and documented the proceedings transparently. One informant noted:

“Proses mediasi dilakukan secara terbuka dan adil. Kedua pihak diberikan kesempatan yang sama untuk menyampaikan pendapat, dan hasil pembicaraan dicatat dalam berita acara mediasi.” (I1/I2)

Procedural fairness was important because the parties were more likely to accept the process and its outcomes when they perceived that they had been heard and that neither party dominated the proceedings. Therefore, fairness was reflected not only in the final agreement but also in how the mediation process was conducted.

Mediation Outcomes

The fifth finding relates to mediation outcomes. Most disputes were resolved through agreements without proceeding to the Industrial Relations Court. An informant explained:

“Sebagian besar perselisihan dapat diselesaikan melalui kesepakatan dalam proses mediasi. Jika para pihak bersedia terbuka dan mencari solusi bersama, perkara biasanya tidak perlu dilanjutkan ke Pengadilan Hubungan Industrial.” (I2)

This finding indicates that mediation functioned as an early dispute-resolution mechanism in the cases examined. However, the outcome was not determined solely by mediator competence. Informants also indicated that settlement depended on the willingness of the parties to provide accurate information, reduce defensive attitudes, and consider realistic settlement options. Thus, successful mediation emerged from the interaction between mediator capacity and party cooperation.

Table 2. Supporting and inhibiting factors in mediation

Category	Factors	Implication
Supporting factors	Effective communication, mastery of labor regulations, balanced information, administrative documentation.	Strengthens trust, facilitates negotiation, and supports settlement quality.
Inhibiting factors	Party ego, low understanding of rights and obligations, time constraints, uneven HR competence, defensive attitudes.	Slows the process, increases tension, and may prevent voluntary agreement.

Overall, the findings reveal a consistent pattern: mediation was more likely to proceed constructively when mediator neutrality, legal competence, communication skills, and procedural fairness were combined with the parties' willingness to cooperate. Conversely, limited legal understanding, defensive attitudes, and unwillingness to compromise could constrain the mediation process even when the mediator had adequate competence.

DISCUSSION

The findings indicate that mediation effectiveness in industrial relations is shaped by the interaction between procedural legitimacy, legal competence, and interpersonal facilitation. Rather than functioning merely as an intermediary between workers and employers, the mediator operated as a process manager who structured interaction, clarified the legal boundaries of the dispute, and helped the parties move from competing positions toward possible settlement. This finding is consistent with mediation research emphasizing the mediator's role in transforming adversarial conflict into constructive problem solving (Bollen et al., 2016; Munduate et al., 2022; Wall & Dunne, 2012). In the Kolaka context, this multidimensional role becomes particularly important because disputes may involve unequal legal understanding, emotional tension, and different interpretations of employment rights and obligations.

Neutrality as a source of procedural legitimacy

Neutrality emerged as more than an ethical requirement; it functioned as a practical basis for maintaining the legitimacy of the mediation process. The findings suggest that neutrality was demonstrated through concrete practices, including providing balanced opportunities to speak, considering information from both parties, referring to applicable regulations, and avoiding statements that could be interpreted as taking sides. This indicates that neutrality in industrial relations mediation is not simply a mediator's internal attitude but a behaviour that must be visible and consistently experienced by the disputing parties.

This interpretation extends previous research that identifies neutrality and impartiality as important determinants of trust and acceptance in mediation (Goldman et al., 2008; van Gramberg & Teicher, 2016). In industrial relations disputes, the importance of neutrality may be even greater because workers and employers can differ substantially in bargaining position, access to information, and understanding of employment regulations. Consequently, a mediator who appears to favour one party may weaken confidence in the process even when the substantive explanation is legally justified. The Kolaka findings therefore suggest that perceived neutrality is produced through procedural practices, particularly balanced communication, transparent reasoning, and consistent reference to legal standards. An important implication is that neutrality does not necessarily mean treating every claim as equally justified. The mediator may explain that a particular demand is inconsistent with applicable regulations while still maintaining an impartial process. In this sense, neutrality is better understood as equality of process rather than equality of substantive position. This distinction is important because the mediator's responsibility is not to create an identical outcome for both parties but to ensure that both parties have a fair opportunity to present their interests and understand the basis of the mediation process.

Legal competence as a component of mediation authority

Legal competence constituted another central dimension of mediator effectiveness. The findings indicate that the mediator's authority was derived not only from the formal institutional position but also from the ability to interpret employment regulations and translate legal provisions into explanations that could be understood by the disputing parties. This was particularly relevant when disputes involved different interpretations of wages, termination, rights, or employment obligations. The finding adds an important contextual dimension to the broader mediation literature. In general workplace mediation, communication and negotiation skills are often emphasized as the primary mechanisms through which mediators facilitate settlement. In government-administered industrial relations mediation, however, technical legal competence cannot be separated from facilitation. The mediator must simultaneously preserve a constructive dialogue and establish the legal parameters within which negotiation can take place. Legal knowledge therefore functions not simply as technical expertise but as a source of credibility and a boundary-setting mechanism during negotiation.

The role of legal competence was particularly visible when parties had limited legal literacy. By explaining rights, obligations, and regulatory provisions, the mediator could distinguish between claims that had a legal basis and issues that required voluntary negotiation.

This helped shift the discussion from personal assumptions toward more objective considerations. The finding suggests that effective mediation in industrial relations requires a combination of legal authority and communicative competence: legal knowledge provides the substantive foundation, while communication determines whether that knowledge can be accepted and used constructively by the parties. This interpretation also helps explain why legal competence and neutrality are closely connected. Consistent reference to regulations can serve as an observable basis for impartiality because the mediator's position is anchored in external legal standards rather than personal preference. However, reliance on regulations alone is insufficient. If legal explanations are delivered without adequate communication or sensitivity to the parties' concerns, they may be perceived as rigid or one-sided. Thus, the findings suggest that mediator competence involves not only knowing the law but also explaining and applying it in a manner that preserves procedural trust.

Communication, negotiation, and procedural fairness

Communication and negotiation functioned as complementary mechanisms supporting neutrality and legal competence. Techniques such as turn-taking, clarification, reframing, summarizing issues, and caucus enabled the mediator to manage emotional tension and maintain a productive discussion. This is consistent with conflict management perspectives that emphasize the movement from positional conflict toward the identification of interests and possible solutions (Rahim, 2002; Tjosvold et al., 2014). The findings further indicate that procedural fairness influenced how the mediation process was received by the parties. Clear explanations, respectful treatment, opportunities to express views, and transparent documentation helped create a perception that the process was properly conducted. This is consistent with organizational justice theory, which suggests that acceptance of decisions is influenced not only by outcomes but also by perceptions of fairness, neutrality, voice, and respect during the decision-making process (Colquitt, 2001; Folger et al., 2005). In this context, procedural fairness provides an important bridge between mediator behaviour and parties' willingness to consider settlement.

The combination of these findings suggests that mediation effectiveness in Kolaka should not be understood solely from whether an agreement is eventually reached. The more important contribution of the mediation process lies in how the mediator creates the conditions under which agreement becomes possible. Neutrality provides procedural legitimacy, legal competence establishes substantive boundaries, communication facilitates interaction, and

procedural fairness supports acceptance of the process. These dimensions operate together rather than independently.

Contextual contribution and practical implications

The study contributes contextual evidence by showing how these dimensions operate in a regional government labor-mediation setting. Previous mediation studies have largely emphasized general workplace conflict, organizational justice, or mediator behaviour, whereas the present findings demonstrate the particular importance of combining impartial process management with regulatory expertise in government-appointed industrial relations mediation. The Kolaka case illustrates that mediation effectiveness is embedded in the institutional and legal characteristics of industrial relations rather than being transferable directly from general workplace mediation models. At the same time, the findings reveal that mediator capability alone does not determine the quality of mediation. Party ego, limited understanding of rights and obligations, defensive attitudes, time constraints, and uneven human resource competence can restrict the mediator's ability to facilitate constructive negotiation. These conditions indicate that improving industrial relations mediation requires a broader institutional approach, including continuous competency development for mediators, improved legal literacy among workers and employers, adequate time for case handling, and consistent documentation practices. Such measures may strengthen the conditions for fair and constructive mediation without assuming that every dispute can or will be resolved through agreement.

CONCLUSION

This study concludes that the function of industrial relations mediators in resolving labor disputes at the Department of Manpower and Transmigration of Kolaka Regency has generally been effective. Mediators performed key roles by facilitating communication, maintaining neutrality, clarifying labor regulations, guiding negotiation, ensuring procedural fairness, and helping parties reach voluntary agreements. These functions enabled most disputes to be resolved without escalation to the Industrial Relations Court. The study also shows that mediation effectiveness is shaped by supporting and inhibiting factors. Supporting factors include effective communication, mastery of labor regulations, and balanced information. Inhibiting factors include party ego, low understanding of rights and obligations, limited time, defensive attitudes, and uneven human resource competence. Therefore, the success of mediation depends on the capability of mediators, the cooperative readiness of the disputing parties, and institutional support for fair and transparent dispute settlement.

RECOMMENDATION

The Department of Manpower and Transmigration should strengthen mediator capacity through continuous training in labor law, negotiation, communication, and conflict psychology. Workers and employers also need regular socialization regarding employment rights and obligations so that mediation begins from a more informed position. Future studies may compare mediation practices across districts or use mixed methods to examine how mediator competence, party trust, and procedural justice predict settlement success.

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