

# Conflict resolution in civil engineering construction industry



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**Introduction**

Conflict exists in society generally, includes in family, work and so on. It is important and necessary to resolve all kinds of conflicts efficiently and successfully. Inevitably, conflict is also a reality in the civil engineering construction industry. It influences the operation of projects, increases the cost of projects, wastes various resources, delays the duration of engineering, decreases staff motivation. Conflict has become a serious problem in the civil engineering construction industry (Davies, 1998).

Conflict resolution becomes more and more useful and crucial.

There are four objectives in the report: define the concepts of conflict and construction industry, expound the significance of conflict resolution, investigate the reasons of causing conflicts and recommend some methods to resolve conflicts.

**Methodology**

In the report, there are four main objectives. There are three main steps to accomplish the objectives. The inductive approach is used in the report.

Firstly, finding out the key words of the report topic, it is necessary to read some books, journals, periodicals and articles from library and websites.

People could understand the concept of conflict, the significance of conflict resolution, reason of causing conflicts and how to resolve conflicts. Secondly, according to the knowledge, author could define concepts, understand different opinions from different writers and analyze the different opinions.

Thirdly, after studying and pondering, author expounds her own ideas of the four objectives.

**Literature review**

The definition of conflict is that the process of cooperation is incompatible and unfavorable (Rahim, 1992). It is universal and exists with incompatible cooperation (Davies, 1998). Conflict exists in all more than one personal work environment. It is people used to considering their own interest rather than others (Humphrey, 2008). Hellard (1992) thought that conflict is not only caused by a train of events. People's emotions could involve in the events and influence the causing of conflicts inevitably.

The civil engineering construction industry needs many professional people to involve in, such as Architects, Structure Designers, Constructors, Building and Quantity Surveyors and so on. There are some kinds of conflicts in building industry, Zikmann (1992, p55) said that these include " interest conflicts, structural conflicts, value conflicts, relationship conflicts and data conflicts".

Conflicts occur commonly between main contractors and the sub-contractors (Harding, 1991; as quoted in Langford, 1992). Not only have that, but conflict also occurred between contractors and clients, or contractors and client's architects. Some elements, such as project types and sizes, procurement systems and government policy, could influence the conflict aspects (Lavers, 1992).

Effectively managed conflicts are necessary. It requires that the construction managers have enough abilities to resolve conflicts. The reason of causing conflicts is various. The majority of conflicts are developed because these

are not responded correctly and timely. On the contrary, poor managed conflicts could deteriorate the issues (Zikmann, 1992).

There are some reasons of causing conflicts in construction industry. Some are because the construction plan is not clear. It confuses both client and contractor. Some are because over-scope of task between contractor and his subcontractors. The contractor requires subcontractors to do extra work. Some are because time is not enough to complete the project. Others are because the client asks for extra work but refuse to pay more money and extend the time of completion (Klinger, 2009).

Contingency is another reason of causing conflicts. In construction industry, the roles of every part could change. It means that in the new environment, there are some barriers to influence relationship balance (Langford, 1992). It is a key ability for managers to manage the complicated relationship networks of project which is limited time and budget (Zikmann, 1992).

Dispute avoidance is useful in construction management. Conflicts are often caused by wrong consideration, inadequate preparatory and plan or poor project procedures and budget. The popular ways to avoid conflicts are early negotiation, risk audits and training (Brewer, 2007).

The best way to resolve conflicts is prevention. It requires project managers to acquaint the objectives of client, make reasonable project plan and have the ability of prediction. People can pinpoint the reason of causing conflicts before happening, but it is difficult to predict when the conflict will occur.

Therefore, the certainty of predicting conflicts at the beginning and end is less than in a construction project (Cree, 1992). Not only prediction, but also <https://assignbuster.com/conflict-resolution-in-civil-engineering-construction-industry/>

communication could help to resolve conflicts. Poor communication could cause misunderstanding (Mackie, 1992).

Follett(1940, as quoted in Rahim, 1992) said that there are some mains to resolve conflicts, such as domination, compromise, consolidation, avoidance and suppression. Fenn (1992) said that the new method to resolve conflicts is alternatives of litigation and arbitration. KuTenk (2000) classified the strategy of conflict resolution into three parts, avoidance, diffusion and antagonism. It is the method to resolve general conflicts and problems. It lacks of pertinence for construction industry. For construction industry, managers need the ability to negotiate to resolve conflicts (Jambro and Siddiqi, 2008).

Negotiation is the most common method to resolve conflicts. It is more flexible, economic and efficient than other methods (Dieterle and Ramirez, 2001). Mediation could assist negotiation. Parties select a mediator to help them resolve the conflicts. Mediators could assist all parties to resolve but they have no right to compel any party to agree (Goodman, 2006).

Arbitration was the favored method to resolve conflicts in 1980s and 1990s. It is efficient and economical. Litigation is resolution of conflicts in the court. It is a long and expensive process (Klinger, 2009).

Dispute review board (DRB) is build before starting of construction. Mostly, it is composed by three construction professionals who have abundant experience. It is highly effective and could reduce the cost of dispute resolution. Over 70% people thought DRB is better than arbitration about resolution result (Harmon, 2003-2004).

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The conflict resolution in England and Wales has some methods. It is divided into two parts: non-binding and binding. In non-binding, there are conciliation, executive tribunal and mediation. In binding, there are adjudication, arbitration, expert determination, litigation and so on (Davies, 1998).

### **Discussion**

Conflict is a kind of phenomenon which exists in everywhere commonly in the society. Every person has their own ideas, standpoint and interest, it is impossible to unify all ideas of all people. Therefore, the existing of conflicts is automatic consequence. Especially in civil engineering construction industry, there are so many people, roles and tasks, complicated relationship and interested parties.

The conflict usually occurs between client or designer and contractor, contractor and subcontractors, contractor and workers or worker and worker. Any relationship is very important and could become the key point to influence the whole project. Good conflict resolution could bring high efficiency and more profit. Bad conflict resolution hinders the smooth process of construction project.

The reasons of causing conflict are very various and complicated. These could be summarized into four types: time, money, task allocation and contingency. Time means that the project could not be completed on time. In consequence of the changes of design, unreasonable plan in construction stage, works programme are delayed. The kind of conflict often occurs between client or designer and contactor.

The conflict is caused by money includes contractor does not gain money from client, contractor refuses to pay wages to workers, poor financial budget, material price fluctuation. Task allocation reason means that the project plan is poor, the assignment allocation is ambiguous, task allocation is unfair, harsh work environment and so on.

Contingency is an uncertain element but exists generally and inevitable. It could be occurred in every aspect. Contingency usually can not be dealt with in time because of indeterminacy.

Conflict likes a barrier for construction industry. Conflict resolution becomes more and more important. Domination and suppression are unacceptable methods. These methods could cause more serious conflicts. Four steps method could be used to resolve problems about conflicts when people manage a construction project.

First step is to prevent. Prevention could resolve conflict before occurring. Good conflict prevention needs excellent managers who have enough abilities to make project time and cost plan sensibly, manage all kinds of relationships well and arrange tasks reasonably. Everyone take his due responsibility and obligation. It is the best way of resolving conflict to minimize the probability of causing conflicts.

Second step is to establish a group which includes some experts who have extensive experience. These experts could make use of their experience to resolve a lot of contingencies as soon as possible and avoid the conflicts are deteriorated by their experience. Not only that, they also can give some good advice to resolve conflicts in other steps.

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Third step is to negotiate. Negotiation is an effective and economical method to resolve conflict. Conflict is the problem of two or more parties rather than only one party. So it is important to have good communication and good relationship between every party. Negotiation is a good way to communicate with every party. People could get the main reason of causing conflict and discuss the best way which every party can accept to resolve conflicts. Conflict could be resolved as soon as possible and avoid be deteriorated. Mediation is another way to negotiate between parties. It needs a mediator who selected by every party to help them to resolve conflicts. Negotiation could resolve conflict without breaking relationships. It is a double win method to resolve conflict between parties.

Fourth step is arbitration or litigation. These are the resolution process in court. The differences are litigation needs discovery or jury and allows appealing. The process of arbitration or litigation is very long and takes a lot of money. It means that people spend long time and increase the cost of project but conflict is not always be resolved well. Do not use the step if conflict could be resolve by the first three steps.

### **Conclusion**

Conflict is occurred between different people or interest parties. In civil engineering construction industry, client, contractor, subcontractor and worker are four main component parts. Conflict likes a barrier to baffle the entire project. It is important to deal with and resolve conflict.

There are four main reasons of causing conflict, time, money, task allocation and contingency. Good managers and reasonable approaches are necessary



for conflict resolution. Prevention, expert group, negotiation and arbitration are four steps to resolve conflicts. These could assist to resolve conflict as soon as possible and minimize loss in civil engineering construction industry.

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