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HOW AND WHY THE PRESENCE OF SOCIAL CATEGORY DIVERSITY DICTATES PROCEDURES DURING MEDIATION

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By

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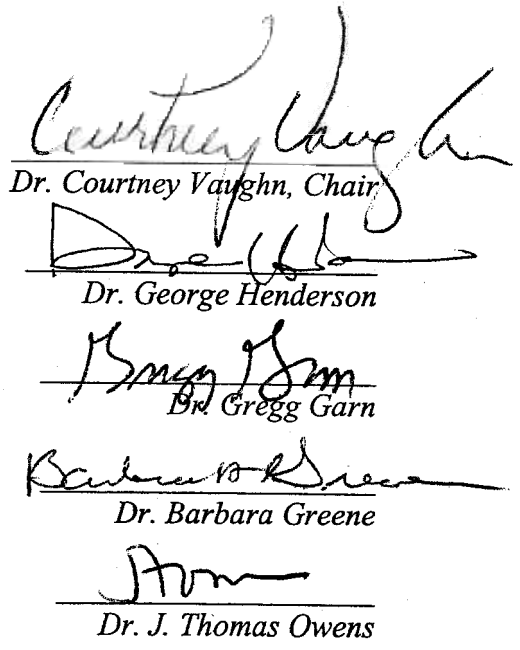
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HOW AND WHY THE PRESENCE OF SOCIAL CATEGORY DIVERSITY DICTATES PROCEDURES DURING MEDIATION

A DISSERTATION APPROVED FOR THE GRADUATE SCHOOL

BY



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How and Why Social Category Diversity Dictates Mediation Procedures
Major Professor: Dr. Courtney Vaughn
Amy McDowell

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I can do all things through Christ that strengthens me.
Philippians IV:13

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DEDICATION

I thank God for the foundation that was set for me
By
my parents, Betty and Charles Franklin
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my grandparents, Harriett and Clarence Franklin.
They did not have the same opportunities that I do. None of them completed high school, but yet they prayed, sacrificed and provided me with the drive and perseverance that bought me this far.

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The McDowell Team,
John, Jaimee, and John (Tou)
"We do Have Faith!!!!!

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ABSTRACT

HOW AND WHY THE PRESENCE OF SOCIAL CATEGORY DIVERSITY DICTATES PROCEDURES DURING MEDIATION

Major Professor: Dr. Courtney Vaughn

Amy L. Franklin-McDowell

Despite increasing efforts to address diversity, it remains a topic of discussion in most workgroups. Diversity has been considered a double-edged sword creating conflict in some cases, but mediating it in others. It is what Oprah Winfrey defines as "hard to wrap your brain around." Diversity can be surface level or non-surface level, but either can create the greatest conflict or mediate the most volatile environment.

Through a multiple case study of the perceptions' of four mediators, this dissertation addresses how and why social category diversity dictates mediation procedures. The researcher delves into the world of governmental, non-governmental and military environments to provide viewpoints that capture a diverse audience. This literature review covers areas such as: group dynamics, self and social identification, diversity, conflict, alternate dispute resolution, discrimination, mediation, affirmative action and equal employment opportunity (EEO).

The researcher discovered that three out of four mediators felt that social category diversity did not affect the mediation process. She found that gender diversity had the greatest impact on the mediation process. The study also adds richness to the current theory by bringing to life and giving a face to the mediators behind the scenes.

CHAPTER I

Introduction

Anyone in today's workplace, whether government or non-government, will ultimately deal with people of various races, cultures, genders, and values. This is especially true since the United States (U.S.) is known as a haven for immigrants. The increased rate of immigration, in the U.S. population has created a society in which a multitude of diverse groups of people now live and work side by side.

The workplace is changing in most every way. The kinds of people we see in high-powered jobs are more diverse. The way people work together and what they do is changing. And the way business is done throughout the world is changing month by month (Carr-Ruffino, 1999, p. 1).

Specifically, U.S. organizations such as the federal government and the military have become more global by utilizing other countries and cultures to conduct business. They employ U.S. and foreign military, government and civilian contractors for day-to-day missions and national peacekeeping efforts. As the U.S. becomes more and more global, national lines become blurry, and the ability to work with people from all walks of life, becomes even more important. "There have been so many changes in the cultural make-up of organizations that it becomes imperative for leaders and supervisors to understand cultural diversity and how it can affect their organization" (Moon, 1997, p. 9).

Background of the Problem

The problem this study addressed is the increasing use of diverse groups and the inconsistent findings of diversity's impact on group functions and the workforce. Diversity is an increasing factor in organizations worldwide. Organizations are facilitating mergers and building alliances worldwide inside and outside their primary locations. "Organizations find themselves employing diverse workforces for a variety of reasons. For some firms, compliance with equal employment opportunity (EEO) laws results in workforces that more accurately reflect their surrounding culturally diverse labor markets" (Hartenian, 2000, p. 1). Diversity is increasing in the workplace in terms of gender, race, ethnicity, age, national origin, and other personal characteristics. However, the exact impact of diversity is unclear. In fact, "diversity in group membership can present both advantages and disadvantages for group performance" (Knouse, 1998, p. 1).

The views of diversity vary depending on the audience. Diversity may be seen as an enhancement or a detriment to an organization. Diversity's effect is the perspective of the individual. According to McGruder (2002), diversity results in a wide range of views and experiences; without these, an organization can become isolated. By offering a face that looks like America, diversity helps retain the trust of the American public. Another positive view is that bringing together individuals with diverse backgrounds, experiences, and opinions, organizations will see more ideas and alternatives, ultimately resulting in better solutions. In that sense, diversity fuels the vitality of the organization by offering challenging opportunities to individuals from every segment of society. However, the

problem remains, that there are mixed findings on diversity's impact in groups and the workplace.

Because everyone is unique, with their own views of the world, there will be disagreements of what diversity is or what it does. In fact, personal views or perceptions ignite the fuse to diversity stereotypes. Stereotyping, whether it is about diversity or not, may cause positive and negative perceptions. Fazzi (2001) has pointed to the negative effects that distorted perceptions of diversity can produce: How many times have you heard people say that the French are rude, the English are cold, and Asians are passive? And what about the term "the ugly American"? It is unfortunate that cultural differences are usually viewed through a stereotypical lens. It is doubly unfortunate when such stereotyping is carried into situations of conflict (p. 1).

Diversity comes in many forms and has been linked to varying impacts. Studies have indicated that depending on the diversity type, conflict can be evoked or mediated. Studies by Jehn, Northcraft & Neale (1999), revealed that some diverse settings seem to mediate conflict, while others evoke unresolved conflict in organizations. Specifically, diversity has been shown to have various effects on group outcomes, depending on the combination of the diversity or the type of diversity. Jehn, et al., 1999, found in her research that value diversity evoked conflict within organizations, while social category diversity positively influenced group member morale. Value diversity decreased satisfaction, intent to remain and commitment to the group and relationship conflict mediated the effects of value diversity. According to Vuchinich (1987), as cited in (Webbera & Donahue, 2001, p. 2.), conflict potential occurs when one person opposes the other in some way. "The most critical aspect of a problem(s) is a difference. The

most critical aspect of difference is behavior. The most critical aspect of group relationship is culture. The most critical aspect of culture is values…" (C. Butler, personal communication, July 4, 2000). Simply stated, diversity and conflict are both facts of life, and must be considered in today's organizations. To paraphrase a popular bumper sticker, "conflict happens". Conflict is inescapable and a feature of social life. Where conflict and diversity are present, appropriate steps should be taken to address any negative effect that may be produced. Conflict must be addressed at some point in its existence, in order to facilitate the success of any organization.

Mediation is one of the methods of alternate dispute resolution (ADR), designed to resolve issues, and is also the topic chosen for this research. Mediation is also a procedure or a combination of procedures voluntarily used for resolving conflict within the workplace. During mediation a neutral person is available to help the disputing parties to arrive at a mutually acceptable solution. This research focused on how conflict is resolved through mediation. More specifically, how and why the presence of social category diversity dictates procedures during mediation.

Rationale for the Study

Diversity is double-sided, bringing both positive and negative impacts to group processes. Specifically, diversity has been associated with causing increased group conflict while at the same time adding increased skills and flexibility. Diverse groups have become increasing entities in organizations due to the globalization of business, which require employees from diverse cultures to work together. However, with the increase of diversity types in the workforce, there are still many things to learn about diversity's impact on group functioning. "Much is still unknown regarding the nature of

diversity, the presence of differences within group members, its impact on group outcomes, and the intervening mechanism by which diversity influences outcomes. Specifically, conclusive findings of the effects of diversity on workgroup processes and outcomes still do not exist" (Cohen & Bailey, 1997) as cited in (Webbera, et al., 2001, p.1.)

Groups are a growing phenomenon in the workplace. These groups will consist of diverse features. Therefore group processes were examined as a means of analyzing diversity's effect on group dynamics. In the case of this research, the researcher examined how social category or race/ethnicity diversity impacts the mediation process. Edward (2004) examined factors affecting group processes in long-term problem-solving groups. Independent variables were ethnicity and gender, which he labeled surface-level diversity, and informational diversity, which he labeled deep-level diversity. Edward expected to see social category diversity lead to increased conflict, which would also lead to decreased cohesion. "This relationship was found with cohesion but not task conflict. These findings show the need to distinguish between surface-level and deep-level diversities. They also highlight the need to further investigate the role of moderating variables, especially time" (p. iv.).

Diversity to some may be a welcomed addition, but to others, it can be seen as a haven for conflict. As with any concept in life; acceptance depends on how, why and when it is introduced into an organization. Therefore, diversity's presence may be seen as both good and bad. In their extensive review of research on demography and diversity in organizations: Williams, et al., 1998: 120 as cited in (Kendrick, 2005), concluded from empirical data that diversity seems to be a mixed blessing and requires

careful and sustained attention to be a positive force in enhancing group effectiveness and organizational performance. They called for a more detailed understanding of how different types of diversity impact group processes, more research on the type of group conflict generated by diversity and closer examination of how successful top management teams (TMTs) are able to leverage diversity (p. 5).

Following the findings of researchers such as Jehn, et al., 1999, diversity's impact, positive or negative can be attributed to the type of diversity, the combination or the amount of diversity within the group. According to Brewer (1995), as cited in (Knouse & Dansby, 1999): a key factor in examining the effects of diversity is how much diversity (as a percentage) is present in the workgroup. Knouse & Dansby says a greater percentage of diversity may influence how the individual relates to both the group and the minority subgroup. Knouse & Dansby's 1999 study also found that a small amount of diversity (i.e., when the diversity subgroup is 11-30% of the workgroup) appears to be optimal. As the mix exceeds 30%, however, perceptions of group effectiveness decline, except for groups with women, who show a slightly higher level of effectiveness up to 50% diversity.

Historically, the "tie that binds" the group has been cohesion, which has been defined as the closeness of the group members. "Cohesion conceptualization and research have assumed that groups are largely homogeneous and can directly identify with the similar values, attitudes, and interests that provide the commonalities upon which cohesion is built. Characteristics of diverse groups, particularly the degree of diversity in the group, on the other hand, cause problems for the concept of cohesion" (Knouse & Dansby, 1999, p. 5). Literature review reveals mixed findings on whether

group diversity increased or decreased cohesion. "The sensitivity of an individual to diversity may be a function of the level of diversity for the organization as a whole. In other words, the more heterogeneous or diverse an organization, the less likely diversity will be associated with problems within a workgroup of that organization" (Whaley, 1998, p. 11).

While a company may recruit with the purpose of creating a climate of diversity, it can also simultaneously open the door to hiring the best available talent in the global market rather than another member in the organization. Diversity promotes a multiplicity of viewpoints, thus creating the potential to generate more creative ideas and stimulate consideration of non-obvious alternatives. Further, diverse groups have the potential to bring a broader and richer base of experience.

> American workplace diversity can be a major source of innovation, global savvy, and profitability—or a source of conflict and chaos. It all depends on us: on how we respond to workplace changes, and on our ability to build productive relationships with people from many cultures and lifestyles (Carr-Ruffino, 1999, p. 1)

The researcher included a diverse collection of articles for review. Government, non-government, military, academic and personal material was reviewed. The researcher was able to obtain government literature because of her civilian employment with the Federal government. U.S. military research literature is not always easily accessible by the general public. The researcher's interest in the military stemmed from the fact that the military is so diverse. In fact, it has been called one of the most diverse organizations in the U.S. Specifically, the current U.S. war on terrorism has increased the necessity to

work along side with many diverse cultures. The military is represented by members of the Air Force, Army, Air National Guard and Reserve. Among the diverse military members, there are diverse job types, religions, values and specific cultures within the different services or job types. For the purposes of this research, the word government is referring to the U.S. Federal government unless otherwise annotated.

Major Molly Moon, USAF (1997), authored an academic paper on understanding the impact of cultural diversity on organizations. She indicated that the military senior leadership was beginning to understand the importance of managing diversity and is beginning to take actions to ensure others understand. Moon also stated that age, ethnicity, gender, physical abilities/qualities, race, and sexual/affectional orientation have the most impact on groups in the workplace and society. Educational background, geographic location, income, marital status, religious beliefs, and work experience also impact/self-esteem and self-definition. She stated that these dimensions are not exact; one may have more effect in the workplace at one time and then more effect on self-esteem at other times. Moon found that "a set of individual, group, and organizational factors interact to influence a set of individual outcomes that in turn influence organizational outcomes" (p. 11). Specifically, she found that processes such as problem solving, creativity, and communications are impacted by diversity.

As the public sector workforce becomes more ethnically diverse and as government agencies make attempts to "manage" that diversity, the importance of understanding how diversity affects workplace interactions, work-related outcomes increases or specifically, the mediation process. Diversity, whether considered positive or negative, should be accepted and introduced by management, in order to set an

example of acceptance for the other members within that organization. Organizations are faced with implementing policies that open the door of acceptance for diversity. Wentling & Palmas-Rivas, 2004, conducted a study to provide information on diversity initiatives and programs to better understand organizational response to workforce diversity. This study was designed to provide information on the current status and future trends of diversity initiatives in the workplace, as perceived by a panel of diversity experts. The study was conducted with open-ended telephone interviews with a panel of 12 experts from across the U.S. Results of the study stated that the six organizational barriers which most likely will impede the progress of diverse groups in the workplace are (1) negative attitudes and discomfort toward people who are different, (2) discrimination, (3) prejudice, (4) stereotyping, (5) racism, and (6) bias. These barriers surface as a result of the cultural change that follows the attempt to manage diversity. Findings from this study indicate that diversity may have an uphill battle, and that the barriers that the study found are barriers that have plagued the U.S. since its birth. The study also found that the future of the workforce will become more global and diversity will become more of a business concern than a social concern.

Specifically, and summarily, the authors acknowledged the impact that diversity has on the workforce and the requirement to effectively manage the diversity within. The study also found that managing diversity may change the organization culture, which will be met with conflict. According to Cox (1994) there are two main contributors to conflict in the workplace due to diversity issues: (1) group boundaries and group differences are involved and (2) the conflict is directly related to cultural group identities (p. 2).

One thing that is certain in life, whether positive or negative, mental or physical, verbal or nonverbal, is that conflict is an essential part of existence. Conflict does not have to be negative, but it has to be present at some point of a relationship, when there is more than one person involved. Where there is communication, there is the potential for conflict.

> Today's world is fraught with conflict – in our work and in our personal lives; in our immediate community; and on a global basis. Therefore, it is essential that we learn how to deal with conflict situations so that they will not escalate and become something that is unmanageable. The problem with conflict is that most people lack skills to manage it effectively. Managing conflict is no different from any other uncomfortable situation: we experience great anxiety when it is present (Simonsen & Klisch, 2001).

With change as a constant, and conflict as a factor of change, organizations must be able to intervene and manage any organizational conflict. The dynamics of conflict and the need to develop effective intervention has led to a deep appreciation for ADR techniques. The mediation process is a powerful problem-solving and educational tool, since it utilizes the parties themselves to develop an agreement to resolve the conflict. "It is important to note that cultural diversity need not be an impediment, rather, it can be advantageous and promising for the mediation process" (Naranjo, 1994, p. 6).

Because the mediation process involves group sessions, in order to accurately assess diversity's impact on those processes, the researcher felt it important to review studies that discussed self-identification, or how members of an organization see themselves within the group. Therefore, group identity is important to understand the

individual perspective of group dynamics. "A group identity is a personal affiliation with other people with whom one shares certain things in common. Such identities are central to how cultural diversity impacts behavior in organizations" (Moon, 1997, p.12, 13). The way one defines him/herself may be based on group affiliation. However, self-identification plays a part in how one defines him/herself and how others see us. Individuals also draw their self-esteem and personal pride from their affiliation with these groups. "A final reason that group identities are important is that they will influence how others react with us" (p.13).

According to social identity theory, individuals validate their social identity, which helps them accrue self-esteem, by showing favoritism for their own social category or "ingroup," at the expense of "outgroups" to which they do not belong (Billing, et al., 1973; Tajifel, et al., 1971) as cited in (Riordan & Weatherly, 1999). Somewhere in the process group identity must not clash with self- identity. Riordan, & Weatherly, 1999 conducted a study to develop a conceptually and methodologically sound measure of employee identification with the workgroup. Research on the construct of workgroup identification is also important because workgroup identification is hypothesized to be related to a number of desirable group outcomes. For example, "identification induces the individual to engage in and derive satisfaction from activities congruent with the identification, to view him/herself as an exemplar of the group, and to reinforce factors conventionally associated with group formation (e.g. cohesion, interaction)" (Ashworth, et al., 1989, p. 35) as cited in (Riordan & Weatherly, 1999, p. 312). Previous studies (Brown, et al., 1984 as cited by (Riordan & Weatherly, 1999) suggest that the consequences of group identification include greater commitment to the workgroup,

cohesion, altruism, positive evaluations of the group, and fewer withdrawal behaviors such as absenteeism, social loafing, and turnover. Results of Riordan's study demonstrated that the construct of workgroup identification is distinct from but related to both workgroup cohesiveness and workgroup communication. There is a positive relationship among the three constructs of workgroup identification, cohesiveness, and communication. Riordan & Weatherly's study was inconclusive because it provided only an initial step toward measuring workgroup identification.

Knouse & Smith (2001) conducted three studies using the shared team mental models theory. The shared team mental model is a process or way of accurately looking at and making sense of the environment, team member expectations, and the work they should be doing together. "From these three studies, it appears that team diversity is not conducive to effective shared team mental models" (p. 7). However, this was not unexpected, since several theorists have already found that homogeneous groups develop shared mental models more easily than do diverse groups. The relevant point, however, is that shared mental models were found to enhance team performance. "Ideally, teams would have homogeneous members where strong social cohesion develops, which in turn gives rise to identical shared mental models among team members. In reality, many teams, particularly military teams, are becoming increasingly diverse in team member backgrounds as well as in skill mixes" (p. 7). For the purposes of this research team and group are used interchangeably.

Group identification was highlighted to show how self-identification may effect how others see and react to us, potentially igniting conflict within group dynamics. Participants are often identified by group members because of their visible diversities; but self-identification can be entirely different from what other members see. Perception is the core of all conflict.

Purpose and Scope

Despite efforts to address conflict and diversity, if not managed properly, each may become harmful to the growth of any organization. The purpose of this study was to discover how and why the presence of social category diversity dictates procedures during mediation. Mediation procedures were examined through records and interviews to determine whether the presence of social category diversity dictated mediation procedures. Subjects were trusted to provide accurate information to the best of their knowledge, without bias or dishonesty. The intent of this research was to search for a pattern of methods or behavior used during the mediation process when social category diversity was present. The perspectives of the participants, who were regarded as experts in their field, offered future insight into the effects of diversity during conflict resolution. This insight may become a valuable tool in diversity training, conflict management, and mediation.

The researcher discovered various definitions for diversity. Even though, one commonality found in the definitions was the word “difference”, diversity can still be viewed, perceived and described in many ways. According to (Chemers, Oskamp & Costanzo, 1999) diversity refers to any mixture of items characterized by differences and similarities”(p. 246).

Kahn (2005) believed that metaphors were valuable for gaining clarity about diversity. She used several metaphors to clarify something as intangible as diversity. One commonly shared metaphor was that diversity is like an elephant; it is large and difficult to get your arms around, but if you blindfolded five people and ask them to touch a different part of the elephant, you would receive different descriptions of what they felt. This metaphor addresses the perceptions and differences in which diversity can be viewed by each person.

Historically, racial or gender diversities were the two diversities that created much workplace tension. There are many other diversities that are being addressed in today's workplace; such as whether you use offensive language, whether you smoke, whether you drink or even how you react to stressful situations. The fact is, the list of diversity is so varied, that analogies are a common method of explaining how to care for, how to manage or how to understand it. Kahn (2005), "Another likened diversity work to a tree with many branches; some branches were healthy while others were diseased and needed to be trimmed. These diseased branches represented barriers to success, such as racism and other forms of discrimination. Still others described it as a lush garden with various flowers and plants that needed continuous care and attention for growth. The act of planting and seeding would signify the importance of implementing diversity programs within an organization. Instead of always trimming the diseased plants, these diversity specialists might try to treat the plants first. (p. 1). Kahn also cited Mary Loden (1995) equated humans to a forest full of trees. Like trees, humans come in different shapes, sizes and colors.

The researcher used the analogy of a military workforce; you'll not win too many wars, if only one facet of the military is ready for war. The Finance troops have the same basic needs as the rangers, as the medics, as the engineers. The military should not feed one facet and starve the other. Each facet must have food, water, sleep, and basic survival skills. The only way to be competitive is to use all of the talent available, no matter how it is packaged.

Perception is vital in how diversity is viewed in any environment. Diversity can be defined as the different characteristics of group members. There are diversities that may never be mentioned, but the ones that are highlighted are the ones that a particular group or organization often chooses to place emphasis on. For instance, if a study were conducted in an organization to document personnel characteristics, visible diversities, such as race or age can be easily documented, but there are invisible diversities that may also play a part in daily interactions. However, the diversities that are perceived and acknowledged will receive the attention quicker than the diversities not acknowledged. Diversity is always present, whether, it creates conflict or not.

The world we live in is far too competitive to overlook the various strengths that diversity may bring to an organization. The workforce may be compared to a very well oiled machine. Each part should be treated the same in order for all of the parts to function together at its best.

This research sought in-depth responses through interviews, to discover if the presence of social category diversity determined how mediation is conducted. Race/ethnicity were identified through the categories of Black, of African origin; Caucasian, used almost exclusively to mean "white" or of European descent; Asian, of

Far Eastern descent, regions include southern Asia and the Malay Archipelago as far as the Philippines and Bornero and Java; Hispanic, of or relating to, or being a person of Latin American descent, or of Cuban, Mexican, or Puerto Rican origin; and Native American, a person who is an American Indian, Eskimo, or Native Hawaiian, and regarded as such by the community of which the person claims to be a part. Native Americans, other than Native Hawaiians, must be documented members of a North American tribe, band, or otherwise organized group of native people who are indigenous to the continental U.S. and able to provide proof through a Native American Blood Degree Certificate (i.e., tribal registry letter, tribal roll register number) (Dictionarysearch.com, Aug 24, 2004, p. 2). Any race/ethnicity other than Black, Caucasian, Asian, Hispanic, or Native American is coded as "other" in this research. Five races/ethnicities/social category diversities were chosen and coded to simplify the study. No preferences or importance have been placed on any social category diversity.

This diversity research closely examined the procedures used during the mediation process when social category diversity was present. As a result, the researcher discovered that social category diversity was not the prominent diversity that affected the mediation process; gender diversity was the diversity that created the most conflict within the mediation groups. Having highlighted the background and statement of the problem, the need for the study, and possible answers to the research questions, the following chapters will include a presentation of the literature review, methodology, findings from the research, and summation of the study.

CHAPTER II

Literature Review

Conceptual Framework

Historical Perspective

This study focused on the presence of diversity in the workplace, specifically during the mediation process. The concept of human diversity has developed extensively in recent decades. In fact, over the course of this nation's history, there have been numerous debates over immigration, voting rights, education, language, and most recently, sexual preference or personal lifestyles. This historical background was intended as a framework to understand the increase of workplace diversity and the conflicts that are common in workgroups. Knowledge about history may also assist in tracing some of the concerns that led managers to focus on conflict in the workplace and may also enable us to acknowledge those challenges that, different groups of people face in our society. In order to motivate individuals to change their points of view, scientists and individuals need to shift their paradigm about the world by presenting some critical, pivotal data, or evidence. Two such critical factors that should be mentioned are the civil rights movement and the U.S.'s changing demographics during the last part of the 20th century (Kahn, 2005).

Struggles for Human and Civil Rights

In order to understand the plight of individuals seeking resolution through mediation, it is also important to understand the historical foundation of America's struggle for equal rights during the 20th century. In 1923, the National Woman's Party succeeded in guaranteeing equal rights for women. In 1934, the Indian Reorganization

Act restored ownership of tribal reservation lands and established a credit fund for American Indians for the purchase of land. In 1941, President Roosevelt was persuaded by A. Phillip Randolph, who had organized a March on Washington, D.C., to bring civil rights reforms to Black America. Simultaneously, the people of Japanese origins who lived in the U.S. were being placed in detention camps.

There were many struggles for human and civil rights and the U.S. government had to be concerned about the impact on the environment. "Whatever the reason for the struggle the U.S. appeared to be paying attention to the socio-political environment" (Kahn, 2005, p. 4). In 1954, with *Brown v. Board of Education*, the U.S. Supreme Court overturned legislation that had established the standard of "separate but equal," which had been in place since 1896 (Graham, 1990). This case, along with the arrest of Rosa Parks in Montgomery, Alabama, in 1955, helped define what is referred to as the civil rights movement. Leaders and Lobbyists such as Malcom X (1925-1965) and Cesar Chavez (1927-1993) demonstrated, and voices such as Eleanor Roosevelt (1884-1962) and Dr. Martin Luther King (1929-1968) articulated their perspectives on America and provided insights into the structural inequalities that our system had allowed (Swanger, 1994). After King's death, the struggle for justice continued with Mrs. Coretta Scott King (1927-2006), who supported and continued her husband's work until her death. Her children Bernice, Martin, Dexter, and Yolanda have vowed to continue the struggle of the civil rights movement.

The civil rights legislation of the 1960s led the forefront to the 1964 Civil Rights Act. In 1963, one of the largest anti-segregation demonstrations in American history took place as hundreds of thousands of people marched on Washington; this finally gave rise to the 1964 Civil Rights Act that made discriminatory actions unlawful in the private and public arenas. While discrimination laws may have changed, the focus has remained the same; all people should be treated equally. Organizations such as the Equal Employment Opportunity Commission (EEOC), the Office of Special Counsel (OSC), the Office of Personnel Management (OPM), and the Merit Protection Board (MPB) are all vehicles for governing the workplace and mandating equal treatment for all.

Equal opportunity (EO) is not exclusive to government organizations EO is also the stated policy of the U.S. Armed Services (Dansby, 1998). In essence, individuals serving in the U.S. military are assured EO in obtaining assignments and promotions. Military members are also assured the absence of a discriminatory working environment, meaning they are protected from factors like racism or sexual harassment. In the larger sense, diversity in background such as race, ethnicity, or gender is a goal of the U.S. military. In short, diversity adds value to the military as it tries to meet new and challenging goals throughout the world in the 21st century, such as peacekeeping, rapid deployment, and pinpoint incursions (Knouse, 2001).

Workforce Diversity

Interest in workforce diversity was elevated more due to the passage of the 1964 Civil Rights Act in which there was a general awakening of interest in the demographic composition of an organization's membership. Specifically, Title VII prohibited employers from intentionally using race, skin color, age, gender, religious beliefs, or

national origin as the basis for making job-related decisions such as employment, promotions, and dismissals (Hunt, 1984) as cited by (Whaley, 1998).

Diversity has been a topic of conversation for over 30 years. However, federal laws, which enforced non-discrimination or EO for all workers catapulted emphasis on workforce composition. Additionally, Federal equal EEO laws such as the 1967 Age Discrimination in Employment Act; the 1973 Vocational Rehabilitation Act; and the 1972 Vietnam Era Veterans Readjustment Assistance Act have all served to further sensitize employers to the issue of workforce composition so as to protect themselves against charges of discrimination. In most cases the measurement of the race/ethnicity and gender mix of the organization membership was necessitated by the EEOC and the need for affirmative action plans and goals (Whaley, 1998, p. 3). Affirmative action means positive steps taken to increase the representation of women and minorities in areas of employment, education, and business from which they have been historically excluded. The phrase "affirmative action" was first used in a racial discrimination context in Executive Order No. 10295 issued by President Lyndon B. Johnson in 1961. This executive order indicated that federal contractors should take affirmative action to ensure that job applicants and employees are treated "without regard to their race, creed, color, or national origin".

Two notable affirmative action cases took place at the University of Michigan. In 2003, the Supreme Court ruled on two cases involving admissions and affirmative action at the University of Michigan. Grutter vs. Bollinger et al., involved a woman who claimed she was denied admission to the University of Michigan Law School because she was white. The plaintiffs in Gratz et al., vs. Bollinger made a similar charge against the

college school of literature, science and the arts. The plaintiffs in both cases believed that the college placed too much emphasis on racial identity and not enough on a competitive objective evaluation of past achievements. They alleged that the university's admission policies violated the civil rights of white applicants by giving an unfair advantage to minority applicants. While the stated goal of the admissions might be to achieve some level of diversity the plaintiffs argued that the policies did not serve a "compelling interest". According to the plaintiffs, any consideration of race violated the U.S. Constitution no matter whom the benefits fell. The university based its defense of affirmative action in admissions on the premise that diversity enhances the lives of all students and ultimately enriches society as a whole. The university argued that their policies were moderate, fair, and structured to achieve the educational benefits of diversity for the entire student body without jeopardizing academic standards or creating a disadvantage for non-minority applicants.

The Supreme Court upheld the admissions policy in the law school case (Grutter) and rejected the admissions policy in the undergraduate case (Gratz). Both rulings reaffirmed the constitutionality as using race as one factor in the admissions process. Following the controversial Supreme Court decision regarding the University of Michigan's affirmative action policy, the school experienced a backslash in relation to the number of African American applicants and enrollees. The court decided in June 2003 that the school could continue with its affirmative action practices, albeit modified, after white applicants filed lawsuits challenging the use of race in the admissions process (Jefferson, 2005)

Any employee with 50 within the U.S. or more employers that has at least one federal contract that exceeds $50,000 must have an affirmative action program. An affirmative action plan is very specific and is a set of steps that organizations take to comply with the law. These programs are enforced by the Office of Federal Contract Compliance (*Federal Laws Prohibiting Job Discrimination Questions and Answers*, 2003). By contrast, the term *diversity* is not regulated by a government agency. As organizations have promoted hiring practices that promote diversity (different ethnic groups, ages, sexual orientation, etc.) among their employees, valuing diversity is encouraged and developed to expand and change the traditional culture of organizations. Individuals are encouraged to learn to value and respect one another's differences. "American corporations have found it desirable to implement diversity initiatives designed to maximize the contributions of their increasingly diverse workforce. Many organizations have embarked upon establishing diversity initiatives designed to facilitate a process of valuing cultural differences among workers" (Edwin, 2001, p. 21). " Current diversity processes vary in depth and in style. Some workplace diversity processes focus on recruiting and retaining an increasingly diverse employee base. Other processes center on gaining market share by creating targeted campaigns and strategies to foster deeper loyalty from a more diverse customer base" (Kahn, 2005, p. 10).

One would think that the role diversity plays in many components of today's environment would long ago have been understood. However, in order to clarify some of the issues, which stand in the way of embracing diversity, further brief review of American history should be undertaken.

Demographic Issues

As long as the world has existed, the probability that diversity was part of it is fairly high. Visibly acknowledging gender diversity in the workplace has been highlighted during World War II (WWII). During WWII, wives stepped up into the workforce and filled in for their husbands while they were at war. This was one of the earlier beginnings of diversity in the workplace. This new workplace demographic change created challenges for management, and when other cultural groups began to enter the workplace, management saw a need to shift its perspective to understand the dynamic of these new workers (Seashore, 2001). The U.S. Department of Commerce Census Report (2001) states that in 1950 Asians, Native Americans, Hispanics, and African-Americans represented only 7.6% of the American population, but by the year 2000, the total minority representation had doubled to 16%, and by the year 2020 minorities are expected to exceed 30% of the American population.

Despite the ongoing shift in demographics in the workplace, the majority did not act on the shift until 1987 when the Hudson Institute, under the authority of the Assistant Secretary of Labor, Roger D. Semerad, published a report entitled *Workforce 2000*. This report predicted many of the demographic changes in the workplace that came to be by the year 2000. Demographic changes in the U.S. that began with World War II had a profound influence on the workplace. The legal mandates and demographic shifts have become a reason for the increased focus on the dynamic of diverse people in the workplace and on the conflicts that arise with diversity.

Workplace Violence

Conflict is a normal unavoidable part of everyday activity. In the workplace conflict can range in severity from short disagreements over work assignments to workplace violence. Violence may erupt as an expression of conflict due to diversity issues; lack of diversity or non-acceptance of. Violence is often thought of as a physical assault, but workplace violence is a much broader problem. Workplace violence includes any and all forms of threatening behavior, verbal or written threats, harassment, verbal abuse or physical attacks. These can take many forms; rumors, swearing, verbal abuse, pranks, arguments, property vandalism, sabotage, pushing, theft, physical assaults, rape, arson, murder, are some of the many possible examples. Workplace aggression, efforts by individuals to harm individuals with whom they work or have worked are prevalent and may prove to be damaging to individuals and organizations (Neuman, 1998).

It is important to acknowledge that the boundaries of the workplace do not begin and end in the office from eight to five. Therefore, workplace violence is not limited to incidents occurring within a workplace. In the U.S., there is a "General Duty Clause" in the Occupation and Health Act. Some state legislation requires businesses to have a work violence prevention plan and a specific law to combat violence (CCOHS, Oct. 2005, p. 1, 2). Workplace violence may be generated for numerous reasons, such as unfair or prejudicial treatment. Diversity issues in the U.S. have historically been sparked by prejudice or the perception of unfair treatment in the workplace. This unfair treatment can be because of denial of basic civil rights or workplace prejudice.

Workplace Prejudice

Workplace prejudice can be attributed to many diverse views to include, diverse values, education, social category, gender, age, religion, and political affiliation. Prejudice, because of racial tensions in the workplace have been documented throughout the history of the U.S. and also labeled as a cause for group conflict. Prejudice in any form, racial or social, is destructive and costly to society. Up until the '60s, society accepted racial prejudice, then the target of racial prejudice rebelled and society realized the destructive force of this attitude. It kills motivation and increases overhead cost in business. Prejudice believes other people are less capable than us. Prejudice in any form, racial or social, carries a heavy price; it lowers efficiency and increases overhead cost. Prejudice kills communications, innovation, motivation just to name a few attributes Webb, (2003).

Allport's 1954 theory of contact states that prejudice will decrease if two groups of equal status have contact. He feels that in order to decrease prejudice, there must be conditions of equality where one group is no longer dominant over the other; groups must have equal status. He also states that the failure of race relations to improve in the south were a result of white merchants having contact only with black customers and not black merchants, thereby creating an environment where whites saw blacks as inferior and themselves as superior. The inequality of the situation forced blacks to submit and caused the whites to see them as submissive, not as equals. Allport suggests that even contact between groups of equal status does not always improve relations. Allport states that "prejudice" will intensify if the groups are engaged in competition (poor whites competing with poor blacks for unskilled jobs, for example), but will decline if the

groups cooperate to pursue common goals. When white policemen work with black policemen, their prejudice decreases (Stark, 1989).

Since Allport's work was published, considerable research has supported his views. Findings indicate that contact overcomes prejudice only when people meet on equal terms to cooperate in pursuing common goals. Contact accompanied by inequality and competition will breed contempt. It can even turn former friends into strangers. An example cited by Stark took place in the 1950s, where Muzafer and Carolyn Sheriff of the University of Oklahoma conducted a series of studies of young boys at summer camp. Their experiment proved that within a few days the boy displayed hostilities towards one another and were produced among young boys of similar backgrounds and with longstanding friendships. This explains how antagonism can arise so easily in the real world between groups of strangers who are separated by truly noticeable differences (Stark, 1989).

Although much has changed since the 1970s when many racial tensions erupted, racism and racial inequality are still a part of the U.S. society. While racism cannot be reduced to employer's needs to divide the working class, this is one important aspect of racism. Basically, the sociologists came to accept the view that racial and ethnic conflicts are rooted in status inequalities between groups and therefore generate prejudice. Race relations should improve from more frequency in inter-group contact. Until status equality becomes the focus, ethnic conflicts will continue to surface. People must be seen as equals in the workforce in order to be treated equally (T. Agramonte, personal communication, Oct 17, 2005).

It is difficult to speak about equality and discrimination without mentioning segregation. Despite the many legal and social changes over the past half-century, racial inequality remains extensive in American society. Among the numerous forms of inequalities that exist, the most enduring has been segregation. Even though efforts to end segregation date back to the 1940s, blacks and whites do not live in the same neighborhoods. Black workers also tend to still work in occupations that are sometimes considered "devalued". The extent of racial segregation of both forms has declined somewhat since the 1961s, but racial integration remains a distant goal (Ovadia, Dec, 2003).

Theoretical Direction

Theoretical direction for this study was provided by review of pertinent literature related to diversity, conflict management, organizational behavior, and workgroups. In order to conduct this research with an unbiased view, the researcher reviewed several studies, which focused on various theories. Theories reviewed were Allport's Theory of Contact and Conflict Resolution; Tajfel' and Turner's Theory of Social Identity; Pelled's Black Box Theory; and Knouse & Smith's, 2001 Shared Mental Model Theories. The researcher did not place emphasis on any particular theory, but found these theories to be a part of significant studies relevant to this research.

No individual study was able to convince the researcher of diversity's impact on group processes. In some studies, diversity presented disadvantages to groups, and in other studies, diversity enhanced team or group dynamics. Closely coordinated teams tended to be cohesive, where each team member pulled together to help one another. They tended to also operate in a team mode in a time of crisis. Teams with diverse

members, however, often had difficulty in finding common interests for building cohesion, especially in times of crucial need (Knouse & Smith, 2001). Findings have not been conclusive on the total effect of diversity on organizational functioning.

Conflict

Until society becomes free of conflict, organizations will be often faced with choosing a method of addressing conflict. As long as there are relationships, conflict will at some time be present. Conflict has been called an inescapable feature of society (Cosier, et al., 1981) as cited in (Farmer 1998). Because of the tendency of people to form groups of similar characteristics, forming a diverse group can be seen as an invitation to conflict. While conflict is inevitable in groups and organizations, due to the complexity and interdependence of organizational life, theorists have differed about whether it is harmful or beneficial to organizations as cited by (Jehn, 1995, p. 2).

As with any fact of life, there are two sides to a story and conflict is no different. Conflict is created by communication, whether verbal or non-verbal, but conflict can also create communication, verbal or non verbal. In much of the previous literature, conflict is generally deemed detrimental to performance and satisfaction (March, et al., 1958; Pondy, 1967; Blake Mouton, 1984) as cited by (Jehn, 1997, p. 1).

The old saying “you can’t do without them and you can’t do with them” is a close analogy to conflict and workplace diversity. Conflict is here to stay, whether it is deemed positive or negative. It is all about conflict, a normal and natural part of our workplace and personal lives. “Conflict can be helpful in making necessary changes within the home or work environment. However, an unresolved conflict can result in feelings of dissatisfaction, unhappiness, hopelessness, depression, and other emotions. It can result

in behaviors such as physical or emotional withdrawal, resignation from jobs, dissolution of personal relations, aggression, and even violence (Rau-Foster, 2000, p. 1). Early organizational conflict theorists such as Pondy (1967) and Brown (1983) also suggested that conflict is detrimental to organizational functioning and focused much of their attention on the causes and resolution of conflict (Schmidt, et al., 1972; Brett, 1984). Researchers such as Tjosvold (1991), Van de Vliert, et al, 1994 theorized that conflict is beneficial under some circumstances, as cited in (Jehn, 1995). "Conflict in the right setting, handled in the right way, can be beneficial. It is through conflict that an awareness of the need for some necessary changes can be made – at work and at home" (Rau-Foster, 2000, p. 2).

Conflict means communication and communication means there is "life" in a relationship. However, communication, as a result of conflict can be viewed as negative or positive. Conflict theory and research has primarily focused on disagreements about ends, but conflict can just as easily occur about means, even when ends are shared, as they are in most organizational groups (McGrath, 1984). The means-versus-ends distinction provides a framework for examining various types of conflict that can occur in organizational groups (Simon, 1976; Tyler, et al., 1996) as cited by (Jehn, 1997).

The key is perception; this is where communication and culture influence the evolution of conflict. It is important to distinguish realistic conflict from unrealistic. Realistic conflict occurs when parties disagree over the means to an end or over the ends themselves; the interaction focuses on substantive issues. In unrealistic conflict, aggression is expressed for the sole purpose of defeating or hurting the other. Productive

conflict depends on flexibility. All parties believe that all sides can attain important goals. This concept may sometimes become competitive.

Two types of conflict are value and relationship conflict. Value conflict is characterized by different criteria for evaluating ideas or behavior, exclusive goals, and different ways of life, philosophy, or religion. Nicole, one of the mediators who participated in the study, stated that relationship conflict causes strong emotions, misperceptions or stereotyping, poor communication or miscommunication and negative behavior (personal communication, July 28, 2005). Jehn cited (1997); Two types of conflict are predominantly studied in organizations. Guetzkow, et al., 1954 proposed that both "affective" and "substantive" conflicts exist. Affective conflict refers to conflict in interpersonal relations, while substantive conflict is conflict involving the group's task. Priem, et al. (1991) distinguished between cognitive, task-related conflicts, and social-emotional conflicts, characterized by interpersonal disagreements not directly related to the task. Coser (1956) analyzed goal-oriented conflict, in which individuals pursued specific gains, and emotional conflict, which is projected frustration with interpersonal interactions. Empirical research shows a negative relationship between relationship conflict, productivity, and satisfaction in groups (Evan, 1965; Gladstein, 1984; Wall, et al., 1986).

Summarily stated, relationship conflicts interfere with task-related effort because members focus on reducing threats, increasing power, and attempting to build cohesion rather than working on the task. Conflict causes members to be negative, irritable, suspicious, and resentful. Chronic relationship conflicts can have serious detrimental effects on group functioning (Coser, 1956). Conflict occurs in the most personal and

private environments and has the potential to affect all involved. Smith (1989) told the story about White House relationships during the John F. Kennedy administration.

A White House staff member in the John F. Kennedy administration once commented that it was always clear when the president and the first lady, Jacqueline Kennedy, were fighting and when they were getting along. The staff member stated that even though the couple was quite private about their struggles, the staff still knew when they were fighting simply by watching the interactions of their personal staffs. When the hairdressers and the transport people were arguing, the staff knew this was because JFK and First Lady Jacqueline Kennedy were in conflict. When these groups had their act together we knew the first couple was not fighting (p. 1).

Relationships and tasks are two of the primary breeding grounds for conflict. Literature has disclosed that there are different kinds of conflict, especially when workgroups are formed. Task-focused conflicts have been perceived as different from relationship conflicts by employees experiencing the conflict (Pinkley, 1990; Jehn, 1992) and have different effects on group and organizational outcomes (Guetzkow, et al., 1954; Kabanoff, 1991; Priem, et al., 1991; Jehn, 1994, 1995). Task- conflict can improve decision-making outcomes and group productivity by increasing decision quality through incorporating devil's advocacy roles and constructive criticism (Cosier, et al., 1977; Schweiger, et al., 1989; Amason, 1996) as cited by (Jehn, 1997). Groups use members' capabilities and prior knowledge better when the conflict is task-focused, rather than when conflict is absent or relationship-focused. Recent research suggests that moderate levels of task conflict are constructive, since they stimulate discussion of ideas that help groups perform better (Jehn, 1995). Groups with an absence of task conflict may miss

new ways to enhance their performance, while very high levels of task conflict may interfere with task completion.

Gordon Allport (1960), during his research on comparing three models of conflict resolution, states that inter-group conflicts have existed throughout human history; however, the current proliferation of ethnic conflicts warrants attention and concern. Allport states that there has been an explosive growth in the field of conflict resolution. Conflict can be devastating and destructive. It can also be a catalyst for finding creative solutions. How one responds to conflict is the key to the type of success found. This study focused on the particular conflict setting of the mediation process, reviewing relationship conflict within a group setting. As with any other fact-of-life issue, conflict cannot be properly resolved by ignoring it.

Groups

During the mediation process, group sessions are routinely conducted for conflict resolution. Therefore, it is important to review theoretical data on groups and group processes. While groups have become central to organizations, they can present their own intrinsic problems of coordination, motivation, and conflict management (Gladstein, 1984; Jehn, 1995) as cited by (Jehn, 1999). "The common factor underlying all groups is their human involvement. In fact, a group cannot be considered a group unless it is comprised of more than one individual. Therefore, to some extent the characteristics of the individual group members should impact the workings and ultimate effectiveness of the group" (Baines, 2001, p. 3). The workgroup concept holds the assumption that groups can gather together the diversity of information, backgrounds, and values

necessary to become productive or successful. However, there are unknowns that may impact the group function.

Organizations that choose to resolve conflict through mediation have specific guidelines that must be adhered to. The first opportunity for the parties and the mediator to meet together is an interaction in a group setting. Group theory was reviewed to explain the group functions that occurred during the joint discussions. The joint discussions consisted of at least three parties; the mediator and a member from each of the opposing parties. Therefore, the joint discussion is a group interaction, since, "A group includes at least three people; two people are usually referred to as a dyad" (Beebe & Masterson, 2000, p. 4). Understanding the influences that personality and group emotions place on group functioning may aid in conflict resolution. Barsade (2000) developed a model of how diversity in trait positive affect (PA) among group members influence individual attitudes, group processes, and group performance. Trait affect is a tendency toward having a particular level of positive and negative moods, which then permeates all of an individual's experiences. Barsade felt that the greater affective fit between a group member and his or her group is related to more positive attitudes about group relations and perceptions of greater influence within the groups.

Barsade's research focused on observable forms of diversity, such as race and gender with explanations of differences based on cognitive factors such as perceived differences in attitudes. Her work focused on people's personality and group emotions. Results of Barsade's research found that those similar in PA experienced better working relations. These results might be condensed into this expression of individual experience. If I enjoy being with you positively, I will be more likely to give you other rewards,

including interacting with you more. "Leaders are expected to be participative in leading their groups when they perceive them as being affectively similar to themselves (p. 6). Barsade also cited that the traditional strategy for employee selection only considers the magnitude of individual differences among candidates, but her current study suggests that similarity of individual trait differences should also be considered when making group selection decisions.

Group Dynamics

Groups are an integral part of today's organization. However, the differences that humans bring to the groups add the responsibility of managing all the differences that are within the group. Yu (2002) stated that the different experiences and points of view do not by themselves make workgroups more productive. The important factor is how people interrelate. Chatting frequently by the water cooler might drive density, whereas whom one talks with at the water cooler would drive heterogeneity. Attitudinal similarity is reinforcing in its own right because it serves as confirmation that one's view of the world is correct. Workgroups that are relatively homogeneous in demographics, address similarity attributes and will experience greater cohesion than those that are more heterogeneous (O'Reilly, 1989). The finding that people consciously and unconsciously prefer others who are similar to themselves is one of the most robust and reliable social psychological findings, (Berschield, 1985), as cited in (Webbera, 2001). This phenomenon has also been strongly supported in the small group and organizational context and in sociological research on homophilly, which is defined as the tendency for persons who affiliate with each other to be similar in various attributes. The concept of

similarity attributes as a positive group trait parallels Jehn, et al.'s (1999) findings that low value diversity promotes a more cohesive environment, as cited in (Barsade, 2000).

Group leaders have less control over the group interactions than the group composition. It is a lot easier for managers to manipulate the demographics of a group than it is to manipulate the interaction within that group. The research did not lend itself to analyzing individual group member behavior, but sought to consider variables that played a part in-group functioning. Intervening variables within the groups or the differences the mediators brought to the session were considered, as these differences may have determined the mediation procedures.

Diversity

Diversity theories were also a vital part of this study because the researcher's focus was to determine if social category diversity had an impact on mediation procedures. There are many conceptions of diversity. For instance, when asked to define diversity, ten-year-old Orlando described it by saying "my five-year-old brother Jordan likes to play games and I like to read books; that's diversity to me" (O. Whittington, personal communication, October 05, 2005). But, of course, there is far more to the concept. "Diversity is an increasingly important factor in organizational life as organizations worldwide become more diverse in terms of the gender, race, ethnicity, age, national origin, and other personal characteristics of their members" (Shaw & Power, 1998, p. 1). According to Grossman, 2000, Diversity is the latest tool in the evolving world of race relations. Diversity is also the latest effort at improving interracial representation and relations at work.

Any organization with diversity gains a myriad of advantages. The challenge is to highlight the advantages and to bring together all of the differences to create an effective working environment. Effective managing of all human resources can result in higher productivity, survival in a world of competition, improved performance, more creativity, more innovations, and reduced turnover and absenteeism. Giving emphasis to diversity without threatening our unity is the proper way we can in fact strengthen the ties that bind us together (S. McGruder, personal communication, 2005).

Diversity and its impact on how we work together are particularly critical when we look at the current management literature on workgroups and their role in increasing organizational efficiency and effectiveness. Diversity has been shown to have different effects based on the combination present in the workplace, as well as job type. A study conducted in 2001 by, Webbera, & Donahue, 2001, titled Impact of Highly and Less Job-Related Diversity on WorkGroup Cohesion and Performance; A Meta Analysis, examined the impact of two types of diversity attributes, highly-job-related and less-job-related, on workgroup cohesion and performance. This distinction was used to test the proposition that different types of diversity will differently impact workgroup cohesion and performance.

At the root of most conflicts are differences in understanding, perceptions, attitudes, or course of direction. Diverse perceptions of the world are often derived from cultural value systems learned in childhood and form one's basic outlook on life, one's place in life, and one's sense of purpose. Diversity, like conflict, comes in many forms and may have a negative and/or positive impact on group interaction. Jehn, et al.'s

(1999) research on emergent knowledge in groups suggests that social interaction among diverse perspectives can lead to the emergence of new insights through conceptual restructuring within the groups. Jehn et al., 1999 found that three distinct categories of diversity displayed different effects on workgroup functioning. The three categories were value, informational, and social category diversity.

Diversity is a strong presence in today's environment because no human mirrors another, totally and identically. Individuals may have differences in goals, values, experience, size, color, height, age, background, etc. These differences may act as a stimulant towards the group goal or may act negatively as a source of conflict. There are definitely direct effects of diversity on organizations. Processes affected by diversity are problem solving, creativity, and communications. These processes are critical to any organization and diversity can either complement these processes or provide challenges to overcome (Cox, 1991). There are even diverse views about diversity itself. Some would argue that diversity is irrelevant, as in this graffiti, found in a University of Maryland parking facility that read. "There is no diversity because we all burn in the same melting box" (Anonymous, 2005). It is difficult, if not impossible to acknowledge the concept of diversity without addressing social identity.

Social Identity Theory

Because we live in a society where we must live and work with other humans, it is important that we are accepted in the groups or organizations in which we work in. It is also important that we understand that we have self-perceptions that may be different from group perceptions. Henri Tajfel and Turner (1979), developed a self-identification theory that indicates that once a person is accepted into a group, he/she is motivated to

keep a positive image. This is attributed to the feeling of belonging to the in-group and not the out-group. This point of view called ethnocentrism, makes the social group to which a person belongs the centre of all things in that person's world, and elevates the group above all other possible groups. The group in question may be race, nationality, sports team or indeed any other form of social grouping. This self-image has two component parts: personal identity and social identity. An individual may have unlimited social identities and any action which elevates a person's social identity will therefore elevate one's self-image. Social perception and expectations all play an important role in the way one is accepted into a group or organization.

It is a given that a person's behavior is driven by his or her perceptions of reality. If a sailor, soldier or airmen believes there is an opportunity for recognition or advancement performance will reflect that. A study of police officers, brokerage clerks, and public school teachers in 1990 found that their perceptions of being valued by the organization significantly affected their conscientiousness, job involvement, and innovativeness. Stereotyping, ethnocentrism, and prejudice cause minority groups to feel less valued…. (Varvel, 2000, p. 23).

Human nature, environment, education and culture, may dictate behavior in accepting individuals that are different. The researcher's eight year-old niece often complains that girls are not accepted in groups at school because they don't like the same color, their hair was styled differently, or they were too tall or too short (R. Sellman, personal communication, March 03, 2006). However, simple, the discriminating factors of social identity may be just as diverse in the workplace. As the world becomes more diverse, the need to be accepted is even more important, beginning as early as the

playground. Henderson (1996) found that in many instances, being "different" in the workplace results in a catastrophic sense of being a member of a low-status group, and that has negative ramifications. Managers and supervisors desiring to help culturally different employees who feel out of place must be able to accept them as individuals of equal worth (p.47).

Individuals are drawn to what's comfortable or what is identifiable with them. The researcher remembers asking a gang member "why do you want to go back to the street gangs"? The response was that the individual felt there was more connection in the street. She referred to it as the gang "having her back" She also expressed that she didn't feel like a part of the environment outside of the gang.

Diversity can also be acknowledged by behaviors, such as how we want to be treated and how we treat others. Specifically, one's behavior can be characterized as diversity in itself. Diversity can also be characterized as how an individual perceives or handles day-to-day situations; especially how they manage stress. Bottom-line, an individual's diversity may dictate how he/she is treated and how he/she treats others.

For example, religious diversity is not uncommon, but can be easily measured by acknowledging a particular faith. Spiritual diversity, which is very similar to religion, is not as easily recognized, because there is no particular religion attached to it. This diversity may dictate how people handle day-to-day situations, and, became a topic in 2005, in the USAF. USAF military chaplains were accused of evangelizing a particular religion, henceforth, the acceptance of spiritualization was the new diversity. Spiritualization is the "new" religion without a faith attached to it. "No member of the USAF, including a chaplain, is permitted to evangelize, proselytize, or in any related way

attempt to involuntarily convert, pressure, exhort or persuade a fellow member of the USAF to accept their own religious beliefs while on duty." (Geren, 2005)

Those striving to embrace diversity should recognize and utilize the characteristics that those in tune with the spiritual and religious aspects of life possess. Those who are truly spiritual have the core belief that there is a higher power, and put their faith in that which is greater than them-selves. Their faith provides an internal peace on the job because they have essentially relinquished command of their lives. The result is people with hope. Their spirituality serves as a foundation they can turn to during even the most tumultuous times and still have hope because they know that ultimately their eternal future is secure (C. Kuhl, personal communication, March 25, 2006).

The researcher remembered a simple phrase, "treat people as you would like to be treated". However, in order to handle workplace diversity, one must look further than that simple phrase. It also means that within the boundaries of the workplace, one must acknowledge the other individual's desires. It is as simple as treating individuals as they want to be treated. Diversity is about acknowledging differences and then respecting those differences. Don't just treat people the way you want to be treated, but extend it to "how they want to be treated"(Myers, personal communication, April 10, 2006). Knowing how to get along with others and realizing how one identifies with the group is a valuable skill in today's work environment as most tasks are conducted with diverse groups.

Diverse Groups

In response to changing economic conditions, organizations have embraced the concept of building diverse workgroups to maximize the talents and backgrounds of members of its workforce. Results from numerous studies indicate that group diversity is one of the most effective ways to maximize the talents of the workforce. The creation of knowledge and the discovery of insight by groups often depend on the presence of diverse viewpoints and perspectives. "Diversity has recently captured the attention of those interested in group performance. Proponents of diversity hold that differences among group members give rise to varied ideas, perspectives, knowledge, and skills that can improve their ability to solve problems and accomplish their work" (Polzer, Jeffrey & Milton, Laurel (2002, p. 3). Watson, Kumar & Michaelsen (1993) similarly found that the effect of diversity on group dynamics and performance depended on group longevity. They found that over time homogeneous and diverse groups showed improvement. By week 17, there were no differences in process or overall performance, but the diverse groups scored higher on two task measures.

Diversity is multifaceted. Though not conclusive, through research articles, the researcher examined several forms of diversity. Jehn et al., 1999 conducted a multi-method field study of 92 workgroups that explored the influence of three types of workgroup diversity. This research validated previous studies that discovered the distinction between the effects of value, informational, and social category diversity. Jehn et al., were able to take the research further by determining that some diversity evokes conflict more than others in a workgroup setting. Value diversity was found to evoke conflict within organizations and is characterized as differing in terms of what

importance is placed on values, beliefs, fears, religion, and ethics. These findings indicated that high value diversity within a workgroup, can be detrimental to workgroup performance. Jehn also found that workgroups with informational diversity saw increased workgroup productivity. As cited by (Jehn, et al, 1999) The difference in educational background, training, and work experience increase the likelihood that diverse perspectives and opinions exist in a workgroup (Stasser, 1992). Jehn et al.'s 1999 study also discovered that groups with high social category diversity received the positive effects of higher morale, but increased relationship conflict. Value diversity in workgroups evoked all three conflicts (relationship, process, and task) and had the most negative effect on workgroup productivity. It did not decrease morale when tasks were interdependent; and value diversity was mediated when relationship conflict was present. Task conflict mediated the role of informational diversity. Process conflict did not mediate the role of informational diversity, but did have a mediating effect on the relationship of value diversity to satisfaction. Social category diversity's effect was non-significant when relationship conflict was included in the analyses. Workgroups that participated in complex tasks benefited more from informational diversity than workgroups with routine tasks. "The exact impact of within-group diversity on small group processes and performance is unclear" (Shaw, James & Power, Elaine, 1998, p. 1307).

Intervening Variables

Many researchers have conducted diversity and group studies and linked diversity to favorable and unfavorable performance, but few considered incorporating intervening variables with multiple types of diversity. "Despite the spotlight on diversity in

workgroups, there is more to be done. Investigations of diversity and workgroup performance have largely been what Lawrence (1977) referred to as 'black box' studies, which do not measure intervening process variables" as cited by (Pelled, 1999, p. 2).

Pelled's model proposed that group diversity indirectly affected cognitive task performance through intra-group task conflict and intra-group emotional conflict. Pelled suggested that job-related types of diversity largely drive task conflict, and emotional conflict is shaped by a complex web of diversity types that increased emotional conflict based on stereotyping and decreased emotional conflict based on social comparison. These diversity conflict relationships were moderated by task routineness and longevity. Pelled suggested that each type of diversity indirectly affected performance via its relationships with conflict. Task conflict enhanced performances, while emotional conflict was believed to diminish performance. Thus, the model postulated that the black box between diversity and performance contains an elaborate set of relationships.

Results of the black box study indicated that different forms of diversity have distinctive effects. Specific findings suggest that task conflict is driven by functional background differences, a highly job-related diversity, and diversity; variables that drive task conflict differ from those that drive emotional conflict. Task conflict tends to lead towards more favorable performance consequences than emotional conflict. Additionally, the research found that diversity can both increase and decrease conflict. Results also suggest that the combination of diversity types present and several contextual moderators influence the strength of the relationship between a particular diversity variable and conflict. That is, while race, tenure, and age diversity influenced emotional conflict, they lacked substantial ties to performance. The groups that were

used in the black box study were apparently able to manage their negative effects. At the same time, except in the case of functional background diversity, groups did not achieve sizable gains from background differences.

Diversity Management

In order for managers to maximize the resources within, they must be cognizant to all of the pieces that make the organizations function. This may range from personnel, equipment, to finances. However, diversity is a concept that must not be overlooked. Managing diversity requires close attention to the things that make up the organization. It also requires sensitivity to the differences, in order to allow its full benefits to surface. "Diversity management is a prominent issue in both the private and public sectors (e.g., Cox, 1993; Griggs & Lou, 1995)" as cited by (Knouse, 1998. p. 1). Managing diversity is taking full advantage of the myriad cultures, backgrounds, skills, and histories of the sailors, soldiers, and airmen (Varvel, 2000). Our increasingly diverse population offers us the opportunity to explore our differences and build on our similarities. Embracing diversity as an asset provides myriad of advantages. Among them are 1) fuller utilization of human capital; 2) reduced interpersonal conflict; 3) increased innovation and flexibility; 4) improved productivity; and 5) reduced employee turnover. There are, however, difficulties involved in managing diversity. According to Varvel (2000), the USAF strives to manage the diversity within. However, it has not yet created a culture that is able to take full advantage of diversity. Whether diversity hurts or enhances group progress depends in large part on how diversity is managed. As a result, how groups manage intense conflicts can be a critical factor in their success.

Mediation

Mediation is the method of conflict resolution that will be highlighted in this study. While the definition of conflict and our feelings about conflict tend to be negative, conflict itself does not need to be negative, but should be managed before it creates a concern that may be detrimental to the survival of an organization. The ability to manage conflict can influence the outcome of a conflict, how one feels about the way the conflict was handled, and how he/she feels about the people who were involved in the conflict.

The Department of the USAF, under the guidelines of the EEOC requires that agencies establish or make available an alternative dispute resolution (ADR) program. The Commission has developed an ADR policy, which sets forth core principles regarding the use of ADR. Mediators are usually selected from a panel of trained mediators who offer a wide range of expertise in various fields. Dept of USAF mediators are responsible for ensuring that; a. All parties understand the mediation process, the mediator's role, the relationship between the parties and mediator, and that the agreement to mediate is voluntary. b. All appropriate steps are taken to prepare for the mediation. c. The mediation services are provided promptly and properly conducted by a qualified mediator. d. If there is a settlement agreement, it is coordinated with and reviewed by appropriate USAF officials, such as USAF attorneys, personnel specialists, commanders, or others, prior to final approval, and either the settlement results or the absence of an agreement are provided to appropriate USAF officials. These steps must be carried out, but may vary from installation to installation. Although mediator standards must be followed, variation of the facilitative mediation model is allowed if the mediator determines that it best resolves the conflict at hand.

Due to the high concentration of government organizations in the Washington, D.C., Maryland, and Virginia metropolitan area, the mediators interviewed either work for the U.S. federal government or are self-employed and also work under government contracts. Therefore, all of the mediator actions fall under the realm of the U.S. government regulations. The particular focus of this study was based on the Department of the USAF government civilians, Office of Secretary of Defense, (OSD), and EEO non-government mediators. Therefore, it is important to understand what governs their actions. "Failure to follow these standards may result in the mediator no longer being able to participate in Air Force mediations" (Air Force Compendium, 2000. p. 2). Civilian mediator training and experiences vary, but some were trained through the government first and then trained as civilian non-government mediators. There is no standard process for civilian mediation training. Civilian certified mediators are required to take basic mediation courses, which should entail coursework including ethics training, practice opportunities with an experienced mentor, and commitment to a code of ethics, such as the one for the Association for Conflict Resolution. A large part of mediation training is conducted at the Atlanta Mediation Center.

This literature adds relevance to the theory of diversity and its effect on group functioning, the presence of intervening variables, diversity management, and conflict as a positive and negative effect. A few studies for public access reviewed in this chapter investigated diversity within workgroups using civilian and government subjects. There is a dearth of research available to the public that combines these two interest groups. This study attempted to do just that, by addressing conflict resolution and by analyzing

whether diversity relates to preferences in the ways in which mediation processes are affected.

CHAPTER III

Design of the Study

In order to gain the perspective of the effect of social category diversity on the mediation process, the researcher used the qualitative research case study method to answer the questions. How and why the presence of social category diversity dictates procedures during mediation. Another factor in the decision to focus on a qualitative case study was the fact that the researcher was interested in insight, discovery, and interpretation rather than hypothesis testing.

A case study is an empirical inquiry that investigates a contemporary phenomenon when it is not clearly evident what the real-life contexts are. "A case study design is employed to gain an in-depth understanding of the situation and meaning for those involved" (Merriam, 1998, p. 19). The case study research also provided an excellent means to design this study and promised to provide excellent schematic answers to the research question. The researcher also chose the qualitative method in order to focus on a specific situation or program – mediation. The study provided a thick description of the mediation process, illustrated the complexities of the mediation process, utilized the value of hindsight, highlighted the personality of each mediator, indicated any influence of time, obtained information from a wide variety of sources, and spelled out differences of opinions and suggested how the differences have influenced the result.

Thus, this study took on the heuristic quality of the case studies by allowing cases to be illuminated and understandable to the reader. The researcher explained the reason for the problem, the background of the situation, and what happened and why. This study design covered evaluative alternatives. Then, the study itself and its conclusions summarized to increase future potential for applicability. Merriam (1998) stated that the single most defining characteristic of case study research lies in delimiting the object of study, the case. Smith's (1978) notion of the case as a bounded system comes closest to my understanding of this type of research (p. 27). The case study on the whole was anchored by the kindness and cooperation of the Department of the USAF, Office of Secretary of Defense (OSD), the U.S. Air Force Academy (USAFA), the Defense Equal Employment Opportunity Management Institute (DEOMI), the Virginia Mediation Center, the USAF Air University, (AU) and several non-government agencies.

The case was viewed as a multiple case study, where four cases were reviewed and analyzed. A bounded system was used for this research. The government and non-government mediators all fall within the auspices of the EEOC, and considered the bounded system. The EEOC is an independent federal agency originally created by Congress in 1964 to enforce Title VII of the Civil Rights Act of 1964. The EEOC also provides oversight and coordination of all federal equal employment opportunity regulations, practices, and policies.

This design also allowed the study to be encased. The advantage of the qualitative method of research is the ability to bring a case to life through a process called *thick descriptions*. In this case, the researcher wished to learn more about the mediation process and the four mediators that were interviewed. Qualitative research does just that

and lends itself to more in-depth insight. The qualitative research case study method was chosen to gain the perspective of four mediators during mediation procedures. This research is concerned not with predicting outcomes of individual mediations but with understanding whether the presence of social category diversity dictates procedures used during mediation. The analysis strives for depth of understanding. "Qualitative research implies a direct concern with experience as it is lived or felt or undergone" (Sherman, 1988) as cited in (Merriam, 1998).

The key concern of the researcher was to understand the phenomenon of interest; how and why the presence of social category diversity dictates procedures during mediation. This question was asked from the participants' perspectives, or the insider, and not the researcher's perspective. "This is sometimes referred to as the emic, or insider's perspective, versus the etic, or the outsider's view" (Merriam, 1998, p. 6). After coding and theming, (Figure 14) each case, cross-case analysis was conducted, leading to how and why the presence of social category diversity dictates procedures during mediation within the bounded system.

For the purposes of this study, each participant was considered a case and the relationship they share under the oversight of the EEOC was a kind of meta-case through which one can better understand the diffusion or the effects of social category diversity on the mediation process. According to Merriam (1998), a case study contains two stages, the "within case analysis and the cross-case analysis" (p. 194). A multiple case study approach allowed the researcher to build parallels across cases to better understand the phenomenon as a whole. The overall intent of the dual case study was to be largely descriptive.

Participants

The researcher interviewed four participants; three mediators with U.S. Federal government and non-government experience and one participant with primarily government experience. The mediators, Rosalind, Denzel, Will and Nicole, have differing backgrounds, bringing to the mediation process varying degrees of experience. The fourth mediator is also the only non-minority among the participants. Even though all of the mediators must follow the guidelines provided them, they have some flexibility in their mediation process. The differences that each mediator brought into the mediation process were the intervening variables that were considered during the interview process. The government and non-government participants were each considered a case within an overall bounded system. The mediators all had similar interests, which tended to indicate a strong desire to help people. Each mediator realized the importance of knowing and adhering to the mediation procedures provided by each organization. The researcher conducted all four interviews in person.

The focus of each participant within his or her shared values varied to some degree. Rosalind's focus appeared to be on structure and the mediation process. She also placed emphasis on balance within the mediation session. She made required adjustments to her process to ensure all parties were given equality while attempting to tell their story. Denzel felt that adhering to the procedures was important, but he expressed the importance of insight into the participants. He placed great emphasis on the participants' feelings, background, and concerns. His background in diversity training keeps him abreast of and sensitive to current diversity issues. Will too believed that following the established procedures is important for the success of the mediation.

He also elaborated that if minor rearranging of a portion of the steps was required, that was acceptable, but to completely change the mediation steps was not necessary or wise. Nicole expressed full confidence in the mediation system and felt that it was built with diversity in mind. His theory was that if the parties follow the established mediation steps, everything else will automatically fall into place. It was quite clear to the researcher that each mediator was a unique individual, but that they shared in common, love for, enjoyment of, and dedication to the field of mediation.

Summary Profiles

Rosalind N. Caster.

Rosalind's personality was bubbly, energetic, approachable, and focused. She expressed how serious she was about the mediation field and how fulfilled she was with her job as a mediator. Rosalind's mediation experience began with the U.S. federal government, but she currently works primarily on non-government cases. She seemed to consider her certification with her state Supreme Court to be quite an accomplishment, and a mark of her success. Her experience in family, marriage, and workplace mediation were detailed in her conversations, with her focus on family and marriage mediation.

Denzel G. Whittington.

Denzel's personality was quiet, serious, and reserved, quite the opposite of Rosalind, but just as accommodating during his interview. He designed diversity training programs and taught in the area for a few years before he decided to become a mediator. He is also certified by his state Supreme Court and also a member of an elite group of mediation experts in the field of conflict resolution. He is also one of fewer than 20 out of

6,000 members that are considered advanced practitioners in the field of diversity. He currently conducts mediation for the U.S. federal government and private industry.

Will O. Smythe.

Will's demeanor was somewhat nervous, but he assured the researcher that he wanted to conduct the interview. He agreed to be interviewed in his office. He spoke at length about how he changed careers and found himself in mediation. He has conducted workplace government mediation sessions and non-government, family, and marriage counseling. He primarily supervises government mediators in workplace disputes. Will primarily conducted mediation through his religious affiliation, which is non-government.

Nicole V. Kitter.

Nicole's personality was serious and professional, yet occasionally he added a comment that made the researcher chuckle during the interview. He was eager and anxious to be of assistance and to participate in the interview. Despite a mix-up over where he and the researcher were to meet, he was pleasant and waited patiently as locations were changed. He began the interview with a smile and ended it with a smile, while simultaneously reminding the researcher that he was available if she needed to meet with him again. He was able to talk about his work easily and at length; much more time could have been spent interviewing him. His entire work history has been in counseling or mediation and his perspective on mediation seemed to be quite different from the other mediators. He is currently a government mediator and has mediated over 5,200 cases.

The mediators may have some familiarity with one another, from conferences, seminars or through training, because of the bounded system of the federal government and because of the proximity of their employment. All participants are located at various organizations within the Washington, D.C., Maryland, and Virginia metropolitan area. All participants ultimately are subject to the guidelines of the EEOC, especially for those participants that have the responsibility of government mediator and EEO representative duties. The EEOC mandates that all individuals be treated equally and fairly, whether in the non-government or government sector. The EEOC also requires that a mediation program be in place; however, usage is voluntary by complainants and is mandatory for management.

The Methodology

The case study centered on the perceptions of four participants who provided knowledge of how they conduct mediation procedures when social category diversity is present. To stay within the bounded system, the researcher purposefully chose mediators with experience both in the U.S. federal government and with non-government organizations. The participants' mediation expertise ranged from family mediation to workplace disputes to discrimination cases. The researcher established and maintained contact with the four participants. After receiving permission from the University of Oklahoma, Institutional Review Board (IRB), the interviews were scheduled and conducted. Each interview was scheduled for 90 minutes, but additional time was allotted to ensure that as much information as possible was garnered. Informed consent documents were electronically sent to the participants approximately three to five days prior to the scheduled interview. Contacts were made two to three days prior to the

interviews to ensure clarification of location, time, and the purpose of the interview. Each interview was conducted at a location chosen by the participant. Times and dates were again coordinated a couple of days before the actual interview to ensure the interview times and location were adequate, to avoid rushed interviews. Each interview lasted approximately 90 minutes, beginning with a brief description of the participant's background, and then actual interview questions were asked and answered.

Although the researcher generated a series of interview questions directed to the context of the case study, the questions merely served as a guideline of comparative data (Figure 1). The dialogical portion of the interview served greater importance, as it allowed for capturing the mediators' progression in the field of mediation, leading to their present perceptions of the field, grounded in their observations of individual mediations. Within 24 hours, the researcher personally transcribed each of the voice recordings and interview conversations. The researcher also recorded the interview session using shorthand. Voice recordings, were approved by participants in advance. The shorthand recordings proved valuable when one of the interview recordings was recorded at low levels, which made it difficult to transcribe. Correspondence to and from the participants was added as supporting documentation. Notes taken during and after contacts were also added as supporting documentation (masked).

Human Participant Privacy

Several procedures were utilized to ensure that participants' rights were protected. Participants were given pseudonyms to protect their identity. Deceased actors' names were used to create the non-government participants. Living actors' names were used to create the government participants' pseudonyms. Living actors' names are also used for

those participants that are dual-categorized as government and non-government. Any references to dead or living actors have no relevance in ranking, priority, or status; and the names are only used as identifiers. Pseudonyms do not necessarily accurately identify gender. The name *Rosalind N. Caster and Will O. Smythe* represents non-government participants. The government participants are identified as *Denzel G. Whittington*, and *Nicole V. Kidder*. The names *Rosalind*, *Denzel*, *Will*, and *Nicole* were randomly selected from movie stars, Rosalind Cash, Denzel Washington, Will Smith and Nicole Kidman, and the middle initials and last names assigned were created for the purpose of this research. Will originally was labeled as a government mediator, but after careful analysis of his background, the researcher decided to group him with Rosalind, the non-government mediator. Rather than change his name, the researcher decided to leave Will with the government pseudonym.

While the participants were more than willing to share openly their information, the researcher promised full anonymity for each participant to avoid future judgment and evaluation. The researcher was reminded several times by the government participants that case information, which is provided to the researcher, will be masked to protect the privacy of individuals in disputes. Organization and company names, participant names, geographic locations, and any identifiable data found within each case were also be masked to ensure privacy.

Trustworthiness

In order to establish trustworthiness, the researcher considered internal and external validities. Strategies to increase trustworthiness of the data included triangulation, database reviews, participant interviews, and review of historical records or

field notes from each organization. Possible threats to the trustworthiness of the case study were participant availability, interviewer bias, or misinterpretation. The researcher attempted to minimize threats to trustworthiness by offering the participants' confidentiality by masking their identities, pursuing avenues for supporting documentation, and having the transcripts of the interviews reviewed by an experienced qualitative researcher. The researcher also had participants review statements, when possible, to correct errors.

Role of the Researcher

The researcher's role is simply to gather information, properly analyze it, and present findings. The participants encountered a female graduate student of African American descent with over 30 years of government work experience, and active duty military assignments worldwide in the USAF, and personal encounters with the EEO and mediation process. The researcher came with a preconceived viewpoint of how the EEO and mediation process should work. The researcher's goal was to identify each case accurately.

Datasets

The researcher was the primary instrument of data collection and analysis. She used three essential data sources organized into three *datasets* composed of interview data, documents and the field notes. The *first dataset,* (Figures 1-14) was the actual interview sessions. Interview questions were used as guides during the interview sessions (Figure 1). Interviews with each participant were recorded and copious records reviews were used to determine, how and why the presence of social category diversity dictates procedures during mediation. The researcher attempted to discover if procedure

modifications occur when social category diversity is present during mediation. Note-taking was collected when initial contact was made to request participation from each of the participants. Once the in-person interviews were completed, the interviewer transcribed extensive notes. A second transcription was completed to review and search for important data that may have been missed during the first transcription. This session of transcription also included some participant pauses, phrases, facial expressions, and the like that were not recorded previously. All transcribed notes were masked for protection of the participants. A voice recorder was used during interviews to ensure important details were not left out. The researcher coded and themed the interview procedures and questions for further analysis to reveal any potential patterns or themes (Figure 14) The data analysis that followed was strengthened by the anonymity of the participants, a self-awareness of the researcher's role, and attention to the trustworthiness and validity of the data.

The *second dataset* is titled "documents" and contained documents generated by someone other than the researcher. The documents were mediator case files, published articles, and data used for communication with the researcher, such as electronic mail. These files were also masked for the protection of the mediators. These data sources were valuable for review and shed insight into the field of mediation, but not to the research for analysis.

The *third dataset* is titled "field notes", (Figures 17-19) which covers the full length of the case study. Included in this set are all documents created by the researcher, copies of notes taken during conversations with various experts in the field; summaries of conversations during the researcher's search for interviewees; and data gathered from

sessions with the Committee Chair, Dr. Vaughn. The researcher worked carefully to ensure good record-keeping, providing a good audit trail of observations. Follow-ups were conducted on any outliers or unclear information during the interviews and records review.

Ancillary Data Source

Ancilliary to the s*econd dataset* were the actual USAF government mediation cases. They were obtained to determine the diversity within the cases and also to see if mediation procedures are changed or adjusted. The non-government mediators explained that once a mediation case is closed, the actual case documentation is destroyed and all notes are destroyed. Therefore, none were available for review or analysis. Mediator case files varied because the format and the data provided in each case varied. For instance, Nicole provided a summation sheet that he prepares after mediation sessions. The researcher did not find the case files useful for analysis. They were also masked to protect the identity of the mediator and the organization.

The *third dataset* was also supported by a chart that the researcher created to conduct an analysis of the mediators' profiles and education (Figure 17). A chart was also created to conduct a comparative analysis of the interview answers (Figure 18). Each answer was reviewed and compared for possible patterns or trends. A list of the research figures was also created (Figure 19). The ultimate review of the masked data in this dataset was to reveal how and why the presence of social category diversity dictates procedures during mediation. The researcher masked these files to protect the identity of the mediators and the organizations.

The researcher created a narrative analysis of each dataset. Then each was coded and themed. The results from three mediators were that social category diversity did not dictate mediation procedures. One mediator felt that diversity itself creates conflict and two mediators felt that gender diversity created the most conflict, and did in fact dictate mediation procedures.

CHAPTER IV

In-depth Participant Description

The Mediators

In order to comprehend the emerging field of diversity and the mediation process, four mediators from the Washington, D.C. metropolitan area were chosen and agreed to participate in this case study. The participants were chosen because of the convenience of their location, their willingness to participate, and their employment, both government and non-government. The four mediators had diverse backgrounds, and their mediation experience ranged from workplace disputes to couples and family mediation. Even the self-employed mediators work primarily under the auspices of government guidelines. "Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) cover all private employers, state and local governments and education institutes that employ 15 or more individuals" (EEOC, Dec 2005). Due to the heavy concentration of military and government employment, the researcher found it difficult to find a mediator in this area that had never or did not currently work for the government in some aspect.

Rationale for the focus on the participants was strengthened by the datasets that were provided from the interviews and the participants. Mediators provided supporting documents that substantiate mediation styles, mediation guidelines, and mediator preference. Emails, telephone calls, and interview transcriptions are also part of the datasets and are also a result of the participant communication with the researcher. These files were all masked to protect the identity of the mediator and the organization.

In this study, the participants were given the names *Rosalind Caster*, *Denzel Whittington*, *Will Smythe*, and *Nicole Kitter*. The mediators began their interviews with brief biographical sketches of their academic endeavors, work history, and personal interests. The mediators all had different backgrounds, but had similar characteristics that indicated a strong desire to help people. The mediators all displayed a strong passion for their job and were more than accommodating and anxious to be of assistance in conducting the interviews. They each offered to provide assistance to the researcher after the interview. Emphasis was placed on the participants individually because their personalities, their background, and their perceptions influence the themes found in this research.

Rosalind N. Caster

Rosalind agreed to meet for an early morning brunch in a small fast-food restaurant to conduct the interview. She suggested meeting at a local metro station and proceeding to a restaurant of her choice in order to conduct the interview. She was bubbly, energetic, and ready to assist in this research project. A middle-aged, self-employed African American female, she displayed enthusiasm and excitement for her life. Between mouthfuls of food, she skillfully mapped her career path, from her experience with the government to her current endeavor, running a self-owned mediation business. She spoke rapidly and enunciated her words clearly, as if speed in her speech catapulted her through her busy schedule.

She was the epitome of the contemporary working mother, routinely reminding herself to maintain a work/life balance. Curiously, for today's fast-paced working environment, Rosalind did not own a cellular telephone. She used the researcher's cellular telephone to contact her mother to solidify previously arranged plans for their mother-and-daughter session, scheduled for immediately after the interview session. She spoke of her teenage son and how she spent numerous hours ensuring that he was included in her priorities. In fact, the researcher and Rosalind compared notes on raising teenage African American boys. Perhaps it was the fact that they were both African American females sharing personal goals, trials, and triumphs that prompted Rosalind and the researcher to feel at ease with one another, and perhaps it was the direct similarities in their life paths, professionally and domestically.

Though there was this ease interpersonally, Rosalind was very professional, direct, and to the point about her job as a mediator and how she conducted her day-to-day business. The researcher provided her with another copy of the interview questions and a copy of the Informed Consent form for her to sign. After careful explanation and signing of the Informed Consent form, the researcher began the interview. Rosalind highlighted one of her achievements in the field of mediation, her State Supreme Court certification. Her experience in family, marriage, and workplace mediation was also detailed in this conversation, with her particular focus being on family and marriage. Before addressing specific interview questions, she reiterated her commitment to serving her clients with the best service that she could provide them.

Rosalind is currently working on her Masters of Science in Criminal Justice. She has also held jobs ranging from working for a major newspaper to public relations to working for an organization that helped homeless people with drug addictions. Rosalind felt that God had led her down her career path to the field of mediation. She also further elaborated how much she enjoyed her work in mediation. Rosalind was eager to grant an interview and to answer the researcher's questions, but it was obvious that she was a busy professional with things to attend to immediately after the interview (personal communication, May 28, 2005).

Denzel G. Whittington

Denzel, a male of Asian descent, suggested he and the researcher meet in a quiet location, a campus library. He was handsome, quiet, and appeared a bit shy at first. Denzel's presence was powerful; he possessed an air of wisdom won through experience. His demeanor seemed akin to that of a wise ancient scholar. In each phase of the interview he paused and allowed the researcher to interject, continue, or clarify. The researcher requested permission to write in shorthand while he spoke because he spoke so slowly and softly. The researcher felt that this written record would provide a back-up if his voice did not project well enough into the recorder. They were also in an environment where they could not speak very loudly, a public library.

Denzel bowed his head at times, seeming to place emphasis or to clarify portions of his interview. He was very prepared, with notes in hand to conduct the interview. He projected calmness, and a sense of lessons learned and gratitude for life's challenges and successes. He spoke directly and straight to the point, beginning with his arrival in the U.S. and proceeding to his attending college for an advanced degree on an international

scholarship, losing his job due to organizational downsizing, and entering into the mediation field. After working in the field of business for over 19 years, he became a diversity trainer. "As I was doing that, I noticed that there is a lot of conflict because of differences. I tried to mediate informally and then eventually became a mediator" (personal communication, May 31, 2005).

Denzel's diversity career began in 1997, conducting diversity training in family, in community, business, employment, or whatever diversity work that came his way. Denzel shortly became certified with the Supreme Court of his state and also became a member of the Association for Conflict Resolution (ACR). Denzel gradually gravitated towards workplace issues, where now a great percentage of his work is. According to Denzel, he is known in the area as a cross-cultural mediator. He indicated that when there is a conflict involving people from different backgrounds or involving language issues, he is usually the mediator that is called.

Denzel also noted that in the beginning of his mediation career, he followed the Facilitative model of mediation, but eventually he changed and gravitated towards what he called the Transformative model of mediation. He indicated that he currently uses predominantly the Transformative model of mediation. "If it is truly a Facilitative model you still have exercise and control at least over the process. The Transformative model you render the decision making process, and the control and the process content, to the parties." He ended his introduction by saying, "This is basically my background. You can ask me questions now" (personal communication, May 31, 2005).

Denzel works for an organization within the U.S. federal government. He also works for several other non-government organizations. He received his MBA at night and specialized in International Banking and Personnel, now called Human Resource Management. He graciously offered further, post-interview assistance if required (personal communication, May 31, 2005).

Will O. Smythe

Will and the researcher missed one another on the first scheduled interview. This interview was scheduled during the day for a late lunch break near a government facility. The researcher takes full blame for the mix-up and apologized to him for any inconvenience. They agreed again on a time and place for a second meeting during the following week. They met in one of the government office. This was not the office that Will worked out of every day, but one of the offices that he routinely uses for mediation. Will's dress and demeanor were very serious and very professional. He is an African American male; he was wearing a well-fitted dark business suit and met the researcher with a beautiful smile and a firm handshake. His demeanor was quiet and reserved; he appeared a bit intimidated by the experience. Will graciously agreed to the interview and signed the appropriate documents prior to the interview, as requested. Once the interview began Will was uncomfortable with being recorded, but agreed to continue the interview. Will had been informed previously that the interview would be recorded. He did not appear to have the same confidence as the other interviewed participants, but he was willing to conduct the interview as agreed. He was prepared to support any information or answers he provided during the interview through the internet and available USAF documents.

He began his background synopsis with his previous USAF military career, which began in the 1980s in the field of mechanics and aerospace ground equipment. Talking about his military experience and his personal endeavors seemed to relax him, which prepared him for the mediation portion of his interview. He said he spent the majority of his off-duty time as a pastor, where he counseled people with couples and family issues. "Everything is sort of disjointed and unrelated" in his background, he said. He audited some classes in college but never completed his degree. "I was involved in people business all the time, chapels; became pastor of a chapel service while on active duty and began going to school for pastoral studies and counseling while overseas" (personal communication, June 07, 2005).

During the 1980s, Will faced a religious discrimination problem at his military job and was so impressed with the way the USAF resolved his discrimination issues that he cross-trained into the Social Actions field while in the military. Social Actions is an Air Force organization established to address inequalities or inconsistencies which adversely affect people that may be attributed to unlawful discriminatory practices. Provide channel to air equal opportunity complaints. It also establishes programs to prevent alcohol or drug abuse. Today's title for Social Actions is EEO. Will is currently enrolled in a program to obtain a Bachelor's degree in Theology and has earned an Associate's degree in Aerospace Engineering. He also received a certification for mediation through the Atlanta Justice Center and a Certificate of Ordination for being a minister. He currently supervises mediators and occasionally conducts mediation sessions. As a pastor, he continues to conduct family, divorce, and marriage mediation. He also spoke about his desire to obtain a career mentor. He also plans to complete his

Bachelor's degree in the very near future. Will also reminded the researcher to contact him if she required further assistance (personal communication, June 07, 2005).

Nicole V. Kidder

Nicole and the researcher met in a public dining facility after their duty hours. The place in which they had planned to meet was closed. He agreed to change locations and chose a cafeteria-style restaurant. Nicole was gracious and eager to be part of the study. His appearance was impeccable, dressed in a dark suit, and he appeared young, energetic, and focused. His casual reference to sometimes being told that he resembled a certain movie star eased the mood at the outset, and his personality made the researcher feel at ease. He was courteous and very flexible.

Nicole was a mediator during his junior and senior years of high school. "I actually started off as a peer mediator in high school as part of the National Honor Society. That was one of the activities that we got involved in" (personal communication, July 29, 2005). He completed 20 hours of mediation training with a high school guidance counselor and carried that interest on to college. His university had a psychology major and a mediation center. He became involved in that and liked it so much that when he returned to school in his senior year, he began mediating. He also pursued a psychology major and worked in a psychiatric hospital for a year, finding that he "couldn't decide between counseling and mediation. I really like conflict resolution" (personal communication, July 28, 2005).

Nicole became certified in Conflict Analysis and Resolution in 1997. He had substantial experience by the time he reached graduate school. He interned at the EEO office in college, which is where he garnered a significant amount of mediation experience going into college. This is how he began full-time mediation. "I knew it was fun and I liked doing it but didn't know I could make a living out of it" (personal communication, July 28, 2005). He has been involved in EEO since 1995.

Nicole also elaborated on his academic scholarships and his disability. He has completed his graduate degree. He insisted that the researcher be aware of his speaking disability, which the researcher would not have identified if he had not mentioned it. Nicole reminded the researcher that he had to really think before he spoke. The researcher chuckled and called it something that she deals with every day "old age" (personal communication, July 28, 2005). He was a pleasure to interview. Nicole's interview left the researcher with the feeling that he was serious, intelligent, humorous, professional, and self-confident in his mediation career.

In summation, four mediators were interviewed to discuss, analyze, and share their mediation experience. Reflecting on the interviews, it appears that the mediators all came from different standpoints in their careers and personal lives. Therefore, perspectives, history, experience, and reactions play a large part in how they conduct and handle conflict when it arises within the mediation sessions. The mediators' work was described as resulting from the way they mix their passion for social responsibility and for meeting organizational requirements with their focus on the mediation process.

CHAPTER V

A Cross-Case Analysis: As Related to Theory

Primary Themes

The cross-case analysis resulted in two primary themes. They provided insight necessary to address the question posed in this study. How and why the presence of social category diversity dictates procedures during mediation. On reflection, the initial theme that surfaced was that social category diversity was not the diversity that created the most adjustments to the mediation process. The second theme that surfaced was that gender diversity dictated mediation procedures the most.

Rosalind believed that social category diversity had no power over the mediation process. She paused at one point during the interview and indicated that social category diversity had the potential to dictate mediation procedures, but she had no experience where it had happened. "I don't want to sound naïve, but I believe mediation is a process. We are supposed to follow certain steps, beginning with orientation … and they should not have a color line" (Rosalind, personal communication, May 28, 2005). "Every mediation has a unique character influenced by the cultural perspectives of its participants. Differences in perspectives may impede an agreement if the participants' views diverge on such fundamental issues as individual autonomy and group interdependence" (Wright, 1994, p. 1).

The second theme also surfaced during the interview with Rosalind. She felt that gender diversity between co-mediators caused the most conflict during mediation sessions. She stressed the importance of obtaining the right match before mediators are teamed up to go into mediation. Rosalind recalled a mediation case where a female African American mediator and an American Caucasian male mediator were teamed up to conduct a mediation case. The mediators had nearly identical experience and were asked to co-mediate the case. The male mediator attempted to dominate the session and disrupted the mediators' team dynamic. As with most cases discussed during this research, there were other diversities to consider. However, the mediator concluded that gender was the reason for the conflict during the mediation session. The male mediator's personality interrupted the mediation session. Rosalind felt that conflict erupted more often when gender diversity between mediators was present.

Gender diversity in government and non-government work groups is an especially important issue because of the increasing number of U.S. females in the workforce. Results of research on behavioral differences across groups that differ in the presence and proportions of both genders indicate that in mixed-gender groups, women tend to speak less and be less assertive than men. In contrast, men in mixed-gender groups tend to speak more than women, and to be more dominant, task oriented, and less friendly than women (Myaskovsky et al., 2005). As women enter the U.S. work force in greater numbers, they will likely be participating more at all levels of organizations; work groups will become more gender-balanced, and gender-based segregation in organizations will decrease (Jackson et al., 1995; Wood, 1987). There is thus a need to examine the

implications of gender diversity on work groups in organizations and to find ways in which these groups can be made more successful.

Themes one and two also surfaced during the interview with Will. Will's assessment was similar to Rosalind's. He felt that social category diversity had minimal, if any impact on the mediation processes. "You are trained in customs and courtesies in order to prepare you for working with diverse groups of people. However, gender is the diversity that has caused the most conflict in my experience." (Will, personal communication, June 7, 2005). Prior research found that gender diversity significantly affects group members' experiences (Williams, et al., 1998).

Will recalled case, in which a Caucasian female supervisor, who worked for the government, was having an affair with her African American male subordinate. She became angry with her subordinate because his attitude about the relationship was sexual. Her self-image was that she was a strong religious female with good moral values. She became intensely angry because he was not being very understanding or being sensitive to her as a female. He reminded her that they worked together and that she was his boss and that this was something that they shouldn't be talking about at work. She was quite upset and irate during the mediation.

The most intense moment occurred because she was emotionally connected to the physical activity and he was not. She was screaming at him, and her behavior was disruptive to the mediation. He was reluctant to engage her on her own terms, which he considered theatrical. She wanted to sue him for sexual harassment; she said that as the male in the relationship he should have been more understanding. She stressed over and over her strong religious beliefs, and that she felt he should have known about her

Christian values. Her Christian values were incongruent with her sexual behavior, and this was a large part of the problem. She was trying to convince the defendant to marry her, based on their encounter. She also contacted his previous girlfriend. During the session, she had her arms folded and her anger made her behavior toward the defendant more that of a prosecutor than someone who wanted to talk to him.

Several caucuses were necessary, because of emotions. The mediator indicated that there were no physical blows, but she was judgmental towards the defendant. The mediator suggested that gender and religion were the true issues for her in the case. The defendant took no position at all, and the plaintiff felt that the defendant was not empathetic. At one point, the defendant said, "you know I slept with you. You were wrong, what do you want? You're harassing me" (Will, personal communication, June 7, 2005).

The point to this case is that there were various diversities involved, religion, gender, social category, and value, but the female felt that the male did not understand what she felt. Will, deducted that it was gender diversity that dominated this case. There is thus a need to examine the implications of gender diversity on workgroups in organizations and to find ways in which these groups can be made more successful (Myaskovsky et al., 2005, p. 1).

During the interview with Denzel, he did not focus on any particular diversity. He strongly expressed that there was no doubt in his mind that diversity causes conflict in the mediation process. Denzel had no doubt in his mind that social category did affect the mediation procedures. In fact, he felt that all diversities impacted the environment they were present in. "I think diversity may cause problems in all areas, but may be more

pronounced in workplace issues" (Denzel, personal communication, May 31, 2005). He felt that diversity had two sides and that diversity is also a tool to resolve processes, depending on the application. Denzel believed that diversity "could hurt you if you don't know how to use it and it can help you tremendously if you know how to use it" (Denzel, personal communication, May 31, 2005). *The very thing that makes diversity in the work force an asset makes it a liability as well.* "Diversity derives its strength from the varying cultural backgrounds and histories of the workforce. People are born and raised to think a certain way and it is a very difficult task to change that way of thinking, be it ethnic, gender, or religious bias. Without question, diversity is the hardest and most challenging work you will encounter. Valuing and managing diversity touches people's emotions, values, and beliefs. It asks people to question and make changes in their behavior" (Varvel, 2005, pp. 2, 19). One optimistic interpretation expressed by Cox et al. cited in (Mannix et al., 1994), is that diversity creates value and benefit. The underlying reasoning is that because greater diversity entails relationships among people with different sets of contacts, skills, information, and experiences, heterogeneous teams should enjoy an enhanced capacity for creative problem solving.

Denzel gave several instances of cases in which social category diversity affected his mediation process. In one example he cited, an Asian male mediator was asked to conduct a mediation session that was originally scheduled for an African American male mediator. The reasons for the original mediator's replacement were unknown and may not be relevant to the story. The mediation group consisted of an Asian mediator, an Asian client, a Hispanic client, and a lawyer with a Hispanic surname, representing the Hispanic client. The Asian client had no representative. The lawyer began questioning

and needling the Asian mediator and went so far as to accuse the mediator of choosing sides. The Asian mediator, who was very experienced, would not be intimidated. He asked the lawyer if he would prefer another mediator, who was not of Asian descent. After a brief break, the lawyer returned with his party and agreed to modify his behavior towards the Asian mediator and to continue the mediation session.

During the interview with Nicole, he revealed that social category diversity did not dictate mediation procedures. Nicole gave examples of several mediation cases that on the surface appeared to be directly related to social category. He gave several examples of cases that originally appeared on the surface to be culturally motivated, but in reality the issues were primarily due to the tensions during the 9/11 attack on Washington, D.C. (Due to the sensitivity of the case, further elaboration was discouraged.)

Nicole recalled another case where a Hispanic male, said that he was very upset with his supervisor, an African American male. He felt that his supervisor was trying to ruin his career. The complainant was also displaying anger issues. He was sent down to employee assistance to discuss his anger. Meanwhile, the mediator spoke with the supervisor about mediation. The supervisor responded positively to mediation, but added that the complainant was certainly not being demoted in any form or fashion. The supervisor had already processed a $3,000-$4,000 performance award. So, clearly there was a big communication problem on one side. The supervisor had also removed the first line of supervision and placed the complainant directly under him to allow the complainant more growth and upward mobility in the organization.

During the mediation session, the plaintiffs were strategically placed across from one another at a large, long table to avoid possible violence. The parties were still able to look directly at the mediator. The mediator sat at the end of a long table. The mediator wanted to continue being in the complainant's line of sight. He was afraid that a physical altercation would take place. The mediator also ensured that the supervisor was sitting closer to the door for possible quick exit. The cash award was a real tangible; and usually builds trust, but the complainant still did not trust his supervisor after the award was revealed. Nicole did not see this as a social category diversity issue, but a "trust issue." (Nicole, personal communication, July 28, 2005). However, after careful revisit, Nicole deducted that social category diversity did not dictate procedures in any of the cases that he had conducted.

Nicole stated that the process of mediation is structured in such a way as to encompass all diversities. "I have not had any situation where I actually had to change the process, because what I do is facilitate the differences in communications during diversity" (Nicole, personal communication, July 28, 2005). "There seems to be less consensus today than in the past about mediators' proper roles. Traditional descriptions depict mediators as facilitators of communication, negotiation, and decision making" (Wright, 2005, p. 5).

Anything diversity may affect, such as general backgrounds, perspectives – that is what the mediation process is supposed to bring out. "You don't resolve cultural differences in mediation; you resolve communication problems. You don't blame; you don't change; it doesn't minimize your racial or cultural process. I don't think the mediation process changes a whole lot because of diversity" (Nicole, personal

communication, July 28, 2005). Nicole had complete faith in the mediation system. The interview with Nicole did not reveal themes one and two.

Three out of four mediators, Rosalind, Will and Nicole all felt that Social Category Diversity did not dictate mediation procedures in the cases that they have mediated. Rosalind and Will both determined that gender diversity dictated mediation procedures in cases that they have mediated. Denzel did not agree with the first themes. However, he did think that all diversity contributed to conflict in groups.

CHAPTER VI

Conclusion

This study was designed to explore interview answers and discussions to find out whether social category diversity dictates mediation procedures. This study has examined important issues pertaining to the concept of group functioning, EEO, discrimination, conflict, ADR, diversity, and mediation procedures. The case study asked the question; how and why the presence of social category diversity dictates procedures during mediation? The cross-case analysis sought answers to the research question through the perspective of four mediators. The following analysis relates findings to the headings discussed in Chapter II.

Conceptual Framework

An extensive review of the literature presented mixed findings as to how diversity impacts groups. The literature is consistent in demonstrating that diversity has both a negative and a positive impact on the mediation process. Results varied when diversity was introduced and reviewed for effects on performance, procedures, or group dynamics. Factors such as the combination of diversity, the type of work, the type of diversity, the percentage of diversity and the length of time the group members were exposed to the diversity, all were considered influential on diversity's impact. The research on diversity and performance has shown contradictory results over the years. At times it has been considered advantageous, while at other times problematic. An explanation could lie in the types of diversity being studied and the function of intervening variables effecting the team's dynamics (Ho, 2000).

Historical Perspective

Diversity, however, positive or negative, is a growing phenomenon in today's workgroups. Diversity may be seen as one of the best features in one workplace, but yet, to another, it can be seen as traumatic. Efforts to capitalize on diversity over the last four decades have met with frustratingly equivocal results. In response, researchers have intensified their efforts to understand why diversity is often disruptive (Polzer et al., 2002). One would think that a review of many racial issues that have plagued the U.S. for years would sufficiently remind us that with diversity, it is often followed by hatred and with hatred it is often followed by disruption.

Organizations have learned from that past that in order to reap the benefits of diversity, and to avoid the disruption that it may create, diversity must become a priority in day-to-day management. Diversity must also be considered when developing management strategies, policies, practices and goals within organizations.

Diversity Management

Any organization with diversity gains a myriad of advantages. The challenge is to highlight the advantages and to bring together all of the differences to create an effective working environment. Because of the increase in diverse working environments, management must instill policies and procedures to ensure that all facets of the organization are being considered. The states of Oklahoma, Washington and Wisconsin were recognized at the 2003 United Nations Expert Group Meeting on managing diversity in the Civil Service, as "best practices" organizations in the area of diversity. Best practice organizations value people and cultivate an environment where cultural awareness, sensitivity, fairness and integrity prosper. These states are making strides in

diversity management (Reichenberg, 2003). Effective managing of all human resources can result in higher productivity, survival in a world of competition, improved performance, more creativity, more innovations, and reduced turnover and absenteeism. Giving emphasis to diversity without threatening our unity is the proper way we can in fact strengthen the ties that bind us together (S. McGruder, personal communication, 2005).

Specifically, diversity and its impact on how we work together are particularly critical when we look at the current management literature on workgroups and their role in increasing organizational efficiency and effectiveness. Diversity's impact is dependent on its acceptance. To be maximally effective, an organization must successfully utilize and manage its assets and its liabilities associated with its diversity.

This study focused on mediation groups and social category diversity. Therefore, the researcher focused on the combination of groups and diversity and how they should be managed. With the increasing popularity of using groups for information sharing, and the increase in diversity, a marriage is born. Like most marriages, there are "ups and downs," and as with most relationships, there are positive and negatives. The American population is becoming increasingly diverse and the information sharing that groups provide has created a "dynamic duo," groups and diversity. However, as, with most relationships or partnerships, there is caring and nurturing that must take place to keep the unity alive.

Diversity management is no exception, as diversity is something that organizations must be willing to accept and implement through their actions. Organizations have no choice but to engage in diversity management to ensure the life of the organization; especially the well being of their people. Successful management of diversity requires a change in old attitudes about diversity, open lines of communication, enhanced resources and increased training. As cited by (Murphy, 2005), "It should be anticipated that conflict will arise in diverse workforces, but the challenge is not in the avoidance of conflict but the management of it (Cox, 1995; Jehn, et al., 1999). "Without proper management of diversity, its' potentially negative consequences can and will outweigh the positive" (Whaley, 1998, p. 11).

The changing demographics of the American workforce have impacted the way companies do business. The American workforce is now one of the most challenging issues facing the U.S. because of diversity. Increased competition and the changing marketplace are causing many businesses to look at a need for diverse skills. In order to meet the needs of today's society, organizations must be willing to look outside of their traditional hiring practices. While a company may overlook the "company man" and recruit new members in order to create a climate of diversity, it may be truly opening the door to hiring the best available talent in the global market (Murphy, 2005).

Theoretical Direction

All four mediators felt that social category diversity had the potential to cause conflict during mediation procedures. Theory has also produced mixed findings on gender diversity in groups. However, with two mediators citing cases of gender diversity's negative effect on the mediation process, and a third mediator indicating that

diversity creates conflict, regardless of what kind of diversity; the researcher failed to find a substantial amount of literature on the positive effect of gender diversity in groups. However, one of the most cited works by Mannix (1994), in defense of gender diversity is Hoffman and Maier's (1961) laboratory study of 41 four-person groups that suggested that gender diversity improved the quality of group solutions on five cognitive tasks. In the context of examining how and why the presence of social category diversity dictates procedures during mediation, interviews with the mediators revealed that gender diversity did dictate mediation procedures.

Group Dynamics

The mediators discussed group dynamics, and the importance of providing a balanced mediation session. Group dynamics between the mediators themselves were discussed because of gender diversity. Group dynamics were also discussed to highlight the critical aspect of the prominent diversity present. According to the mediators, gender diversity was the diversity that was mentioned the most by the mediators that impacted the group dynamics. However, Williams and O'Reilly (1998) concluded from their extensive review of laboratory studies that the effects of gender diversity on group performance involving cognitive or creative tasks were at best mixed. Another study, by Chatman et al. (2000), found that majority-male groups (with a lone female) outperformed gender-balanced groups on math and verbal ability problem sets. However, on a contradictory note, they also found that the gender-balanced groups outperformed majority-female groups (with a lone male).

Research findings on gender diversity are not as varied as social category diversity. Studies have shown that gender diversity creates conflict within groups. The research question did not address gender diversity, but due to findings from the mediators, the researcher reviewed articles addressing group gender diversity. The results of research on directly observable attributes appear to be fairly consistent. "There is little empirical evidence to support a position that increasing the gender diversity of a group enhances group processes, especially to a point where it is likely to influence a firm's bottom line" (Stark, 2003).

Findings from reviewing the notes, the questions, and interview transcriptions revealed that during this study, the mediator group dynamic was more affected by diversity than the participant group dynamic. The researcher discovered that there was equal discussion about the mediator issues that resulted because of group diversity than the participant group dynamics of the mediation group.

Diverse Groups

Proponents of diversity hold that differences among group members give rise to varied ideas, perspectives, knowledge, and skills that can improve their ability to solve problems and accomplish their work. It is difficult, if not impossible to create a group that is not diverse. Unless people are cloned, no two individuals will bring the exact skills, behavior, interactions, thoughts, or ideas to a group. Diversity has been blamed for many organizational conflicts. More specifically, there is still much to be learned about the nature of diversity and, its impact on groups.

Specifically, the complexity of diverse groups has yet to be discovered. Pelled's, 1999 black box theory suggests that there are intervening mechanisms that are not easily defined, which makes it difficult to determine the exact effects of diversity within groups. Findings have been varied from study to study. Martin et al., (2003) found that a group's diversity in collectivism negatively affected group members' experiences in the organizational context that was more racio-ethnically diverse but did not have the same impact in the relatively homogeneous organizational context. This finding suggests that group members in racio-ethnically heterogeneous settings may look beyond surface-level racio-ethnic category differences and instead may focus on deeper level differences in values and attitudes when assessing similarities and differences in their group. Their findings suggest that extended contact with racio-ethnically different others within the organizational context might similarly desensitize group members to racio-ethnic diversity within their group instead of focusing their attention on their group's diversity in values and attitudes and especially job-related values and attitudes.

It is important to note that diverse viewpoints, diverse people, diverse environments may all be viewed or accepted differently by group members. Even before diversity was a common word in organizations, discriminatory behavior was displayed towards those that were considered different or diverse. Therefore many studies have been conducted that focused on group interactions because of diversity. Jackson et al. (1996) suggested that diversity may lead to discomfort for all members of a group, leading to lower integration within the group and a higher likelihood of turnover. There is also some evidence of negative affective reactions to observable differences on the part

of supervisors – in that supervisors tend to perceive dissimilar subordinates less positively and tend to give them lower performance ratings (Milliken et al., 1996).

Studies have also been conducted to see "what makes diverse groups tick". In order to gain the most out of groups, organizations need to know how they can make them the most effective. Thomas (2001) identified three diversity perspectives that appeared to have different implications for how well people functioned in their workgroups and therefore how likely their workgroups were to realize the benefits of their diversity, the integration-and-learning perspective, the access-and-legitimacy perspective, and discrimination-and-fairness perspective. Each provided a rationale for why the workgroup should increase its cultural diversity, yet only the first was associated with what appeared to be sustainable performance gains attributable to diversity. Data also revealed that workgroups' perspectives could develop and change over time, but at the time of their data collection, a single, dominant perspective on diversity prevailed in each of the three groups studied. If there were dissenting views, they did not surface. "According to the Integration-Learning Perspective on diversity, the insights, skills, and experiences employees have developed as members of various cultural identity groups are potentially valuable resources that the workgroup can use to rethink its primary tasks and redefine its markets, products, strategies, and business practices in ways that will advance its mission" (p. 9).

Again, findings vary on the impact of group diversity. Even though three of the four mediators interviewed initially felt that there was no direct link to diversity and modifying mediation procedures, as they progressed through their interviews, they began to remember cases that indicated just that. There is much diversity to consider when

reviewing diverse groups. The mediators also had to review each diversity that was present in the case and deduct which diversity they felt made the greatest impact.

The researcher felt it necessary to review as much data as feasible to garner a fair assessment of diversity's impact, especially on mediation procedures. The underlying premise of diversity is that heterogeneous group members have a negative impact on group functioning. There also exists considerable evidence showing that interaction within heterogeneous decision-making groups lead to process loss.

Literature Review

A review of the literature on diversity and groups also suggests that one must accurately define the diversity type, assess the group dynamics, be cognizant of the combination of the diversity, be aware of the intervening values, and understand the perspectives of the mediator to accurately assess the effects of social category diversity. The literature review revealed that the studies varied too much to even come close to a consensus on how diversity's presence in groups affected the processes. Each study reviewed, either focused on different types of diversity, different goals, or used different measurements or different environments. There were too many intervening variables to expect conclusive findings.

Intervening Variables

The researcher was also aware of intervening variables that may have effected the interview process. Location of the interview, the time at which the interview was conducted, the researcher's experience, and environment each played a part in how the interviews were conducted. The location of the interview may have effected the comfort or lack of comfort of the subject. The time the interview was conducted may have caused

the subjects to rush or think of what was to follow the interview. Aspects of the environment, such as noise level and other distractions, may have effected the quality of the interview. The researcher, being an African American female who has experienced race discrimination and also utilized the EEO system for justice, came with preconceived notions regarding justice and discrimination. The personality of the researcher and the subject also determined how the interview was conducted and the results or information garnered from the interview.

Diversity

Comprehending the systemic nature of how diversity interrelates is important in order to understand the dynamics of diversity's impact on the mediation process. All four mediators addressed the importance of a balanced environment, which was accommodated by changing, adding, or removing personnel, locations, or rearranging the seating arrangements of the mediation participants. The mediators also expressed concern about acknowledging diversity, as each mediation case they mentioned consisted of a diverse group of people, as defined in this research.

The researcher included articles that related to the military because of the location of the research, the Washington metropolitan area. This metropolitan area is saturated with U.S. federal government civilian and military installations. The military organizations also employ numerous government civilians. After careful review of the research data, the military was often considered one of the most diverse organizations in the U.S. As with any organization, the military has goals and a mission to conduct. Along with that mission is the goal to maximize it potential; especially the use of its human resources. If the service member is expending energy on confrontation with a

shipmate, then he or she is expending less energy or time on the work at hand. The confrontations between the two cause waste in managerial time as well.… Reduced interpersonal conflict enhances working relationships and leads to improved productivity (Varvel, 2000). "In short, diversity adds value to the military as it tries to meet new and challenging goals throughout the world in the 21st century, such as peacekeeping, rapid deployment, and pinpoint incursions" (Knouse, 2001, p. 1). A diverse military force has a greater mix of skills as well as proper training and ability required for acquiring different skills. Even more so, military history has afforded its members a wider knowledge of diverse cultures as well as linguistic abilities.

Historical Perspective

By examining how diversity has been managed in the past we will be able to determine which path is needed in the future. Racial issues or in the case of this study, social category issues have been at the forefront of conflict for a long time in this country. There is not a country in world history in which racism has been more important, for so long a time, as in the U.S. And then there is the problem of the color-line…W.E. B. Du Bois put it this way and felt that it is still with us. So it is an even more urgent question: How might it end? Or, to put it differently: Is it possible for whites and blacks to live together without hatred? Then the beginning of slavery should have provided us a few clues. (Zinn, 2003) It has been said that if we don't learn from the past, we are sure to repeat the same mistakes.

That holds true with the evolution of understanding diversity, especially in the workplace. Just as we have progressed through various styles of management over the past 20 years, we have also progressed through several phases of dealing with diversity.

There are many factors impacting the effectiveness of the workplace today. Race, gender, culture, and sexual orientation, are but a few. The researcher found extensive literature on the historical perspective of diversity in the workplace. The literature proved to be valuable and provided a roadmap to today's diverse workplace environments. However, because the mediators had not experienced these early years the study added little to this area.

This Study's Additions to Current Literature

During the literature review, the researcher did not find any literature that focused on the backgrounds, and personalities of the mediator. Heretofore, we have not seen the person (mediator) who is crucial to the process. While detailed information on this issue, particularly in chapters III and IV, this section highlights some of their comments that are beyond the scope of the study.

The researcher conducted a comparative analysis of the mediators, beginning with their feelings about being in the field. In their responses during the interviews, the mediators all displayed a desire to help people, and they all derived satisfaction and pleasure from working in the field of mediation. All four participants expressed their interest in helping people. The point here is that each of the mediators experienced fulfillment by accomplishing something she or he truly enjoyed. None of them mentioned mediating as just a job; it was a way of life. Comparative analysis discovered that the mediators also had similar personalities.

This new finding may prove to be valuable information for those wishing to enter the field of mediation. The researcher did not take this finding further as her initial goal was to answer the research question; how and why the presence of social category diversity dictates procedures during mediation.

Conclusion

Research on diversity is a challenge to review, because it spans multiple disciplinary boundaries, assesses the effects of various types of diversity, focuses on many different dependent variables, and employs a wide range of types of groups and settings. In selecting articles to include in this review of research findings on the effects of diversity, the researcher scanned over 25 years of research journals that publish empirical research in several disciplines. The researcher also chose empirical articles that referred to diversity in ways it was defined in this study, and also the way others have defined it. For the purposes of this research, social category diversity was defined as racial diversity. For further review of definitions, see Terminology page. (Appendix B)

The resulting study included examinations of diversity in groups at various levels of organizational functioning; boards of directors, top management groups, and organizational task groups, including studies of diversity in group composition, studies of superior-subordinate dyads, as well as some more general studies of minority attitudes and performance in organizations. The researcher does not claim this to be an exhaustive review of the literature, but rather a review that focuses on select government and non-government research on diversity and its effects on mediation procedures.

Due to the literature review, the researcher expected to find that social category diversity effected the mediation process, especially between the opposing parties. The researcher never expected conflict between mediators to be an issue during mediation. After careful analysis of each case scenario provided, the researcher deducted that review of the literature led to the conclusion that a new paradigm might be explored for observing diversity within the mediators.

Additional questions for further study include; does gender diversity effect the mediation findings? Do current female mediators elect to choose females as co-mediators? Does a particular personality profile predict the success of an individual in the field of mediation? Are there documented cases where gender diversity creates conflict during mediation, or is this an issue that has been kept between or among the mediators?

Finally, an interesting study would be to study diversity among African American females. There are a variety of diversities to consider within any race. The researcher would like to examine diversities within the race to see how and why diversity effects working relations among African American females.

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APPENDIX A
Terminology

1. Affirmative Action

   means positive steps taken to increase the representation of women and minorities in areas of employment, education, and business from which they have been historically excluded. (Stanford Encyclopedia of Philosophy, p. 1.)

2. Alternate Dispute Resolution (ADR)

   "a procedure is one in which a neutral is appointed and specific parties participate" (Air Force Compendium, 2001, p. 1).

3. Case study

   Is an empirical inquiry that investigates a contemporary phenomenon when it is not clearly evident what the real-life contexts are. "A case study design is employed to gain an in-depth understanding of the situation and meaning for those involved" (Merriam, 1998, p. 19).

4. Compendium

   A document that provides Air Force personnel with practical advice and resources to successfully mediate civilian workplace disputes. It contains helpful information regarding each stage of the mediation process, from intake through settlement and reporting of ADR statistics. It explains what procedures are recommended and why, and includes sample forms, checklists, and other helpful material to conduct mediations.

5. Conflict

   Occurs when two or more people oppose one another because their needs, wants, goals, or values are different (Webster).

6. Data

   Nothing more than ordinary bits and pieces of information found in the environment. Data conveyed through words have been labeled qualitative. Qualitative data consist of direct quotations from people about their experiences, opinions, feelings, and knowledge obtained through interviews" (Merriam, 1998).

7. Deep-level diversity

   Diversity that is not readily recognized such as values, education, and work experiences are defined as deep-level diversity (Harrison, Price and Bell, 1998).

8. Diversity (4 Definitions)

   -Larkey (1996) lays out a cogent basis for understanding diversity, which implicitly acknowledges the role of individual differences. She begins with the assumption that the underlying concern of the diversity discussion is culture. She posits that diversity refers to perceptible characteristics associated with sets of values, beliefs, and attitudes. These values, beliefs, and attitudes reflect a worker's cultural status.

   -A review of the research in this area quickly reveals that there is little consensus on the definition of diversity (Phinney, 1996; Smith et al., 1994). In past research, diversity has often been defined in such a way that it only exists if

dysfunctional conflict is present, or in such a way that diversity only means a simple difference in perspective or background, which could potentially lead to conflict (O'Reilly, Williams & Barsade, 1981). Some of the earliest research in this area defined a group as diverse if it included members who possessed different personality characteristics as well as varied backgrounds and experiences (Hoffman, 1959; Hoffman & Maier, 1961).

Another definition goes a step further by stating that a group is diverse if it is composed of individuals who differ on a characteristic on which they base their own social identity (O'Reilly et al., 1998) as cited in (Murphy, 2004).

-General Wetekam, USAF, defined diversity as: being able to recognize that every person is an individual in an organization; has a different background and therefore approaches the same issues differently (personal communication, March 23, 2006).

-The definition that will be used for this research and the way most describe diversity is "the unique qualities that individuals bring into an organization to include, but not limited to racial, ethnic, cultural, gender, religious/spiritual, educational, language, problem solving, life experiences, and attitudinal skill sets" (Air Force Instruction, AFI 36-2706, Jul 2004, p.75).

9. Diversity management

is generally regarded as a process; it is a set of interventions, practices, policies, and procedures designed to consider the needs of all types of people, including those not mentioned in the law(Nicole, personal communication, 2005)

10. Equal Employment Opportunity Commission (EEOC)

    is an independent federal agency created by Congress in 1964 to eradicate discrimination employment and enforced, along with executive orders, statutes.

11. Informational Diversity

    Edward (2004) defines informational diversity as difference in knowledge bases and perspectives that participants bring with them. Such differences are likely to arise in education, experience, and expertise.

12. Gender Diversity

    System of sexual classification based on the social construction of the categories "men" and "women," as opposed to sex which is based on biological and physical differences which form the categories "male" and "female." Univ of Md. Diversity Database (2006)

13. Less Observable Diversity

    Milliken and Martins (1996) states that less observable characteristics of diversity tend to influence a different set of group dynamics, and are characterized as educational backgrounds, job experiences, and skills.

14. Levels of Diversity (3)

    -Level 1 variables are considered “surface level” variables which pertain most directly to questions of equal opportunity affirmative action, and equity within a system across various demographic or minority groups (Harrison et al., 1998, Pulakos et al., 1989).

- Level II variables are considered “working level” variables that focus on different types of skills, experiences, knowledge, and roles sets individuals bring to a group (Harrison et al., 1998).

-Level III variables include differences among members’ attitudes, beliefs, and values (Harrison et al., 1998).

15. Mediation

    Mediation is only one form, albeit the most common one, of third party intervention. It is not a single process or one discrete activity; it is instead a continuous set of related activities involving actors, decisions and situations (Bercovitz, 1991, p. 8).

16. Observable Diversity

    Milliken and Martins (1996) states that visible characteristics of diversity, such as race, age and age are particularly likely to stimulate responses that are the direct result of personal biases, prejudices or stereotypes.

17. Single case study

    where each case is its own entity.

18. Social Category Diversity

    Jehn (1999) describes social category diversity as: when membership in a group is based on shared characteristics, such as race, gender, age, ethnicity, sexual orientation, or even family status. For the purposes of this research, social category diversity is defined as cultural or race diversity.

19. Surface Level Diversity

    Harrison, Price and Bell (1998) suggested that diversity that is visible, such as ethnicity and gender be labeled surface level.

20. Value Diversity

    is characterized as differing in terms of what importance is placed on values, beliefs, fears, religion and ethics (Jehn, 1999).

21. Workgroup

    Riordan (1999) stated that the term workgroup refers to those employees with whom you share a supervisor or team leader. (Morgan, et al., 1986) McGrath, Berdahl, and Arrow (1995) defined workgroup as a dynamic system, integrated by people, purposes, and tools, which become the group's members, projects, and technology, respectively as cited by (Riordan, 1999).

APPENDIX B

Introduction to the Detailed Analysis and Resulting Figures

For the purpose of protecting confidentiality 2-16 were masked. Figures 2-5 are the answers to the interview questions from each of the mediators. Figures 6-13 are transcribed interview notes.

What remains is a synthesized cross-case analysis of various data from *datasets* one, two and three. The government mediators, Nicole and Denzel, had different mediation styles. Denzel was the only one of the mediators who used the transformative mediation style. "Effective mediators are aware of the cultural assumptions upon which their mediation models are based and endeavor to adjust the models in order to prevent conflict or obstacles to agreement" (Wright, 2005, p. 8).

Because mediation procedures are already in place with room for flexibility from the mediator, the researcher saw no great differences in the procedures. Each mediator used the governing procedures provided to them and utilized flexibility by combining them or revisiting as needed.

In order to identify the patterns and themes from the interview answers, codes were assigned to further analyze the interview data. Each question and answer was coded and analyzed to expose themes (Figure 14). The codes created and used by the researcher during this analysis were F, C, U, A, N, S, Y, O, N/A, T, AA, AS, CC, H, and AD. The researcher began by analyzing each answer to the interview questions. The answers were broken down into stages of the mediation process in accordance with the mediator's answers.

Foundation (F) was referred to by all of the mediators, sometimes described as an action that was necessary at that point, and must occur before another action. For example, Rosalind was asked, why is this step one? Her response was that it sets the tone, clarifies the roles; this particular action is the foundation for other actions to follow. The mediators also referred to or repeated a particular action for clarification (C) or understanding (U) during the mediation process. This is often characterized as step one, where the participants are oriented into the mediation process. When a participant agreed upon a decision made during mediation, this was characterized as an agreement (A). Sometimes this step can take place in the middle of a session (all parties have come to an agreement) or at the beginning of the mediation (agreement to participate in the mediation).

When a mediator's response to a question was that he or she had never done something, that step was coded as (N). This answer could cover a particular step or procedure that had never been done, such as skipping a step, repeating a step, etc. Sometimes (S) was used to characterize if a particular step or thing occurs more than once, but not all of the time. If a decision was made during the mediation session for the sake of order or time, it was coded with an (O) and a (T). Step number two was most often mentioned with order or time as necessary for that time and place. When a step was conducted because the mediator feels that it is the most appropriate place to do that step or because it added to the building block or the foundation of the mediation session, it was recorded as (O) for order.

In some instances the mediators felt that timing was important for a particular decision or action. Rosalind mentioned that sometimes they are in a time crunch, which may disallow the desired order of events. For instance, if a subject matter expert is not available at a particular time, that portion of the mediation session may have to be adjusted. When a mediator responded to any question in the affirmative, it was coded with a Y for yes. This was the most utilized code in this table. For the purpose of social category identification of the mediation participants, African American was coded (AA), Asian was coded (AS), Caucasian (CC), Hispanic (H), and Arab Descent (AD). The nationality codes used in this chart were limited to the nationalities that participants referred to during their interviews.

The researcher discovered that reviewing the codes provided the participants' answers to the research questions at a glance. The apparent discovery to the researcher through analysis of the codes was that the steps were shifted a bit (often joined together) with some of the mediators; but there was not much of a difference in how they handled each mediation session. For example, question one reads: "After a mediation session is agreed upon by both parties, what is the first step that must be accomplished by the mediator?" All four mediators agree that the beginning of any session must be to ensure the subjects involved have full knowledge of what is taking place, what, when, and how each person is being effected, followed by what is expected from each subject.

This step was captured as a pre-step to step one (intake) with Nicole. He referred to this as the first step toward mediation after the parties have agreed to mediate. Another example of step similarities is that step two for Rosalind was dialogue exchange, while step two was called perspective-sharing for Nicole. However, these two steps

basically cover the same actions. Step two for Denzel and Will was to find a location; while Rosalind and Nicole have already taken care of the location in their step one. So basically, there is just a shift in what is involved in each step; no great differences were found in the steps. Therefore, procedures were not effected by employment. The only great difference was if a mediator combined steps into a single process. However, they were all the same procedures, in basically the same order.

The researcher also conducted an analysis of the mediators' backgrounds, education, and mediation styles (Figure 17). Her aim was to see if there were any patterns and similarities among the mediators that could be linked to their views on social category diversity. First, the mediators were analyzed individually, and then they were grouped in their appropriate government or non-government categories to see how and why the presence of social category diversity dictates procedures during mediation. Government mediators Denzel and Nicole are totally opposite in their views about diversity's effect on the mediation processes or system. Both mediators have experience in government and non-government mediation. However, Nicole's non-government experience was during his high school and college years. Denzel works for a government organization, conducting mediations in government and non-government contexts. The analysis of this group is conducted primarily from the interview questions.

Non-government mediators Rosalind and Will's careers did not begin in mediation. Rosalind began mediation with a government organization, but she currently conducts non-government mediations. Will is a government mediator but primarily supervises other government mediators. However, he conducts non-government

mediation as a clergyman. Analysis of the mediators was conducted using the interview questions.

The difficulty encountered in-group analysis was the fact that all four mediators had worked in government and non-government contexts at some point in their careers. Nicole had the shortest non-government work experience. The single thing that separates Nicole from the rest is that his career has primarily been in mediation. Will had, and still does have, a variety of work experiences. It was difficult to accurately describe these mediators with the categories of government and non-government mediators. The lines of separation were too vague to accurately make the distinction.

The researcher also retransmitted the interview notes to see if there was a pattern in the way the mediators answered the questions. For example, the researcher began to retransmit the interviews verbatim with pauses and repeats. After careful analysis, Denzel specifically shared the least in common with the other mediators. He shared education level with two mediators and gender with two (Figure 17). Rosalind shared social category, education level, and mediation style. Will shared social category, gender, and mediation style. Nicole shared gender, mediation style, and education level.

In summation, the researcher attempted to synthesize individual viewpoints of each mediator that answered the interview question. Then the mediators were placed into government and non-government categories for analysis. Next, the mediator analyzed each mediator's response to the interview questions. The researcher also reviewed the interview notes for comparative analysis. The interview notes were also partially retransmitted to include pauses, sighs, etc. The researcher did not complete all of the retransmission notes, as she found no value in reviewing the data for further similarities

or inconsistencies. The final analysis of the data was considered interpretative as it attempted to analyze the personal attributes of the mediators. During each stage of analysis broader implications of the findings were noted through theoretical corroboration. The following figures are representative of this process.

Figure 1

How and Why Does Social Category Diversity Dictate Mediation Procedures

Interview Questions

1. After a mediation session is agreed upon by both parties. What is the first step that must be accomplished by the mediator?

   a. Why is this the first step?
   b. Is there any flexibility in modifying this step?
   c. Have you ever modified this step? And why?
   d. How did you modify this step?
   e. Was there at least one minority in this group?

2. What is step 2 once the mediation session is agreed upon?

   a. Why is this step 2?
   b. Is there any flexibility in modifying this step?
   c. Have you ever modified this step? And why?
   d. How did you modify this step?
   e. Was there at least one minority in this group?

3. What is step 3 once the session is agreed upon?

   a. Why is this step 3?
   b. Is there any flexibility in modifying this step?
   c. Have you ever modified this step? And why?

d. How did you modify this step?

e. Was there at least one minority in this group?

4. What is step 4 once the session is agreed upon?

a. Why is this step 4?

b. Is there any flexibility in modifying this step?

c. Have you ever modified this step? And why?

d. How did you modify this step?

e. Was there at least one minority in this group?

5. Discuss additional steps (same as previous questions) until you reach the actual mediation session.

6. Once the mediation session began, did you make changes in your mediation procedures, i.e., bring in additional personnel, stop the session, create adhoc sessions, change your tone, your posture (any additional changes)?

7. What was the social category diversity (race/ethnicity) of each member present in each mediation session?

8. What was the conflict that led to the mediation?

9. What was the final decision after the mediation session?

10. Would you say that your years of experience played a large part in why changes were or were not made?

Figure 14

Interview Question Codes and Themes (1-4)

Foundation (F) Understanding (U) Clarity © Agreement (A) Never (N) Sometimes (S) Yes (Y) Order (O) Not Applicable (N/A) Time (T) African American (AA) Asian (AS) Caucasian (CC) Hispanic (H), Arab descent AD

	ROSALIND	DENZEL	WILL	NICOLE	THEME
1	**F,U,O**	**F,O,C**	**F,O,C,A,**	**O,C**	Basic foundation. Denzel's #1 is already considered in other subjects
1a	**F,U,C,A,O**	**F,U,A,C,O**	**U,C,A**	**U,C,A**	Clarification, beginning foundation
1b	**N**	**Y**	**Y**	**Y**	clear understanding
1c	**N**	**Y**	**Y**	**Y**	Subj #4 this is usually conducted as intake and is already accomplished by step #1
1d					Order; just beginning point was different
2	**F,O,C,U**	**F,O,C,U**	**F,O,C,U**	**F,O,C,U**	Preparation; building a foundation
2a	**O,U**	**O,U,C**	**F,O,C,U**	**F,O,U,C**	Order and Communication
2b	**Y**	**Y**	**Y**	**Y**	YES, There is flexibility; all agreed
2c	**S,T**	**Y**	**Y**	**Y**	Revision of steps if required
2d					Accommodating; create neutral ground.; building solid foundation for next procedure
3	**F,U,C,A,O**	**C,O,U**	**F,O**	**C,U**	Communication essential
3a	**F**	**A,C,U**	**A**	**C,A,U**	Order is important
3b	**Y**	**Y**	**Y**	**Y**	YES, There is flexibility; all

					agreed
3c	**N**	**Y**	**Y**	**N**	Order is important
3d					
4	**U,C**	**U,C**	**A**	**A**	Ensure required personnel or documentation available
4a	**O,F**	**O**	**O**	**O**	Order
4c	**N/A**	**S**	**Y**	**Y**	Do what is required to ensure equitable, safe and fair treatment
4d	**N/A**	**U,C,A,O**	**U,C**	**C,A**	Required adjustment to ensure all is clarified or available

1. After a mediation session is agreed upon by both parties, what is the first step that must be accomplished by the mediator?

Participant	***Abbreviated Answer***
Rosalind-	Orientation
Denzel-	Schedule Mediation; identify participants
Will-	Written agreement, time, place, rules, processes
Nicole-	Intake; questions

a. Why is this the first step?

Rosalind- Sets tones, clarifies, roles, confidentiality
Denzel- Right people required for success
Will- Commitment, understanding
Nicole- Sets expectations, gives rights responsibilities; people confuse between arbitration

b. Is there any flexibility in modifying this step?

Rosalind- N
Denzel- Y, No reason to
Will- Y, Not necessary
Nicole- Y; Has to be in writing; often difficult understanding mediation; go back and answer questions

c. Have you ever modified this step? And why?

Rosalind- Basic Step- Shouldn't modify
Denzel- N, Determine required participants, translators etc.
Will- N, Studies show that this is a necessary 1st step. AF Compendium
Nicole- Y, Sometimes folks don't understand mediator's role. Not an advisor, not a consultant on their issue. Don't advise other than administrative

d. How did you modify this step?

Rosalind- Talk to other party first
Denzel- Find neutral ground
Will- N/A
Nicole- Go back, answer questions; explained supvr wasn't referring to everyone in that culture.

Was there at least one minority in this group?
Each case discussed had at least one minority.

2. What is step 2 once the mediation session is agreed upon?
    - **Rosalind**- Talk to plaintiff
    - **Denzel**- Find location, date, time
    - **Will**- Preparation; Find adequate location
    - **Nicole**- Perspective sharing; talk process; no questions yet

    a. Why is this step 2?
        - **Rosalind**- Order
        - **Denzel**- Order, neutral place is critical
        - **Will**- Don't want to be unprepared; part of necessary preparation
        - **Nicole**- Want other side to hear issue; sometime the other party don't realize the impact of what they did.

    b. Is there any flexibility in modifying this step?
        - **Rosalind**- Y
        - **Denzel**- Y
        - **Will**- Y
        - **Nicole**- Y

    c. Have you ever modified this step?/Why?
        - **Rosalind**- Y; Order is important
        - **Denzel**- Need to find neutral ground; whatever it takes; must find this
        - **Will**- Y; determined who, what, where and why
        - **Nicole**- Y

    d. How did you modify this step?
        - **Rosalind**- Change order of which client to speak first
        - **Denzel**- Client complained; required neutral ground
        - **Will**- Change location for neutrality, personnel change or addition
        - **Nicole**- Timing; how long I let them talk, change sitting position; Use own words; not script

3. What is step 3 once the session is agreed upon?
    - **Rosalind**- Address issues; search for happy median
    - **Denzel**- Communicate with both sides
    - **Will**- Ensure necessary parties are available (proper authority)
    - **Nicole**- Brainstorming solutions to the issue

    a. Why is this step 3?
        - **Rosalind**- Address issues in layers, build foundation, simple to more difficult. Must take layers off
        - **Denzel**- Parties resistance or require additional roles
        - **Will**- Building block

Nicole- Steps 2 and 3 can happen concurrently; prefer this not happen. To shift from past to future from positions to interest; he said, she said, I'm right. What do we have in common?

b. Is there any flexibility in modifying this step? Y,Y, Y,Y

c. Have you ever modified this step? And why?
Rosalind- N; Too timely; and maybe costly to address out of sequence
Denzel- Y; Surprises when parties meet, changed and revisit steps
Will- N
Nicole- N, This is the best position to do this; must have perspecitves/issues

d. How did you modify this step?
Rosalind- N/A
Denzel- Revisit steps to satisfy clients
Will- N/A
Nicole- N/A

4. What is step 4 once the session is agreed upon?
Rosalind- Move on issues, draft agreements, review
Denzel- Mediation; Facilitative in most agencies, Homeland Security requires Transformative (24 yrs)
Will- Ensure presence of proper personnel
Nicole- Have ideas of what they agree to or don't.. If they agree, put in writing

a. Why is this step 4?
Rosalind- Order,
Denzel- Order
Will- Mediation follows; must ensure those w/authority are present
Nicole- Concrete, sequence "devils in detail" can agree in begin can bring up more difficult sometimes take on life its own.

b. Is there any flexibility in modifying this step?
Rosalind- N/A
Denzel- Y
Will- Y
Nicole- Y

c. Have you ever modified this step? And why?
Rosalind- N/A
Denzel- Sometimes parties uncomfortable with mediator; may have to opt out or offer replacement mediator

Will- German supervisor insensitive; accused of sexual harassment

Nicole- This step is not always necessary, More communication, understanding info is enough to resolve; no need to write and sign; soft resolution weekly check in meetings written agreements, attorney review it

d. How did you modify this step?

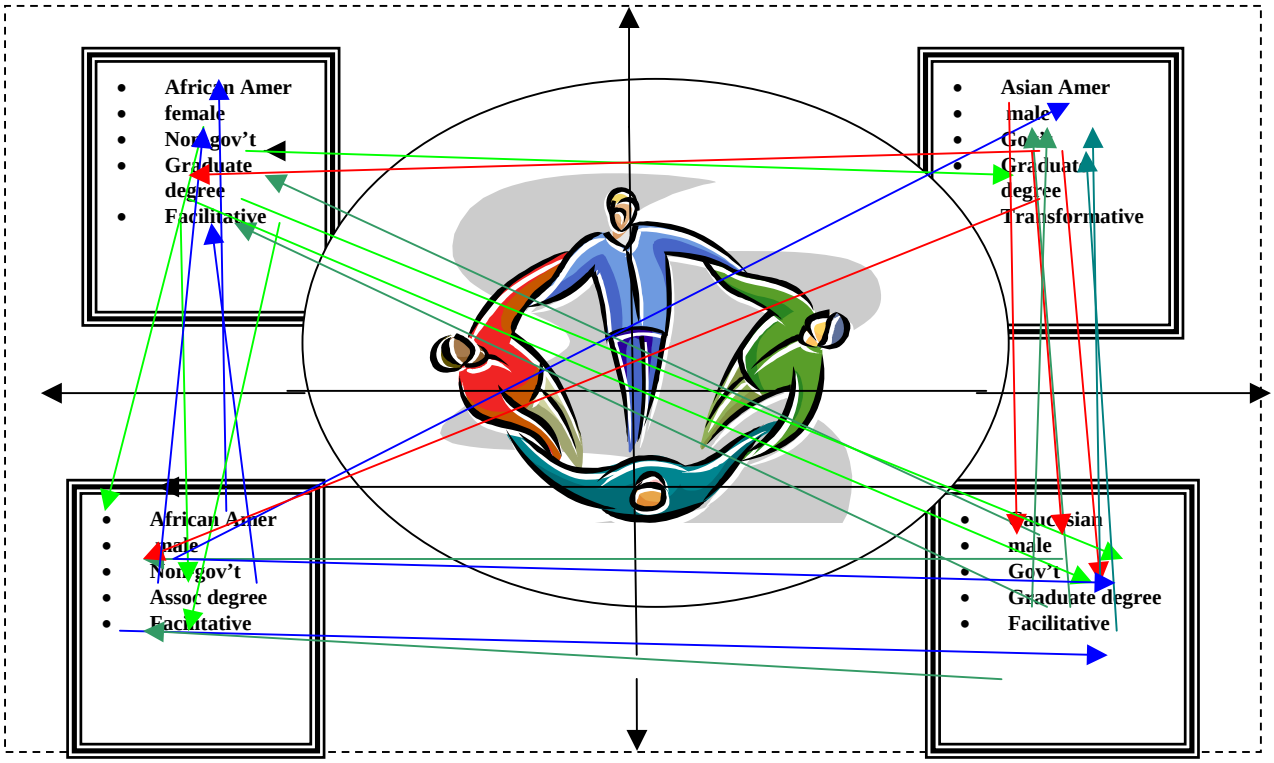
Rosalind- N/A

Denzel- Give client an option for choice of mediator, readjust steps until all are satisfied

Will- Go back a few steps; set up room to avoid violence

Nicole- N; need to write agreement; soft resolution; weekly check-ins, have an attorney review hard copy is required

Figure 17
Amy Franklin-McDowell's Comparative Analysis of Mediators' Backgrounds





Further analysis:

Participant	Gender	Social Category	Education	Employment	*Mediation* Style
Rosalind	Female	African Amer	Graduate	Non- gov't	Facilitative
Denzel	Male	Asian Amer	Graduate	Gov't	Transformative
Nicole	Male	Caucasian Amer	Graduate	Gov't	Facilitative
Will	Male	African Amer	Assoc	Non-gov't	Facilitative

Figure 18 **- Interview Answer Comparative Analysis**

Rosalind	Denzel	Will	Nicole
1. Orientation Explanation of expectations, responsibilities **Why?** Clarification Sets tone **Ever modified?** No, basic step	**1. Sched mediation,** identify participants Set dates, time, participants **Why?** Necessary, ensure desired participants are available **Ever modified?** No;	**1. Written agree** Time, place, rules of engagement. Reinforces the process **Why?** Commitment/Understanding **Ever modified?** No; not necessary	**1. Intake ?s** Explanation of rights, responsibilities **Why?** Sets expectations Explains roles **Ever modified?** Yes; if questions come up, may have to revisit
2. Dialogue Begin with plaintiff **Why?** Sequential	**2. Find Location** Ensure location is adequate and agreeable to all involved. **Why?** Next adequate step	**2. Preparation** Facilities location, room for Caucus **Why?** Necessary at this point	**2. Perspective Sharing** Dialogue separate first; then together **Why?** Explanation of the issues; clarification for both sides
Ever modified? Yes; If in time crunch, talk to other party first	**Ever modified?** Yes, go back and relocate neutral ground, if someone does not agree	**Ever modified?** Yes; who, what, where, why	**Ever modified?** Yes, change time limits to maintain control of process
3. Address the Issues Seek happy median with participants **Why?** Sequential; builds foundation	**3. Communicate w/both sides** Discuss issues **Why?** Parties understand issues	**3. Ensure relevant people are present** Contact, Legal, Finance, etc, if required **Why?** Building foundation, relevant step	**3. Brainstorming** Suggestions to the issues **Why?** Shifts the issues from past to present
Ever modified? No; too costly to address out of order	**Ever modified?** Yes; if surprises arise, revisit issue or bring in or dismiss add'l person	**Ever modified?** **No**	**Ever modified?** No; this is the heart of the mediation session
4. Move on the Issues; May draft agreement **Why?** Sequence	**4. Mediation** Sequence **Why?** Sequence	**4. Room Set-up** Arranging furniture if problem is evident **Why?** If special setup is required, this step is sequential	**4. Put Issues in Writing** If parties agree, this is the next step **Why?** Sequential, "devil's in the detail"
Ever modified? No	**Ever modified?** Yes, go back and discuss mediator replacement	**Ever modified?** Yes; go back a few steps, rearrange room to avoid violence	**Ever modified?** Yes; not always necess; can have soft resolution; may suggest legal review before sign

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