

Chapter 5

Global Challenges and Opportunities of New Technologies for Workplace Conflict Resolution Through ADR

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ABSTRACT

This paper aims to provide a scientific analysis of the scarce existing academic and practical work on the global challenges and benefits of New Technologies and Artificial Intelligence (AI) in Alternative Dispute Resolution (ADR) and Online Dispute Resolution (ODR) applied to the workplace. Its innovative and unprecedented approach provides an in-depth and structured understanding of the integration of emerging technologies into ADR mechanisms in the workplace. At the same time, it includes a comprehensive analysis of technological and AI developments in ADR, the impact of these on the efficiency and accessibility of ADR in the workplace.

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I. INTRODUCTION AND OBJECTIVES

This work addresses the issue of AI in the field of the so-called Alternative – Appropriate or Adequate- Dispute Resolution (ADR) Methods in the workplace, an area in which the production of conflicts is inherent to work and business activity itself in a universal manner (Losada Crespo & Briz Clariget, 2024).

With this principal goal in mind, the present research work will be completed by four other objectives methodologically differentiated into their corresponding sections, including four Tables and four Figures on the subject of the research.

The first section is a delimitation of the subject of study & Statistical Data. The ADRs that are applied globally in the workplace and their main characteristics are specified and compared with each other and with Universal Justice, by means of four illustrative research tables. It also provides a Flow Chart with the steps for dealing with a workplace conflict using an ADR Protocol and a proposal is made. A conceptual Hybrid Model is proposed to be applied in the workplace. In addition, in the absence of global statistics on the subject, it will provide statistical data on Conciliations, Mediations, and Arbitrations in Spain in the workplace.

The second section deals with digitalized conflict management and resolution mechanism in the workplace. It is analyzed the *Online Dispute Resolution* (ODR). It also provides a study on New Technologies & AI in ADRs beyond hot topic and established conceptions (AA. VV., 2022-2023). It specifies the AI programs applied to the different ADRs, and how AI can be applied in specific areas in the workplace, such us Human Resources (HR), Procurement and After-sales service. Extensive research is carried out on the different AI programs applied to the different ADRs. In turn it is provides the first case study of the use of AI in ADR (mediation) to resolve a workplace dispute.

The third section focuses on specifying the most relevant points on the advantages and disadvantages (benefits and challenges) of applying AI in ADR in the workplace. In particular, in those most commonly used in the worksite, such as conciliation, arbitration and mediation. It is precisely the ability to prevent, manage and resolve conflicts appropriately that, in a global context, is an essential indicator for measuring professional and business success or failure. For this reason, this paper includes a section aimed at addressing how the application of AI in certain alternative methods of conflict resolution, such as negotiation, mediation, arbitration, and conciliation, can benefit the proper management and the result in the handling of conflicts in certain functional areas of organizations (HR, Purchasing, After-sales Service, etc.) in the workplace. Furthermore, at the end, a table has been produced highlighting the *pros* and *cons* of applying AI in extra-judicial methods of conflict management and resolution in the workplace.

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