

## ALTERNATIVE DISPUTE RESOLUTION AND THE PERFORMANCE OF SHELL NIGERIA PLC: A CASE STUDY OF PORT HARCOURT BRANCH

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### ABSTRACT

The study investigates alternative dispute resolution and the performance of Shell Nigeria Plc, Port Harcourt branch. It's intends to find out how alternative dispute resolution (conciliation, arbitration and mediation) enhances performance of Shell Nigeria Plc, Port Harcourt branch. The major problem is that dispute is repeatedly occurred in the organization and the organization tends to be confused on the right alternative dispute resolution method to choose. The main objective is to examine the alternative dispute resolution on the performance of Shell Nigeria Plc, Port Harcourt branch. Point in time data were collected from primary source. The Ordinary Least Square was adopted and finding reveals that alternative disputes resolution in terms of conciliation, arbitration and mediation contributes significantly to the performance of shell Nigeria Plc, Port Harcourt branch. It is therefore recommend that Shell Nigeria Plc, Port Harcourt branch should continue to apply alternative dispute resolution methods in solving dispute in the organization since it increases performance of the organization.

**KEYWORDS:** Alternative Dispute Resolution, Conciliation, Arbitration, Mediation and Performance

### INTRODUCTION

Dispute is an indispensable part of societal interaction since the inception of human settlement. If it is not well taken and resolved early, dispute between two individuals, that is organization and community will grow up and become a treat to national security, peace and stability and even reduced the performance of such organization. Alternative Dispute resolution has got wide acceptance to resolve dispute due to its perceived advantages. Needless to say, even court officials, who used to consider ADR as taking of court power, recognized the need of ADR as a choice to settle dispute.

One of the issues has to do with respect to the surrounding communities within which the oil wells are exploited. Some of these communities still suffer environmental degradation, which leads to deprivation of means of livelihood and other economic and social factors. Although large proceeds are obtained from the domestic sales and export of petroleum products, its effect on the growth of the Nigerian economy in the community as regards returns and productivity is still questionable, hence, the need to evaluate the relative impacts of alternative dispute resolution on the performance of Shell Nigeria Plc.

Previous studies such as Olufayo and Ladipo (2012) study the impact of alternative dispute resolution on organizational performance in the cosmetic manufacturing firms and Lungazo (2011) assessing the impact of alternative dispute resolution on organizational performance, case study of Mukwano industry in Kampala. This study fills the research gap by investigating the impact of alternative dispute resolution on the performance of selected oil company in

Nigeria, using Shell Nigeria PLC Port Harcourt branch as a case study.

The main objective of this study is to investigate the impact of alternative dispute resolution on the performance of selected oil company in Nigeria, with reference to Shell Nigeria Plc Port Harcourt branch. The specific objectives are to determine the impact of conciliation on the performance of Shell Nigeria Plc (Port Harcourt branch), to examine the impact of arbitration on the performance of Shell Nigeria Plc (Port Harcourt branch) and to evaluate the impact of mediation on the performance of Shell Nigeria Plc (Port Harcourt branch).

The scope of this study is restricted to the impact of alternative dispute resolution on the performance of selected oil company in Nigeria, with reference to Shell Nigeria Plc Port Harcourt branch. This study is chosen because Shell Nigeria Plc has been actively involved in the field of Arbitration and other areas of Alternative Dispute Resolution including Mediation and Conciliation. As at date, Shell Nigeria Plc has handled several domestic and international commercial arbitration proceedings representing clients before the International Centre for Settlement of Investment Disputes (ICSID), International Chamber of Commerce (ICC) and the Arbitration Institute of the Stockholm Chamber of Commerce (SCC).

This study contributes to and extends the frontiers of existing knowledge on the area of alternative dispute resolution and organizational performance by exposing the ways Shell handles the ADR around its environment of operation. It also touches one of the sensitive areas that need regular attention in every organization. The management of Nigeria Shell Nigeria Plc as well as other oil industries in Nigeria will see the need of this research in terms of understanding more about alternative dispute resolution and its impact on organizational performance. This study will also be of importance to policy makers in any organization because it will enable them manage dispute in their organization and also assist them in their decision making.

The null hypotheses are stated below:

- H<sub>1</sub>: There is no significant relationship between conciliation and the performance of Shell Nigeria Plc
- H<sub>2</sub>: There is no significant relationship between Arbitration and the performance of Shell Nigeria Plc
- H<sub>3</sub>: There is no significant relationship between Mediation and the performance of Shell Nigeria Plc

## **CONCEPT OF ALTERNATIVE DISPUTE RESOLUTION**

Alternative Dispute Resolution is a generic term used to describe a range of procedures designed to provide ways to resolving a dispute as an alternative to court procedures. The Joint Symposium cited in Ekamen (2004) defines Alternative Dispute Resolution as an approach to the settlement of disputes by means other than binding decisions made by courts or tribunals. As a general matter, ADR is broadly understood as involving the use of negotiation, mediation, conciliation, or arbitration.

The National Alternative Dispute Resolution Advisory Council (NADRAC) has defined ADR as an 'umbrella term for processes, other than judicial determination, in which an impartial person assists those in a dispute to resolve the issues between them (Raphael, 2011). Some methods, such as mediation, involve seeking resolution by agreement reached between the parties. Other methods for resolving disputes, such as arbitration, may involve binding determination by a third party. There are also a variety of 'alternative' means by which judicial officers may involve independent third parties

to assist in the resolution of cases that are being litigated. ADR techniques may be used to determine some or all of the legal and factual issues in dispute. ADR may be employed by agreement between the parties, at the suggestion of the court or by direction or order of the court. Sometimes the term ADR includes approaches that enable parties to manage and resolve their own disputes without outside assistance (Isaac, 2010).

## CONCEPT OF ORGANIZATIONAL PERFORMANCE

Organizational performance is the final achievement of an organization which is measured either in financial and non financial indicators, and contains a few things, such as the existence of certain targets are achieved, has a period of time in achieving the targets and the realization of efficiency and effectiveness (Gibson et al., 2010). Organizational performance refers to ability of an enterprise to achieve such objectives as high profit, quality product, large market share, good financial results, and survival at pre -determined time using relevant strategy for action (Koontz & Donnell, 2003). Organizational performance can also be used to view how an enterprise is doing in terms of level of profit, market share and product quality in relation to other enterprises in the same industry. Consequently, it is a reflection of productivity of members of an enterprise measured in terms of revenue, profit, growth, development and expansion of the organization. All types of organization whether its small or big, public or private, for -profit or non-profit, struggle for survival. In order to survive, they need to be successful (effective and efficient). To assure their success, organizations must perform well. Ultimately, performance lies at the heart of any managerial process and organizational construct and is therefore considered as a critical concept in the strategic management field. Organizational performance includes, multiple activities that help in establishing the goals of the organization, and monitor the progress towards the target (Johnson et al., 2006). It is used to make adjustments to accomplish goals more efficiently and effectively. Organization performance is what business executives and owners are usually frustrated about. This is so, because even though the employees of the company are hard -working and are busy doing their tasks, their companies are unable to achieve the planned results. Results are achieved more due to unexpected events and good fortune rather than the efforts made by the employees. However, for any business to be successful, functions must be defined and accomplished. It is important for an organization to develop strategies that are designed around the skills that would enhance the performance of the organization.

## EMPIRICAL STUDY

Olufayo and Ladipo (2012) studied the impact of alternative dispute resolution on organizational performance in the cosmetic-manufacturing firms. The research design adopted was cross sectional descriptive design. The population of the study comprised of all the 8 cosmetic companies operating in Kenya. The study used primary data, which was collected using self-administered questionnaires. The data collected was analyzed using statistical package for social sciences and presented in tables and charts. The study found out that alternative dispute resolution in terms of conciliation, arbitration and medication contribute positively to organizational performance in terms of efficiency and effectiveness.

Lungazo (2011) assessing the impact of alternative dispute resolution on organizational performance, case study being Mukwano industry in Kampala. The researcher used a cross sectional research design with both qualitative and quantitative methods with a population study of 150 people out of which a sample size of 40 employees was chosen. Stratified sampling design was used to divide the employees into strata, which were departments under which the

employees worked, and they included marketing, operational, production and supply departments. Using simple random sampling respondents were chosen from the different departments selected and questionnaires distributed to the selected respondents from the four departments in the industry. Both the primary and secondary data was used during collection of data. Data was collected by use of questioners and observation methods and analyzed in form of tables. Findings revealed that alternative dispute resolution in terms of conciliation, arbitration and medication is insignificant to organizational performance.

## **THEORIES OF ALTERNATIVE DISPUTE RESOLUTION**

### **Traditional Theory**

The traditional theory of alternative dispute resolution is based on the assumption that conflicts are bad, are caused by trouble makers, and should be subdued. The traditional theory, views conflict as something harmful that can changed the way the community perceive conflict as a reality of organizational life. Traditional approaches to managing interdepartmental conflict emphasized such methods as conflict avoidance (separating departments by relocating them physically), regulating a conflict by introducing new rules and procedures, seeking a form of "legalistic" solution (by appealing to higher organizational authorities), using departmental representatives to reach a compromise agreement or seeking mediation or arbitration from an outside body. Such conflict management methods may indeed produce an agreement and may also reduce the level of conflict behavior between departments and even legitimize new levels of performance. They may however not achieve a genuine conflict resolution because they merely reflect, perpetuate and occasionally aggravate a win-lose pattern of interactions (Amusan, 2012).

### **Contemporary Theory**

Contemporary theory of disputes management recognizes that conflicts between human beings are unavoidable. They emerge as a natural result of change and can be beneficial to the organization, if managed efficiently. Current theory (Kirchoff & Adams, 1982) considers innovation as a mechanism for bringing together various ideas and viewpoints into a new and different fusion. An atmosphere of tension, and hence conflict, is thus essential in any organization committed to developing or working with new idea.

### **Holton Theory**

The Holton Theory of Conflict Management was postulated by Susan Holton in 2003, and is one which can be used with any conflict in any setting. It is important that all parts of the model are used. Attempts at conflict management often fall apart when the conflict is not clearly identified or understood. The saying, "A problem well-defined is half solved" is certainly true for conflict, because only after identifying the conflict can anyone begin to manage it. Often the presenting conflict, the one that is the most visible, is either a mask for other conflict or only one of a number of conflicts facing the organization. After the conflict is identified and understood, it is necessary to identify possible solutions. No problem has only one solution, it is the responsibility of the parties in conflict to find the range of alternative solutions, and then to work with a process to determine which solution is best. But the parties in conflict are not yet finished unless there is a clear and specific plan of action, otherwise the conflict management process can again fall apart. The third step in the process is to create that plan of action and to follow it. With the following three steps of the Holton theory of conflict management process, any conflict which an organization faces can be managed. Identify the conflict; identify solutions and implement

solutions. At the core of this theory is communication, all people involved in the conflict must work on effective communication, including both speaking and listening. In order to understand the conflict, one must first speak clearly and honestly about their issues and then must listen intensely to others involved in the conflict.

### **John Dewey Theory**

John Dewey theory of dispute management explains conflict more fully and at the same time provide guidance in dealing with conflicts effectively. This theory is based on the problem-solving technique introduced by John Dewey (2006) and used by most contemporary theorists (Beebe & Masterson 2008). The assumption made here is that interpersonal conflict is essentially a problem that needs to be solved. According to this theory to manage conflict effectively in any organization, certain steps should be carefully followed, first and foremost the conflict should be defined, then possible solutions should be examined, then tested and evaluated before accepting or rejecting the solution proffered.

## **MODEL OF CONFLICT MANAGEMENT**

### **Blake and Mouton Model**

The first conceptual scheme for classifying the styles of managing interpersonal conflicts was proposed by Blake and Mouton (2009), which is forcing, withdrawing, smoothing, compromising, and problem solving. The model was based on a two main dimensions: production concern and people concern. These dimensions describe the attitude of the manager of being a task or relation oriented leader, from which combination result five leadership style. Deutsch (2011), also contributed to the works of Blake and Mouton, he first suggested the two factors cooperative–competitive model in the research on social conflict. Similarly to game theory perspective, this model uses a cooperative–competitive continuum to simplify the categorization of conflicts. Deutsch and associates have suggested that the cooperative style compared to the competitive style is more effective in managing conflict, leads to a more functional outcomes, although these studies have not presented evidence of a positive correlation between cooperative style and job performance and productivity.

### **Thomas-Kilmann Model**

The Thomas-Kilmann model of dispute management was designed by two psychologists, Kenneth Thomas and Ralph Kilmann (2001), to illustrate the options managers have when handling conflict. There are two dimensions in the model, the first dimension, the vertical axis, is concerned with conflict responses based on our attempt to get what we want, Thomas and Kilmann (2001), call these the assertiveness options. The other dimension, the horizontal axis, is concerned with responses based on helping others get what they want. They call these the Co-cooperativeness options. There are five (5) options in conflict resolution in the Thomas-Kilmann model.

## **METHODOLOGY**

The research used descriptive research design and ordinary least square regression to analyze the data. Data for this study was gathered from primary source through the use of structured questionnaire. The population of the study is made up of all the management staff and non-management staff of Shell Nigeria Plc. There is 108 management staff and non management staff of Shell Nigeria Plc, Port Harcourt branch. A questionnaire was design to collect a point in time data from management staff and the questionnaire was administered to all the staff randomly. The researchers collected the information through the helped of some management staff at the branch. A five point likert scale was also designed and

108 copies of questionnaire was distributed and a successful return of 85 copies of questionnaire that was used in the analysis and a simple statistical model was developed and ordinary least square method of regression was adopted. The simple regression models are stated below:

$$PEF = \alpha + \beta_1 CON + \mu \dots\dots\dots 1$$

$$PEF = \alpha + \beta_1 ABRT + \mu \dots\dots\dots 2$$

$$PEF = \alpha + \beta_1 MED + \mu \dots\dots\dots 3$$

$\alpha$  = intercept,  $\beta_1$  = independent variable, PEF is Organizational Performance, CON = Conciliation, ABRT = Arbitration, MED is mediation and  $\mu$  = Error term

## DATA ANALYSIS

**Table 1: Does Shell Nigeria Plc Manages Dispute in the Organization Effectively?**

Responses	Frequency	Percentage (%)
Yes	78	91.76
No	7	8.23
Total	85	100

### Field Survey, 2016

The above indicates that 91.76% of the respondents accept that Shell Nigeria Plc Manages dispute in the organization effectively and 8.23% of agreed that Shell Nigeria Plc does not Manages dispute in the organization effectively.

**Table 2: Is There Frequent Cases of Dispute between the Organization and the Communities?**

Responses	Frequency	Percentage (%)
Yes	64	75.29
No	21	24.70
Total	85	100

### Field Survey, 2016

The above indicates that 75.29% of the respondents accept that there are frequent cases of dispute between the organization and the communities, and 24.70% of agreed that there are no frequent cases of dispute between the organization and the communities.

**Table 3: Shell Nigeria Plc Adopted Alternative Dispute Resolution to Solve Dispute in the Organization**

Responses	Frequency	Percentage (%)
Yes	81	95.29
No	4	4.71
Total	85	100

### Field Survey, 2016

The above indicates that 95.29% of the respondents accept that Shall Nigeria Plc adopted Alternative dispute resolution to solve dispute in the organization and 4.71% of agreed that Shall Nigeria Plc does not adopted Alternative dispute resolution to solve dispute in the organization.

**Hypothesis 1: Conciliation and Performance of Shell Nigeria Plc****Table 4: Shell Nigeria Plc Always Adopt Conciliation as Alternative Dispute Resolution****Method to Solve Dispute in the Organization**

Responses	Frequency	Percentage (%)
Strongly Agree (SA)	34	40.00
Agree	28	32.94
Undecided (UN)	2	2.35
Strongly Disagreed (SD)	12	14.11
Disagreed	9	10.58
Total	85	100

**Field Survey, 2016**

The table indicates that 40.00% of the respondents strongly agreed that Shell Nigeria Plc always adopt conciliation as alternative dispute resolution method to solve dispute in the organization. 32.94% of the respondents agreed that Shell Nigeria Plc always adopt conciliation as alternative dispute resolution method to solve dispute in the organization and 2.35% of the respondents were undecided. 14.11% of the respondents strongly disagreed that Shell Nigeria Plc does not always adopt conciliation as alternative dispute resolution method to solve dispute in the organization. 10.58% of the respondents disagreed that Shell Nigeria Plc does not always adopt conciliation as alternative dispute resolution method to solve dispute in the organization.

**Table 5: The Performance of Shell Nigeria Plc Has Improved or Continually Increased Over the Years**

Responses	Frequency	Percentage (%)
Strongly Agree (SA)	24	28.23
Agree	38	44.71
Undecided (UN)	1	1.17
Strongly Disagreed (SD)	15	17.64
Disagreed	7	8.23
Total	85	100

**Field Survey, 2016**

The table indicates that 28.23% of the respondents strongly agreed that performance of Shell Nigeria Plc has improved or continually increased over the years. 44.71% of the respondents agreed that performance of Shell Nigeria Plc has improved or continually increased over the years and 1.17% of the respondents were undecided. 17.64% of the respondents strongly disagreed that performance of Shell Nigeria Plc does not improved or continually increased over the years. 8.23% of the respondents disagreed that performance of Shell Nigeria Plc does not improved or continually increased over the years.

Ordinary Least square

Using E-view Statistical Software Package

PEF =  $\alpha + \beta_1 \text{CON}$

Dependent Variable: PEF				
Method: Least Squares				
Date: 03/10/16 Time: 03:56				
Sample: 1 85				
Included observations: 85				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	0.341189	0.072453	4.709129	0.0000
CON01	0.894174	0.027712	32.26614	0.0000
R-squared	0.926163	Mean dependent var	2.329412	
Adjusted R-squared	0.925274	S.D. dependent var	1.285341	
S.E. of regression	0.351362	Akaike info criterion	0.769248	
Sum squared resid	10.24678	Schwarz criterion	0.826722	
Log likelihood	-30.69305	Hannan-Quinn criter.	0.792366	
F-statistic	1041.104	Durbin-Watson stat	0.527955	
Prob(F-statistic)	0.000000			

(Source: Data output from e-view statistical package, 2016)

$$PEF = \alpha + \beta_1 CON$$

$$PEF = 0.34 + 0.89 CON$$

$$SE = 0.07 \quad 0.02$$

$$t^* = 4.70 \quad 32.2$$

$$p^* = 0.00 \quad 0.00$$

$$R^2 = 0.92$$

$$\text{Adj. } R^2 = 0.92$$

$$\text{F-statistic } 1041.104 \quad (\text{prob}) \quad 0.00$$

$$DW = 0.52$$

From the regression result, alternative dispute resolution coefficient for conciliation (CON) is positive and significant in achieving performance of Shell Nigeria Plc, Port Harcourt branch. The p-value of 0.00 is less than the t-statistic value of 32.2 and the standard error value of 0.02 is less than the t-statistic value. This implies that there is significant relationship between conciliation (CON) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch. The coefficient of determination ( $r^2$ ) of 0.92 indicates that 95% of variation in performance (PEF) can be explained by alternative dispute resolution (Conciliation: CON). The remaining 8% can be explained by other related factors not noted in the regression model. The f-statistic value of 1041.104 is significant at p-value of 0.00. Therefore, we accept the alternative hypothesis that there is a significant relationship between conciliation (CON) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch.

**Hypothesis 2: Arbitration and Performance of Shell Nigeria Plc****Table 6: The Adoption of Arbitration in Shell Nigeria Plc is Always Effective**

Responses	Frequency	Percentage (%)
Strongly Agree (SA)	31	36.47
Agree	23	27.06
Undecided (UN)	2	2.35
Strongly Disagreed (SD)	17	20.00
Disagreed	12	14.11
Total	85	100

**Field Survey, 2016**

The table indicates that 36.47% of the respondents strongly agreed that performance adoption of Arbitration in Shell Nigeria Plc is always effective. 27.06% of the respondents agreed that adoption of Arbitration in Shell Nigeria Plc is always effective and 2.35% of the respondents were undecided. 20.00% of the respondents strongly disagreed that adoption of Arbitration in Shell Nigeria Plc is not always effective. 14.11% of the respondents disagreed that adoption of Arbitration in Shell Nigeria Plc is not always effective.

Ordinary Least square

Using E-view Statistical Software Package

$$PEF = \alpha + \beta_1 ABRT$$

Dependent Variable: PEF				
Method: Least Squares				
Date: 03/10/16 Time: 03:57				
Sample: 1 85				
Included observations: 85				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	0.420729	0.119876	3.509695	0.0007
ABRT	0.768901	0.041390	18.57689	0.0000
R-squared	0.806120	Mean dependent var	2.329412	
Adjusted R-squared	0.803784	S.D. dependent var	1.285341	
S.E. of regression	0.569357	Akaike info criterion	1.734631	
Sum squared resid	26.90593	Schwarz criterion	1.792106	
Log likelihood	-71.72183	Hannan-Quinn criter.	1.757749	
F-statistic	345.1007	Durbin-Watson stat	0.236559	
Prob(F-statistic)	0.000000			

(Source: Data output from e-view statistical package, 2016)

$$PEF = \alpha + \beta_1 ABRT$$

$$PEF = 0.42 + 0.76ABRT$$

$$SE = 0.11 \ 0.04$$

$$t^* = 3.50 \ 18.57$$

$$p^* = 0.00 \ 0.00$$

$$R^2 = 0.80$$

$$\text{Adj. } R^2 = 0.80$$

$$\text{F-statistic } 345.100 \text{ (prob) } 0.00$$

$$\text{DW} = 0.23$$

From the regression result, alternative dispute resolution coefficient for Arbitration (ABRT) is positive and significant in achieving performance of Shell Nigeria Plc, Port Harcourt branch. The p-value of 0.00 is less than the t-statistic value of 18.57 and the standard error value of 0.04 is less than the t-statistic value. This implies that there is significant relationship between Arbitration (ABRT) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch. The coefficient of determination ( $r^2$ ) of 0.80 indicates that 80% of variation in performance (PEF) can be explained by alternative dispute resolution (Arbitration: ABRT). The remaining 20% can be explained by other related factors not noted in the regression model. The f-statistic value of 345.100 is significant at p-value of 0.00. Therefore, we accept the alternative hypothesis that there is a significant relationship between Arbitration (ABRT) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch.

### Hypothesis 3: Mediation and Performance of Shell Nigeria Plc

**Table 7: Mediation is Used in Shell Nigeria Plc is Not Effective Tool to Resolve Dispute in Organization**

Responses	Frequency	Percentage (%)
Strongly Agree (SA)	11	12.94
Agree	18	21.17
Undecided (UN)	2	2.35
Strongly Disagreed (SD)	30	35.29
Disagreed	24	28.23
Total	85	100

### Field Survey, 2016

The table indicates that 12.94% of the respondents strongly agreed that mediation is used in Shell Nigeria Plc is not effective tool to resolve dispute in organization. 21.17% of the respondents agreed that mediation is used in Shell Nigeria Plc is not effective tool to resolve dispute in organization and 2.35% of the respondents were undecided. 35.29% of the respondents strongly disagreed that mediation is used in Shell Nigeria Plc is effective tool to resolve dispute in organization. 28.23% of the respondents disagreed that mediation is used in Shell Nigeria Plc is effective tool to resolve dispute in organization.

Ordinary Least square

Using E-view Statistical Software Package

$$\text{PEF} = \alpha + \beta_1 \text{MED}$$

Dependent Variable: PEF				
Method: Least Squares				
Date: 03/10/16 Time: 03:58				
Sample: 1 85				
Included observations: 85				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	-0.220074	0.210412	-1.045922	0.2986
MED	0.739612	0.056449	13.10236	0.0000

R-squared	0.674090	Mean dependent var	2.329412
Adjusted R-squared	0.670164	S.D. dependent var	1.285341
S.E. of regression	0.738189	Akaike info criterion	2.254014
Sum squared resid	45.22860	Schwarz criterion	2.311489
Log likelihood	-93.79561	Hannan-Quinn criter.	2.277132
F-statistic	171.6717	Durbin-Watson stat	0.136818
Prob(F-statistic)	0.000000		

(Source: Data output from e-view statistical package, 2016)

$$PEF = \alpha + \beta_1 MED$$

$$PEF = 0.22 - 0.73 MED$$

$$SE = 0.21 \quad 0.05$$

$$t^* = (1.04) \quad 13.10$$

$$p^* = 0.29 \quad 0.00$$

$$R^2 = 0.67$$

$$\text{Adj. } R^2 = 0.67$$

$$\text{F-statistic } 171.67 \quad (\text{prob}) \quad 0.00$$

$$DW = 0.13$$

From the regression result, alternative dispute resolution coefficient for Mediation (MED) is negative and insignificant in achieving performance of Shell Nigeria Plc, Port Harcourt branch. The p-value of 0.00 is less than the t-statistic value of 13.10 and the standard error value of 0.05 is less than the t-statistic value. This implies that there is significant relationship between Mediation (MED) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch. The coefficient of determination ( $r^2$ ) of 0.67 indicates that 67% of variation in performance (PEF) can be explained by alternative dispute resolution (Mediation: MED). The remaining 20% can be explained by other related factors not noted in the regression model. The f-statistic value of 171.67 is significant at p-value of 0.00. Therefore, we accept the alternative hypothesis that there is a significant relationship between Mediation (MED) and performance (PEF) of Shell Nigeria Plc, Port Harcourt branch.

## DISCUSSION OF FINDINGS

From the above results and analysis, alternative disputes resolution and performance of Shell Nigeria Plc, Port Harcourt branch is significant. This shows that alternative disputes resolution in terms of conciliation, arbitration and mediation contributes significantly to the performance of selected oil company with reference to shell Nigeria Plc, Port Harcourt branch. The finding is inline with the finding of Olufayo and Ladipo (2012) and consistent with John Dewey theory of dispute management which, explains that dispute more fully and at the same time provide guidance in dealing with dispute effectively. The assumption made that interpersonal conflict is essentially a problem that needs to be solved. According to this theory, to manage dispute effectively in any organization, certain steps should be carefully followed, first and foremost the dispute should be defined, and then possible solutions should be examined, then tested and evaluated before accepting or rejecting the solution proffered.

## CONCLUSIONS AND RECOMMENDATIONS

This study concludes that alternative disputes resolution and performance of selected oil company with reference to shell Nigeria Plc, Port Harcourt branch is significant. This shows that alternative disputes resolution in terms of conciliation, arbitration and mediation contributes significantly to performance of shell Nigeria Plc, Port Harcourt branch. It is therefore recommend that Shell Nigeria Plc, Port Harcourt branch should continue to apply alternative dispute resolution methods in solving dispute in the organization since its increase performance of the organization.

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## Questionnaire

### Instruction

This form is designed to generate data for analysis in this study. You are required to answer the questions by ticking one of the boxes provided against each question the one that best describe your opinion

**Section A**

- 1) Does Shell Nigeria Plc Manages dispute in the organization effectively?
  - a) Yes ( ) b) No ( )
  
- 2) Is there are frequent cases of dispute between the organization and the communities?
  - ) Yes ( ) b) No ( )
  
- 3) Shell Nigeria Plc adopted Alternative dispute resolution to solve dispute in the organization?
  - a) Yes ( ) b) No ( )

**Section B**

You are required to answer the following question by ticking on the option provided. Note the following: where A = Agreed, SA = Strongly Agreed, D= Disagreed, SD = Strongly Disagreed and UND = Undecided

**Alternative Dispute Resolution Related Questions**

Questions	A	SA	D	SD	UN
<b>Strategic Direction</b>					
Shell Nigeria Plc always adopt conciliation as alternative dispute resolution method to solve dispute in the organization					
The adoption of Arbitration in Shell Nigeria Plc is always effective?					
Mediation is used in Shell Nigeria Plc is not effective tool to resolve dispute in organization					

**Performance related questions**

The performance of Shell Nigeria Plc has improved or continually increased over the years					
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