

Conflict Management and Alternative Dispute Resolution Mechanisms in the Health Sector: A Case of University of Abuja Teaching Hospital

UKONU, Ifeanyiichukwu Ojeka

Human Resource Department, College of Management Sciences, Michael Okpara University of Agriculture, Umudike

EMEROLE, Gideon A., Ph.D

Business Administrative Department, College of Management Sciences, Michael Okpara University of Agriculture, Umudike

Abstract

Conflict in an organisation is inevitable and arises as people in the organisation carry out their functions by means of adjustments and compromises among competitive elements in its structure and membership. Substantially, industrial conflicts may be whittled by peculiarity of work environment, such as long working hours, chain of command and compensation schemes. In this regards, health care diversity and conflicts are inherent in the health sector, as such, conflict in interdisciplinary groups are inexorable. Since conflicts are part of organizational life, the way it is handled and managed is instructive. Therefore, Conflict management in an organisation entails an approach and practice of being able to identify and handle conflicts rationally, equitably, and competently. Thus, the paper examines the causes of conflicts that exist in hospitals with emphasis on University of Abuja Teaching Hospital and also highlights the role of alternative dispute resolution mechanisms as tools for conflict management in the health sector with specific reference to the University of Abuja Teaching Hospital.

Keywords: Conflict, Conflict Management, Alternative Dispute Resolution, UATH, Health sector

INTRODUCTION

Conflict is inescapable and part of organisation's life. Griffin (2002), encapsulates conflicts as an inevitable element of interpersonal relationships in an organisation. Basically, when two or more people or groups come in contact with one another in a bid to achieve their respective objectives, their relationships may become discordant or erratic. This is largely because people are bound to have competing interests as they interact with one another. These competing interests if not properly handled could degenerate into conflict situations (Agbi, 2013). Ideally, conflicts may occur in many different forms but are usually more pronounced where there is a protagonist and an antagonist. Traditionally, Conflicts are viewed from a negative perspective. From this perspective, it is seen as being disruptive and unnatural, and represents a deviant behaviour which should be controlled and changed (Mullins, 2005). As such, due to the negative connotations of conflict, most people assume that conflict should be avoided. However, in recent years, people have realised that although conflict can be a major problem, certain kinds of conflicts may also be beneficial (Griffin, 2002; Hellriegel & Slocum, 2004; Mullins, 2005). Predominantly, cost of conflicts may likely out-weigh the benefits. As such, it will be perceived as a set back to the organisation and national economy.

Although, conflicts are inevitable in an organisation, as Mullins (2005) proposed, they still occur even if organisations have taken great care to try and avoid it. At the organisational level, conflicts are triggered by issues of welfare, remuneration and other benefits. However, organisational conflicts occur where there is a conflict of interest in terms and conditions of service, poor funding and remuneration among others in an organisation (Agbi, 2013). Suffice to assert that the conflicts among different professional groups in Nigeria's health sector are like that of children of the same parents claiming rights to different things at home. There is always the belief among these 'siblings' that one is not only preferred but an untouchable sacred cow. Therefore, the cirques keep deepening which have gravely affected the smooth running of the hospitals. Consequently, for an organisation to achieve its objectives efficiently and effectively; conflict management becomes imperative as unresolved grievances and conflicts may lead to litigations. Thus, understanding conflict and how to manage or resolve it should be an integral part of what and how managers should learn. Such understanding is essential for the personal well-being and success of individuals as well as the long-term success of organisations (Singleton, Toombs, Taneja, Larkin, & Pryor, 2011) as cited in (Oni-Ojo, Iyiola, & Osibanjo 2014).

University of Abuja Teaching Hospital is a referral tertiary hospital. It is an open system made of different professionals viz. Doctors, Nurses, Pharmacists, Laboratory technicians, Microbiologists, Food nutritionist, and Physiotherapists and other supporting staff and all play focal roles in operational existence of any health institution and the entire health sector. Subsequently, the conflicts among different professional

groups in the health sector are cancerous wounds that has proved difficult to heal. Therefore, to manage these conflicts, this paper therefore proposes to examine the causes of conflicts at the University of Abuja Teaching Hospital; and a cheaper and faster means of handling conflicts such as Alternative Dispute Resolution (ADR) mechanisms.

REVIEW OF RELATED LITERATURE

GRIEVANCES

Grievance has been defined by Encarta dictionary (2009) as a cause of complaint or resentment that may or may not be well founded. It could be as a result of bitterness or anger at having received unfair treatment. It also means formal complaints; or problem expressed by aggrieved party or parties on issues they feel there is no equity in their affairs. According to Okoh (2005), grievances are complaints of any kind raised by employees, either individually or as a group against management on a number of issues viz.:

Wage and allowance adjustment, methods of pay and incentive system grievances; Supervision grievances which include severity and application of disciplinary actions by supervisors for any complaint on general methods of supervision; Grievances relating to seniority and discharge such as loss, calculation and interpretation of ranks and seniority, disciplinary discharge or lay-off, unfair or lack of promotion prospects, transfers, assignments, shift duties etc.; Collective grievances in connection with allegations of violations and interpretations of contract of agreements by management, management disregard of precedents and failure of management to live up to promises.

Consequently, the growing intricacy of remunerations and payment system, rapid rate of technological changes and advancement and unprecedented quest for different professional groups in the health sector to partake in the decision making regarding working conditions, power sharing, and payment has metamorphosed to increasing conflicts between management and aggrieved employees or between unions and the government. This has led to different kinds of industrial action in the health sector. For the purpose of this study, Central Piedmont Community College definition of grievance is modified thus: Grievance is a formal process whereby employee alleges a violation, inequitable application, or misinterpretation of a specific organisational rule, regulation, policy, or procedure pertaining to the employment relationship between the grievant and the organisation or government that cannot be resolved through informal conflict resolution avenues.

CONFLICTS

Various authors have defined the concept of conflict from different perspectives. Agbi (2013) posit that conflict is a part of life fundamentally because humans are bound to have competitive interests in their course interacting with one another. The Webster's dictionary refers to conflict (as a noun) as a sharp difference, disagreement, collision or opposition of interests, ideas, etc, clash, hostility. According to Newstorm and Davis (2002), conflict is any situation in which two or more parties feel themselves in opposition. It is an interpersonal process that arises from disagreements over the goals or the methods to accomplish those goals. Stephen Robins defines conflict as "a process that begins with a party perceives that another party has negatively affected, or is about to negatively affect something that first party cares about". It encompasses the wide range of conflicts that people experience in organizations such as incompatibility of goals, differences over interpretations of facts, disagreements based on behavioral expectations and the like. Conflict has been defined by Anioke (2002) as a difference or disagreement of opinions, ideals or goals between parties, individuals or groups. Adesina (2009) stated that conflict is the act of striking together, mutual interference of opposing or incompatible forces, ideas, interest context, and discord. From Ufok (1987) and Iwok (1995) perspective conflict is a state of emotional stress in a person or group of persons arising from collision of different needs, methods of operation in a given situation. The antecedents to intergroup conflict according to Luthans (2005) are identified as competition for resources, task interdependence, jurisdictional ambiguity, and status struggle. Wehrich and Koontz (2005) posit that conflict is part of organisational life and may occur within the individual, between individuals, between individual and the group and between groups.

From the different perspectives, we can infer that conflict in the organisation could be inter-personal or inter-group. It could present in Pluralistic and diverse form or in a homogenous form. It can be violent or non-violent, latent or manifest. Basically, it seems from the above assertions that conflicts always have negative outcomes. Recently, studies have shown that it is necessarily so (Mullins, 2005, Luthans, 2005). Conflicts can be regarded as a reality of management and organisational behaviour and can be related to power and politics (Mullins, 2005). Armstrong (2005) asserted that conflict is inevitable in organisations because they function by means of adjustments and compromises among competitive elements in their structure and membership. Mullins (2005) stated that conflict per se, is not necessarily good or bad but an inevitable feature of organisational life but should be judged in terms of its effects on performance.

Conversely, Hellriegel & Slocum (2004) posit that conflict always have a negative effect, and may sometimes has positive effect that could lead to improved problem solving and decision-making, and also to the

simulation of creativity that might increase productivity. Almusdy (2007), Tjosvold (2006 & 2008) in addition to their perception of inevitability of conflict in any organisation went further to opine that conflict is an unavoidable occurrence that might have negative outcome on the individual and the organisation if not properly managed. A positive effect of conflict depends on how it is managed (Hatch, 2006; Adomi & Anie, 2006, Mullins 2005).

INDUSTRIAL/ORGANISATIONAL CONFLICT

Industrial Conflict includes interdepartmental rivalries, disputes between managers and interpersonal tensions. **Industrial Conflict is a term** which refers to all expressions of dissatisfaction within the employment relationship, especially those pertaining to the employment contract, and the effort bargain (Marshall, 1988). Paxton shares the same view as Marshall and in addition stated that Workers may express this dissatisfaction either formally or informally. Typically, formal expression of industrial conflict is known as a strike, when all or nearly all employees refuse to work until their grievances are addressed. While informal industrial conflict often consists of individual or small group actions ranging from purposeful negligence to sabotage. However, there are divergent theories about the source of tensions in these conflicts.

Industrial conflicts, which usually arise due to a breakdown in negotiation as well as disagreements between employer(s) and the employees, connote a temporary stoppage of work resulting from the pursuance of grievance(s) by workers (Osabuohien, 2014). Stoner and Wankel (1986) posited that disagreement between two or more organisation members or groups could arise from the fact that they must share scarce resources or work activities and/or from the fact that they have different status, goals, values or perception.

INDUSTRIAL DISPUTE

Dispute has been defined by Oxford Advanced Learners dictionary as an argument or a disagreement between two people, groups or countries; discussion about a subject where there is disagreement. Another definition by the same dictionary is the act of questioning whether something is true and valid; or arguing or disagreeing strongly with somebody about something, especially about who owns something; or fighting to get control of something or to win something.

Trade dispute Act [1976 No.7, 2006 No. 37] is an Act to make provisions for the settlement of trade disputes and other matters ancillary thereto. The National Industrial Court of Nigeria (NICN) in **Section 37 (1)** of the Trade Dispute Act of 1976 defined dispute to mean “any dispute between employers and workers or between workers and workers which is concerned with employment or non-employment and physical conditions of work of any person” (Oluwole, 2007). By the same token, **Section. 45** of National Industrial Court Act of 2006 provides the definition of a “trade dispute” as any dispute between their representative organisations and federations which is connected with the employment, non-employment, termination, or suspension or duties of any workers. The section also went further to define dispute to mean a “dispute” between the afore- mentioned parties and connected with the terms and conditions of employment or the physical conditions in which any worker is required work, and also connected with the conclusion or variation of a collective agreement; and any alleged dispute (Tergema, 2013).

CAUSES OF INDUSTRIAL CONFLICTS

Conflict at organisational level is frequently elicited by issues arising from remuneration, poor funding, welfare and other fringe benefits (Agbi, 2013). Mullins (2005) outlined seven major sources of conflict as: Differences in perception; Limited resources, Departmentalisation and specialisation, The nature of work activities, Role conflict, Inequitable treatment, Violation of territory, Others include: Individual conflicts such as attitudes, personality characteristics or particular personal needs, illness or stress; Group conflicts: such as skills, informal organisation and group norms; Organisation conflicts: such as communications, authority structure, leadership style, managerial behaviour; and Age gap: such as relationship between older employees and younger managers, where experience, is on one side and power on other side.

In Weihrich and Koontz (2005) words, today’s organisations are characterised by complex relationships and a high degree of task independence which could easily give rise to friction. More so, incompatibility of the goals of different parties will lead to competition of limited resources. Other sources of conflicts arise from differences in individual perception about issues, leadership style and lack of communication (Weihrich and Koontz 2005).

CAUSES OF CONFLICTS/DISPUTES IN UNIVERSITY OF ABUJA TEACHING HOSPITAL (UATH)

Lately, the health sector has experienced a lot of obstructions and under performance due to conflicts of interest among different professional groups. It is either that the non-medical personnel or doctors leading their members respectively, down their tools as a result of unresolved issues; or employees in the health sector making demands to government for various issues that pertain to their well-being and working conditions. Services rendered by

the health sector help to promote physical, psychological, and social health of the society holistically. Agbi (2013) stated that not only does the health of the healthcare providers' impact on those they serve, but that there is a responsibility to be an exemplar in work relationships. He went further to infer that the absence of these qualities has called for a lot of concern in the University of Abuja Teaching Hospital.

Agbi (2013) itemised causes of conflict in UATH as Professionalism/Groupthink, Lack of team work, discrimination in the scale of salaries and allowances and Corruption. From our research, the issue of skipping, autonomy in the Laboratory and supremacy is causing more harm than good. In fact, during the course of writing this paper (June- August, 2015), the National Association of Resident Doctors (NARD) proceeded on three days warning strike and later full strike as a result of non-skipping of Consolidated Medical Salary Scale CONMESS 02 for Resident doctors. Members of NARD in UATH proceeded on indefinite on strike from third of July, 2015 ahead of some Teaching Hospitals.

Professionalism/Groupthink:

Group think denotes conformity in the way members of a group think or behaviour while professionalism is skill, competence, ability or character expected of a member of highly trained professions. Although Professionalism has brought clinical advances, it has as well created rancour, communication problems; lack of collective understanding and fragmentation of responsibilities among the different professional groups. This shared responsibility is one of the major causes of conflict in health sector like UATH. Groupthink is disintegrating the Nigerian health sector. For instance, the Laboratory Scientists are insisting on autonomy. They carry out the test and consultant who is usually a medical doctor endorses the result before giving the result out. There is lack of trust among the different groups. The doctors are seen by the other groups as being arrogant, while doctors' perception of other professions is that of antagonism. They believe is that non-doctors are the rude, malicious and unwilling to stick to the schedule of duty

The non-doctors are agitating for leadership positions in the hospital such as the Chief Medical Director and other key positions in the teaching hospitals. This has led to series of strikes and other industrial actions that has disrupted the harmony that exists in the hospital.

Lack of team work

Team work is a consented cooperative or coordinated effort on a group. In the health sector, it entails the relationship or interaction between two or more healthcare professionals who work independently to provide health care to patients. It is rather unfortunate to note that as a result of groupthink there has been poor teamwork in UATH. This has grossly affected the smooth running of the hospital.

Discrimination in the Salary Scale and Allowances

Discrepancies in salary scales and other allowances is another major cause of conflict among health workers. For instance in the new salary scales known as Consolidated Health Salary Scale (CONHESS), workers in the health sector who are not doctors move from grade level 09 to 11. The resident doctors on Consolidated Medical Salary Scale (CONMESS) are demanding skipping of one grade level. In UATH, the resident doctors insisted that management of the hospital should approve skipping of CONMESS for them. As at time of writing this paper, the resident doctors are still on strike over this issue.

Corruption

Corruption has manifested in Nigeria's teaching hospitals through supply of substandard equipment, inflation of contracts, sharing of allocated budget funds, diversion of drugs (Agbi, 2013), among others. Accusation and counter accusation has been the order of the day in most teaching hospitals. It is perceived that some professionals ride on the back of strike to divert patients to their private clinics, laboratories or private hospitals. Hence, it is perceived that some of these industrial actions may be fuelled by corruption.

Improper Interpretation of Circulars

Oftentimes, circulars have been erroneously interpreted. Importantly, the right interpretation as to whether a particular circular is peculiar to the local union or national cannot be overemphasised. It is instructive to emphasise here, that NIC has been instrumental in interpreting status and as such resolved issues that would ended up in crisis.

RELATIONSHIP BETWEEN GRIEVANCES, CONFLICTS AND DISPUTES IN AN ORGANISATION

Many workplaces confuse a dispute with a conflict (Moore 2003). Most people probably do not recognise a distinct difference between the terms "conflict" and "dispute (Spangler & Burgess, 2012)." Iwuji (1987), Odumosu (1987), and Otobo (1987) as cited in Akinmayowa (2005), asserted that the manifestation of Industrial Conflict could be said to be synonymous with trade disputes in the industry in Nigeria. Agbi (2013) postulates

that conflict at the organisational level relates to Industrial relations popularly called Industrial dispute. A dispute or disagreement is a contest over a specific set of facts. Disputes are about facts (Moore, 2003). Moore stated further that an investigation helps uncover the facts, and having done so the people involved may look to the manager for some assistance in order to find an acceptable outcome, or to help them agree to disagree. The degree of acrimony and negative feelings distinguishes disputes from conflicts.

In clarifying the distinction between conflicts and disputes, Keator (2011) stated that reason and communication do not always address the issues present within a conflict, but will generally work towards alleviating many disputes. He further stated that the basic idea is that a dispute if left unchecked and unexplained could easily turn into a conflict. Nonetheless, conflicts rarely revert to disputes without intervention (Burton, 1990). Conflict goes beyond identifying facts. A process or an investigation for cleaning up dispute will not directly affect the problem of conflict. In many cases, an investigation into a problem about conflict aggravates the conflict. It simply creates more fuel for the existing conflict (Moore, 2003). It is instructive to posit at this juncture that in a situation where unresolved complaints in form of grievance spiralled out of management, conflicts and disputes become inevitable. Conflicts in UATH are not always negative. The outcome could be negative or positive unlike disputes that continually have negative effects. Most of the times, conflicts are resolved through Alternative Dispute Resolution mechanism.

Conflicts at University of Abuja Teaching Hospital can be understood as a normative process contingent on the social context in which it occurs. From this point of view, grievances, conflicts and disputing are stages in disputing process (Morrill and Thomas, 1992). Morrill and Thomas (1992) referred to grievance as a pre-conflict stage in which a person or group reacts to a real or perceived violation of a set of norms, rules or individuals or societal standards while conflicts involves exchange of grievances either directly or indirectly between individuals and groups. Furthermore, disputing occurs in a situation in which conflicts draws a third party intervention and becomes a public matter.

At the hospital, grievances sometimes skyrocket directly to dispute while sometimes conflicts decelerate to grievance if one party breaks off the fray. Grievances and conflicts are mostly resolved internally through negotiation, mediation, Board of inquiry, conciliation and arbitration while, most disputes have been settled by the court.

CONFLICT MANAGEMENT

Notably, an adage says 'prevention is better than cure'. Meaning that it is better to handle and manage conflicts before they get out hand. Ordinarily, competition is meant to bring out the best from individuals or groups as the endeavour to be at top of their profession. However, the worst is seen if the competition turns sour. Hence, in order to prevent organisational conflict, the application of conflict management strategy is imperative (Agbi, 2013). Conflict management is the process of limiting the negative aspects of conflict while increasing the positive aspects of conflict. The aim of conflict management is to enhance learning and group outcomes, including effectiveness or performance in organizational setting (Rahim, 2002). Conflict management in an organisation entails an approach and practice of being able to identify and handle conflicts rationally, equitably, and competently. Since, conflict is inevitable; organistaions must find ways of properly managing conflicts in an equitable way.

The aggrieved employee or group of employees usually a union in seeking redress will have to follow a procedure without resulting to strike or other forms or industrial action. If the management is able to nip the issues resulting to grievance at the bud, then they can beat their chest and be rest assured of employees' loyalty as the case may be. It is necessary to state here that prevention is cheaper than cure. That is to say that resolving the issue before it aggravates to conflict/dispute is not only time saving but saves cost and man hours that would have been lost to industrial action. Studies have shown that handling grievances through bilateral negotiation has proved to be the most important method of dispute settlement. Nonetheless, where parties have exhausted internal machinery to no avail, and a deadlock occurs (Fashoyin 2005); then they seek redress through another form of dispute resolution mechanism. The minister of Labour and Productivity having certified that the grievance procedure has been strictly followed is, authorised to assert that a deadlock has been reached. In such a situation, the following process of resolving issues in an organisation shall be considered. These are: negotiation, mediation, board of inquiry, conciliation, arbitration then National Industrial Court. In fact, the 1999 Constitution Third Alteration Act, 2011 provides for the establishment of an Alternative Dispute Resolution Centre within the Court premises. The Centre offers diverse alternative means of disputes resolution on matters which jurisdiction is conferred on the Court.

ALTERNATIVE DISPUTE RESOLUTION (ADR)

Alternative Dispute Resolution (ADR) is a term used to describe various different methods of resolving legal disputes without litigation. Legal Information Institute referred to ADR as any means of settling disputes other than the court room. It is usually less formal, less time consuming and less expensive than a court case.

Alternative dispute resolution,(ADR) approaches seek to involve the disputing parties in the resolution of their conflict, thereby increasing the probability that each of them will be more satisfied with the outcome than a situation in which a manager or a trial judge imposes a decision (Oni-Ojo, Iyiola & Osibanjo, 2014).

The president of the National Industrial Court of Nigeria, Justice Babatunde Adejumo speaking at valedictory session in honour of retired Justice Oleseun A. Shogbola stated that the establishment of ADR in its courts (National Industrial Court) was historic in many aspects. According to him, the constitutional empowerment of the court to establish an ADR centre is historic, novel and unparalleled in the development of court-connected ADR in Nigeria. According to him it is the first time any court in Nigeria will receive a constitutional mandate to establish and apply ADR for the resolution of matters over which it has jurisdiction. Furthermore, he added that ADR development and usage would definitely receive a huge boost in this regard because, “noteworthy in this perspective is that court-connected ADR, particularly mediation, is fast becoming a feature of courts in countries like the United States, Germany and South Africa, among others (Badejo & Ojo, 2015). Also, the establishment of ADR will certainly aid and fasten the resolution of cases with a view to voiding the usual problem of over-filled dockets and delayed justice delivery. It helps in settling disputes without bitterness and rancour.”

ALTERNATIVE DISPUTE RESOLUTION MECHANISMS NEGOTIATION

Negotiation is a process by which two or more parties seek to reach a consensual agreement without necessarily involving a third party. It is one of the most common approaches to make a decision or manage conflict/dispute. Thus, is a major building block for many Alternation Dispute Resolution procedures (Moore, 2015). Each party may act for themselves respectively or have their negotiators who are experts or legal representatives’ to act for them. Ordinarily, there are no laid down rules of procedure imposed on such a process. This procedure is useful if the parties are willing to reach a compromise and settle. In addition to this, there are no psychological barriers to settlement. Negotiation is a principal tool used in conflict management and resolution (United States Institute of Peace, 2010).

Fundamentally, this is the first step taking by University of Abuja Teaching Hospital to resolve grievances and conflict. University of Abuja Teaching Hospital uses negotiation to prevent violence before it escalates to strike or other forms of industrial actions, and to prevent recurrence of causes of conflict and create conditions for a lasting peace in the aftermath of violence.

Hereby, the management of the hospital creates a forum for the aggrieved party air their grievances. During locally mobilised conflict, negotiations have been effective in managing conflicts. For instance, a nurse was assaulted by a deceased relative and nurses threatened to go on strike but through negotiation, the issues were resolved. At another time, a doctor was slapped by laboratory Scientist on internship in the laboratory and the Resident doctors threatened to hands down tools but after much discussion it was resolved. On the contrary, during nationwide conflicts/disputes; negotiations have not been an effective tool for conflict management and resolution in the hospital. When deadlock occurs during negotiation, the hospital employs other mechanisms such as mediation, conciliation, and arbitration before resorting to litigation.

CONCILIATION

Conciliation is process that entails a third party seeking to bring the disputants together to settle the conflict/dispute. To resolve a dispute/conflict the conciliator tries to facilitate communication between the parties within the seven days as stipulated by the law. The procedure may, like negotiation, not be governed by laid down procedural rules. Often conciliation will not necessarily focus on settlement; rather it may focus on the sharing of information and identification of issues and options for settlement (Elliott, 2015). This procedure involves building a positive relationship between the parties of dispute (Sgubini et al, 2015). A “conciliator” is a neutral person that assists the parties by driving their negotiations and directing them towards a satisfactory agreement. It useful where there is a need to build satisfactory relationships. On receipt of a written report from either of the parties in the health sector declaring a dispute, the Honourable minister of Employment within 7 days appoints one of his officers to serve as a conciliator (Fashoyin, 2005). The conciliator works under a procedural on how to secure settlement and must demonstrate impartiality in settlement of disputes. The conciliators are given seven days to achieve result, although the time can be extended.

Conciliators in UATH are Board of Management who are Government representatives and have on several occasions restored peace where there is dispute or conflict that involve procedural issues, implementation of agreements and other right issues such as non-payment of allowances. Nonetheless, conciliators are not likely useful in a dispute streaming from the national officers of a trade union.

MEDIATION

Mediation is an alternative dispute resolution procedure whereby a neutral and an impartial third party brings the

disputants together, with a view to settling the dispute by the use of options to satisfy the interests of the disputants. Imperatively, the process can be extricated from negotiation in that the mediator takes an active role in preserving the process while the disputants take an active role in determining the outcome or settlement (Oni-Ojo et.al, 2014.). In Nigeria, the Trade Dispute Act requires parties to submit their dispute to a mutually agreed mediator (Fashoyin, 2005). Disputants may employ the services of Lawyers to represent them in the mediation process. The difference between a conciliator and a mediator is that the services of a conciliator are supposedly free and readily made available. Particularly, in UATH, Nigeria Medical Association (NMA), and Medical and Dental Consultants Association of Nigeria (MDCAN) serve as mediators on behalf of doctors in conflict management.

ARBITRATION

Industrial Arbitration Panel (IAP) is a tripartite agency set up under section 7 of Trade Disputes Decree of 1969 (Fashoyin, 2005). Arbitration is an ADR (alternative dispute resolution) method whereby the disputing parties involved presents their disagreement to one arbitrator or a panel of private, independent and qualified third party “arbitrators” (Sgubini, et al. 2004). Here, the Hospital Management Board in UATH serves as Arbitration Panel.

Expert Appraisal

expert appraisal is a process whereby the disputants agree on an expert who, after investigating and hearing from each of the disputants, will tender an appraisal. Disputants may choose, prior to agreeing on the expert, to be contractually bound by the appraisal.

Early Neutral Appraisal

Early Neutral Evaluation is a process whereby the disputants are provided with an objective appraisal of the strengths and weaknesses of their respective cases. The hospital management adopts this mechanism to avert industrial action as much as possible. Usually, a respected member of the legal profession will act as the evaluator and will also encourage settlement based on the objective evaluation of the matter.

CONCLUSION

Conflict is inherent in the health sector as different professional bodies carry out their duties. Conflicts in the hospital have been engineered by chain of command, desire for autonomy especially in the laboratory and remuneration packages. University of Abuja Teaching Hospital has experienced a lot of drawbacks due to conflicts. However, since conflicts are inevitable, the hospital from time to time adopts techniques to manage these conflicts. These techniques are meant to manage conflict, as such prevent them from progressing to industrial actions that may invariably lead to litigations.

Pragmatically, Alternative Dispute Resolution (ADR) mechanisms are widely used in the hospital in management of localised conflicts. The National Industrial Court of Nigeria having seen the importance of ADR has constituted an Alternative Dispute Resolution centres within their court premises to handle issues which ordinarily should not be resolved in the court. Thus, this paper highlighted the causes of conflicts in the University of Abuja Teaching Hospital. The paper also highlighted Alternative Dispute Resolution mechanisms that have been used as tools for conflict management in the health sector with specific reference to the University of Abuja Teaching Hospital.

RECOMMENDATIONS

This paper thus recommends that, it is pertinent for government and management to put in place policies, and procedures for handling all forms of workers problem emanating from workplace situation without allowing them to escalate out of proportion. Grievances should be treated with urgency. Prompt treatment of grievances will help to foster a productive, equitable and harmonious workplace. This paper proposes appropriate and detailed job analysis and job evaluation in the health sector to decide equitable pay for every worker in the health sector. Also, basic salary should be made uniform for workers at the same level but allowances should differ.

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