INFLUENCE OF KNOWLEDGE POSSESSION ON THE ADOPTION OF ALTERNATE DISPUTE RESOLUTION MECHANISMS OF TRADE UNIONS IN KENYA

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ABSTRACT

Trade unions are pivotal in advocating for improved working conditions and social standing for employees, which can significantly affect organizational performance. In Kenya, the formal recognition of Alternative Dispute Resolution (ADR) mechanisms since 2010 has been vital in addressing delays in resolving employee complaints and the increase in labor disputes. This study aimed to identify the factors influencing the adoption of ADR mechanisms of trade unions in Kenya. The research objective was to assess the impact of knowledge possession on the adoption of ADR mechanisms. It also aimed to explore how workplace grievances moderate this relationship. The study was based on the Theory of Perceived Attribute (TPA), addressing gaps such as the absence of policy structures guiding ADR adoption. Utilizing a descriptive survey design, the study employed stratified random sampling to select 354 trade union officials from a population of 4,313. Data were collected through structured questionnaires and analyzed using descriptive and inferential statistics, including correlations, regression, and hypothesis testing. Results revealed a perceived knowledge possession, with ADR adoption. Regression analysis confirmed that these factors positively predict ADR adoption. However, workplace grievances did not significantly moderate the influence of these factors. The findings provide empirical evidence that the factors affecting ADR adoption are consistent, regardless of workplace grievances. This study offers valuable insights for policymakers, trade union officials, and organizations involved in dispute resolution in Kenya. Future research could examine employers' perspectives, trends in other domains, the impact of educational interventions, the role of leadership, organizational culture, and comparative studies on ADR effectiveness across industries.

Key words: *Adoption of Alternative Disputes Resolution Mechanism, Knowledge, Possession*

INTRODUCTION

There are numerous legal and illegal procedures to settle disputes in every community. Among the various potential dispute resolution options, litigation is the most common. According to (Muigua, 2020) access to justice through the legal system is significantly hampered by social, economic, legal, procedural, and institutional issues. Alternative Dispute Resolution (ADR) mechanisms thus come into play in order to resolve disputes outside of court, such as arbitration or mediation (Garner, 2019). ADR frameworks and methods have developed steadily through discussions, arbitration and mediation on account of their being less burdening than resorting to courts (Meadow, 2016).

In Kenya (A, 2020) carried out a study to examine the legal validity of introducing Penal Mediation as an ADR Mechanism Approach in the Indonesian Criminal Justice System. The study discovered that to adhere to the crime-solving ideal of quick, straightforward and affordable judicature; the parties involved in the litigation must agree to the settlement of criminal case(s) utilizing ADR mechanisms in adoption. However, suffice to note that adoption ADR mechanisms may be influenced by several aspects, including effectiveness, adaptability, customizing of outcomes, party empowerment, legitimacy and engagement of the parties. (Teff-Seker, 2020). The United Nations Convention on the Law of the Sea (UNCLOS) has advised parties to disputes to adopt ADR as the better option to court litigation.

Some research has been done on the effect of Perceived Knowledge Possession in ADR on the uptake of change, innovation, and technology. For instance, Bachar's (2017) dissertation concentrated on factors influencing the financial inclusion of oppressed and underprivileged individuals in rural northeast India. The findings of this study point to a number of variables, including but not limited to financial information from a variety of sources, financial education, and awareness of rural residents with low incomes, which support the financial inclusion of disadvantaged populations in distant locations. Some of the key indicators in relation to how it is likely to affect the Adoption of ADR mechanisms are sensitization, referrals by third parties, and understanding of ADR methods and techniques.

Statement of the Problem

Alternative dispute resolution is a core non-adversarial method that aims to settle disputes without using the conventional methods of arbitration or litigation (Amandong, 2020). Organization performance is the ultimate success of an organization (Shadrack Mutungi Simon, 2021). (Asunah, 2020) recommended that ADR has been previously applied with the aim of identifying the gaps and make recommendations as how ADR could be used effectively. (Nyamasi, 2021) recommended a link between ADR and conflicts arising within the auspice of Medium Small Enterprises (MSMEs) must be established to ensure expeditious resolution of conflicts. (Muigua, 2020) Research recommended a comprehensive policy and legal framework to operationalize traditional dispute resolution mechanisms is needed. Kenya has seen an increase in industrial disputes that have led to almost 411,000 man–days lost between 2016 to 2020 with eight labour strikes during the same period (Abenga, 2021). The years between 2011 and 2015 have seen five labour strikes with about 280,000 man-days lost (Kamer, 2022). According to Kariuki (2018) some of these labour strikes could be attributed to appointment of dispute resolution boards. He goes on to portend that a dispute resolution board could impede the effectiveness of ADR mechanisms due to a number of reasons including the high cost it entails, the lack of trust in service neutrality, controversies in perception of analysis of ADR components of arbitration, mini trials, and even expert decision.

There is no policy structure in place to direct the adoption of ADR mechanisms by Trade Unions, and little is known about the factors that influence this acceptance (Muigua, 2020). Due to this gap,

industrial disputes have been decided in a controversial manner without producing any resolution. A study by Oyuga (2017) focused on the variables of ADR mechanisms adopted by KUPPET officials in Kisumu County. The study findings established that clients are encouraged to use programs that are consistent to their needs and behaviors. However, no effort was made to find out determining factors in adoption of ADR mechanisms. This research therefore, undertook to close the identified research gap by examining the determinants of adoption of Alternate Dispute Resolution mechanisms by Trade Unions in Kenya.

Objectives of the Study

The general objective of the study was to examine influence of perceived knowledge possession on the adoption of Alternative Dispute Resolution mechanisms of Trade Unions in Kenya.

This research sought to:

- Determine the influence of sensitization of ADR on the adoption of Alternative Dispute Resolution mechanisms of Trade Unions in Kenya.
- Establish the influence of referrals by third parties in ADR on the adoption of Alternative Dispute Resolution mechanisms of Trade Unions in Kenya.
- Establish the influence of understanding of ADR methods and techniques in ADR on the adoption of Alternative Dispute Resolution mechanisms of Trade Unions in Kenya.

LITERATURE REVIEW

Theoretical Review

The study was anchored on Theory of Perceived Benefit. According to (Nair, 2023), one theoretical approach to comprehending, is the diffusion of innovation. Some features of the innovation itself may encourage adoption. Accordingly, (Nair, 2023) goes on to say, prospective adopters evaluate an innovation based on Perceived Knowledge Possession in ADR of how they perceive its five attributes—relative benefit, triability, observability, complexity, and compatibility. They also evaluate

innovations based on knowledge in ADR of perception in relation to the five characteristics outlined above hence touching on TPA.

TPA elucidates that an innovation will experience a higher rate of adoption if potential adopters with the knowledge they have; perceive that the innovation can be tried out in a limited way before adoption, and that it offers observable results, and that it has an advantage over competing innovations. What is more, the innovation ought to be simple to use, and is compatible with current practices and values (Shwani, 2021).

With regard to the aforementioned, it is crucial to understand that perception knowledge is attitudinal and varies with individual adopters, making it unjust to categorize some people as low adopters because; what one person values highly may not be as valuable to another. In other words, with exposure to circumstantial knowledge, what employee or Trade Union 'A' values highly, can be viewed as less so by employee or Trade Union 'B' inside the social system. This theory relates to objective three, to wit, to establish how Perceived Knowledge Possession in ADR influences Adoption of ADR mechanisms of Trade Unions in Kenya.

Empirical Review

There is various research works have been done on knowledge facets and its influence on the effect of information on innovation acceptance and even change and technology (Cascio & Montealegre, 2016; Marikyan et al., 2023). A thesis done by Bharot (2018) focused on knowledge factors affecting the financial inclusion of the marginalized people of Northern India. The results suggested knowledge factors that lead to the financial inclusion of such marginalized group including but not being limited to sensitization of information from various sources, financial education and awareness of the people from low incomes (Bhanot, 2018).

Kariuki (2021) did research in Kenya on the factors influencing profitability of Small and Medium Enterprises (SMEs) on the information

communication technology. The research indicated that in garnering knowledge, the educational level of the management had important influence on the scope of the use of ICT. Further, the research found out that the investment in skills had a positive impact on the profitability of SMEs. Referrals by third parties played a key role in acquiring knowledge focused towards making gains in SME profitability.

Onukwube (2021) carried out research and found evidence showing the lack of understanding on construction projects in Nigeria that had great effect on the Adoption of ADR mechanisms. It was noted that less understanding of ADR methods and techniques such as conciliation, lack of negotiation knowledge and lack of understanding on arbitration led to significant restriction on the use of ADR approaches to resolve disputes. Further, Lee (2016) also confirmed that the lack of information had great effect on the decision to follow ADR mechanisms in construction projects. The minimal awareness led to the restrictions on the use of ADR

mechanisms in dispute resolution among construction projects.

Previous studies have shown that the control of the outcome of process of information exchange in ADR fosters an environment with understanding or misunderstanding between parties during the dispute resolution process (Gamage, 2022; Muigua, 2024). Therefore, in order to establish an ideal ADR procedure that will result in an ideal binding decision while maintaining a personal relationship, it is crucial for the parties to establish the outcome of the process so as to exchange accurate and precise information regarding the subject of the disagreement (Islam, 2021).

Conceptual Framework

Perceived Knowledge possession in the adoption of ADR plays a vital role in the Organization, which involved sensitization, referrals by third parties and understanding of ADR methods and techniques. The study dependent variable was Alternative Dispute Resolution.
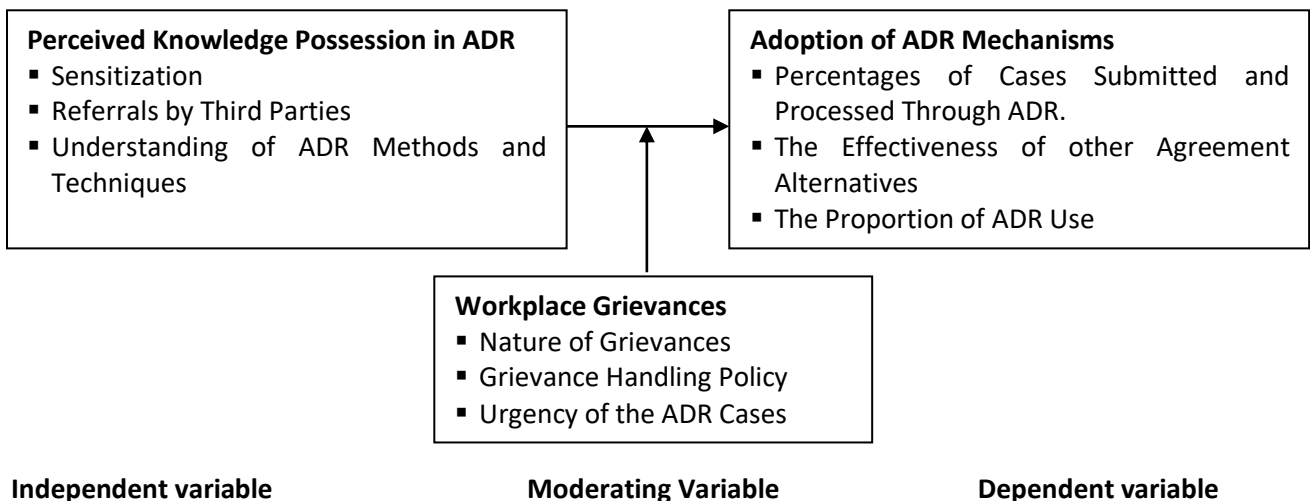
Perceived Knowledge Possession in ADR ▪ Sensitization ▪ Referrals by Third Parties ▪ Understanding of ADR Methods and Techniques	→	**Adoption of ADR Mechanisms** ▪ Percentages of Cases Submitted and Processed Through ADR. ▪ The Effectiveness of other Agreement Alternatives ▪ The Proportion of ADR Use

Workplace Grievances
▪ Nature of Grievances
▪ Grievance Handling Policy
▪ Urgency of the ADR Cases

Independent variable   **Moderating Variable**   **Dependent variable**
Figure 1 Conceptual Framework

Perceived Knowledge Possession and Adoption of Alternative Dispute Resolution Mechanisms

Some research has been done on the effect of Perceived Knowledge Possession in ADR on the uptake of change, innovation, and technology. For instance, Bachar's (2017) dissertation concentrated on factors influencing the financial inclusion of oppressed and underprivileged individuals in rural

northeast India. The findings of this study point to a number of variables, including but not limited to financial information from a variety of sources, financial education, and awareness of rural residents with low incomes, which support the financial inclusion of disadvantaged populations in distant locations. Some of the key indicators in relation to how it is likely to affect the Adoption of ADR mechanisms are sensitization, referrals by third

parties, and understanding of ADR methods and techniques.

Sensitization

The study by Hann (2019) discovered that the absence of information significantly impacts the usage of ADR in resolving disputes in Malaysia's building projects. The limited application of ADR strategies for dispute resolution was due to mediation's lack of specifics. On the other hand, Soorige (2015) contends that a lack of understanding seriously harmed the decision to adopt ADR in resolving disputes that arose in building projects in the Philippines. The Adoption of ADR mechanisms strategies was negatively impacted by the lack of mediation expertise, limited knowledge of conciliation, and inadequate understanding of arbitration. Kariuki (2018) found that ignorance significantly negatively impacted the usage of ADR for dispute resolution in building projects in India. The limited use of conciliation, mediation, and negotiation was largely influenced by the lack of awareness of these ADR techniques. Finally, Olapade (2019) indicates that efforts to raise awareness had an important positive impact on the use of ADR in assessing disputes in Iran's construction projects. Awareness workshops and seminars were essential in spreading and enhancing knowledge about negotiation, mediation, and arbitration.

Referrals by Third Parties

Adebayo (2018) evaluated the impact of investments in communication of information technology on the profitability of small- and medium-sized businesses in Nigeria. The study found that the manager's educational background significantly affected the range of ICT use. Concluded that ICT investment in skills positively affects the profitability of SMEs. Price (2018) also discussed individual awareness as a factor influencing the acceptance and implementation of mobile banking. Divergences between studies about criteria that prevented respondents from providing financial information included behavioral traits, comfort, usability, and education.

Separately, Abdumalikovna (2021) observed that the Adoption of ADR mechanisms in Saudi Arabia was negatively impacted by a lack of understanding of its potential for resolving disputes in building projects. It was found that limited use of ADR methods was caused by a lack of experience in mediation, inadequate negotiating comprehension, and limited knowledge possession of conciliation processes. Also, Ali (2019) found that a lack of comprehension significantly impacted the uptake of alternative conflict management for resolving disputes within Nigeria's building projects. According to the findings, limited usage of ADR methods was due to a lack of knowledge of conciliation, insufficient knowledge of negotiation, and poor Perceived Knowledge Possession in ADR of arbitration.

Understanding of ADR Methods and Techniques

Bachar (2017) found that lack of knowledge significantly affected decisions to use ADR in building projects. It was noted that the limited usage of ADR strategies for dispute resolution was significantly influenced by insufficient award awareness. Gharib (2017) also noted that the use of ADR in resolving disputes in Kuwait's building projects has been considerably constrained by a lack of knowledge. As per the findings, decisions to use arbitration, negotiation, and mediation were negatively impacted by insufficient knowledge about conciliation processes and a lack of awareness of ADR methods. Soorige (2019) emphasized the importance of knowledge accumulation and distinguished between passive information acquisition and cost-intensive active information collecting. Data from agricultural practices in North-West India identified farmers' knowledge levels as key to the proliferation of the Adoption of ADR mechanisms, especially through the use of technology.

Adoption of Alternative Dispute Resolution Mechanisms

Adoption of Alternative Dispute Resolution are the methods of dispute resolution other than courtroom litigation (GoK, 2010). Reconciliation,

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mediation, arbitration, and traditional dispute settlement are all recognized ADR mechanisms under Kenya's constitution which is supreme. However, different countries may give diverse weightage as to the appropriateness or inappropriateness in use of adoption of ADR mechanisms. For instance, Shwani (2021) in bringing to light a case in Philippine's, contends that the reason for adopting ADR mechanism in the resolution of industrial disputes arose in building projects which were seriously harmed by a lack of understanding. The adoption of ADR strategies for resolving construction industrial disputes was negatively impacted by the lack of mediation expertise, limited knowledge of conciliation, and inadequate understanding of arbitration.

METHODOLOGY

Research Design

A descriptive survey design was adopted in this study to gather information on factors influencing the Adoption of ADR mechanisms of Trade Unions in Kenya. The approach was appropriate because the study aimed to gather data on pertinent respondents' attitudes, perspectives, and behaviors regarding the Adoption of ADR mechanisms by Kenyan Trade Unions (Kathleen & Immy, 2020). Additionally, quantitative research designs were used, as the data collected through questionnaires from respondents were easily analyzed using standard statistical tools. The tools enabled the researcher to test hypotheses and identify relationships between variables with a high degree of accuracy. By employing statistical techniques, it drew meaningful conclusions and informed decisions based on empirical evidence (Creswell & Creswell, 2018).

The primary objective of the descriptive research design was to investigate the specific characteristics of the identified group in relation to both the present and an uncertain future. Descriptive research helped to determine relationship between collected data and observation in statistical analysis. According to (McCombes, 2020),

descriptive research accurately and methodically describes the features of the population, situation and phenomena. This design was adopted due to its nature of integrating various components in a logical way for the purpose of effectively addressing the problem, thus constituting the blueprint for collecting, measuring and analyzing data (Tashakkori, 2020).

Target Population

Tashakkori (2020), states that target population is made up of all the elements of a study area. Sekaran (2016) asserts that the target population is the group of people to whom the survey is applied and who draw inferences from it. (Smith J. , 2021). As of 2024, there were 43 registered trade unions Kenya. The prominent and active unions were 15.. The study population for this study were 15 prominent trade unions as some of the trade unions were not active and access to reliable data was low and the union official expert insight was not available. The industries included: Education, Healthcare, Domestic Hotels, Education, and Healthcare, Agriculture, Media, Hospitality, Transport, Chemical and Allied Industries, Food and Allied Industries, Construction, and Aviation. These unions collectively represent over 2.5 million members and are affiliated with the Central Organization of Trade Unions (COTU-K), which serves as the national trade union center in Kenya (2024-2025 Keweb) (COTU Kenya). In view of this, the study focused on specific trade unions based on several criteria to ensure a comprehensive and representative analysis of trade union activities across various sectors in Kenya. The selection of trade unions for the study was based on a systematic approach involving sectorial representation, union size, geographical and institutional coverage, and historical and socio-economic importance. The scientific method employed included a comprehensive literature review, data collection from official sources such as the Central Organization of Trade Unions (COTU-K), and expert consultation to validate the criteria and relevance of the chosen unions. Inclusion and

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exclusion criteria were clearly defined to focus on unions with significant impact and reliable data availability. Unions not included were excluded due to sectorial overlap, smaller membership size, limited data, and narrow geographical or institutional focus (Central Organization of Trade Unions, n.d.; Keweb, 2024). The unit of analysis or the respondents of the study were trade union officials from the 15 registered trade unions in Kenya. Therefore, the study target population was trade union officials from 15 prominent registered trade unions in Kenya.

Although dispute resolution is a joint process done by organizational management and Trade Unions, it was believed that the Trade Union officials already have as much information as organizational managers regarding the factors influencing the Adoption of ADR mechanisms. The list of trade unions was acquired through Central Organization of Trade Unions website. Additionally, it was ensured that all relevant unions were included so that the list reflected the landscape of Kenyan Trade Unions relevant to the study's objectives.

Table 1: Population Size

Sectoral Grouping	No. of Trade unions	Population Size
Public Sector Union	4	1658
Private Sector Union	3	720
Specific Industry Unions	8	1935
Total	15	4313

Source: Central Organization of Trade Unions. (n.d.)

Sampling Frame

According to Tashakkori, a sampling frame is one that is selected from a group of sources to derive the sample size (Tashakkori, 2020). Kathleen and Immy (2017) define sampling frame as the list that contains the names of all elements of a universe. Sampling frames describe how a specific population of the target group is chosen to participate in the study.

To select the trade unions for this study, a systematic sampling approach was employed. This involved using a comprehensive list of registered 15 trade unions in Kenya. This COTU registry provided a comprehensive and up-to-date listing of all legally recognized trade unions, ensuring that the sample was both relevant and representative. From the table 1, a stratified sampling method was applied to ensure representation across various sectors which include Public, Private and Specific Industry and industries which included unions from Education 2, Healthcare 5, Domestic Hotels, Education, and Healthcare 1, Agriculture 1, Media 1, Hospitality 1, Chemical and Allied Industries 1, Food and Allied Industries 1, Construction 1, Transport and Aviation

1. This approach aimed to achieve a diverse and representative sample of 354 union officials therefore enhancing the reliability and generalizability of the study's findings. The selection process was appropriate because of the need to gather data from those with direct experience and authority within the trade unions, thereby enhancing the validity and reliability of the study's findings.

Sample and Sampling Technique

Sampling Technique

Sampling is the act of choosing specific individuals to serve as the population's representative in order to reduce the need to examine the entire population (Saunders, 2019). The study used a stratified sample population due to the huge size of the population. Stratified random sampling technique was used to select the respondents for the study with a goal of preserving the population's objectivity and generality. Because each strata uses ADR mechanisms differently to settle their industrial disputes, stratified sampling is ideal since each stratum is assumed to have its own unique

traits. Further, the questionnaires utilized were packaged differently for each stratum. Thus, to protect the generality and implications of the study of the target population, simple random was used to distribute the questionnaire to each stratum.

During the sampling procedure, the population size was classified into 3 sectorial subgroups were defined first which include the Public Sector, the Private sector, and the Specific Industry from the population of 15 major trade unions of various industries with a total population of 4,313 union officials. The sampling entailed stratifying the subgroups by trade union sectors as mentioned above, from different industries which include Education, Healthcare, Domestic Hotels, Agriculture, Media, Hospitality, Chemical and Allied Industries, Food and Allied Industries, Construction, and Aviation. The reason is that there was a need to understand the dynamics of labor relations, collective bargaining, and workforce representation within different sectors and industries and how members' specific needs and concerns, and how unions may impact HR policies and practices. Therefore, there were 11 industries, each representing a unique trade union sector membership composition as shown in Table 1.

Sample Size

A sample is defined as a portion of a population, and its use is thought to be both timely and cost-effective (Kathleen & Immy, 2017). After identifying the three strata and each stratum's total membership composition, a proportion of Union Officials was randomly selected from each stratum. Since the focus was to have a representative sample of 354 respondents, the formula by Gordon, (2019) was employed in determining the research study's sample size as shown below.

$$ n = \frac{N}{1 + N\alpha^2} \qquad (3.1) $$

Where:
n= Sample size
N = Total sample frame (Target population)
α = the margin of error (0.05) %
A sample size of 354 Trade Union Officials was arrived at as follows:

$$ n = \frac{4313}{1 + 4313 \times 0.05^2} = 354 $$

Table 2: Sample Size

Sectoral Grouping	No. of Trade unions	Population Size	Sample Size
Public Sector Union	4	1658	136
Private Sector Union	3	720	59
Specific Industry Unions	8	1935	159
Total	15	4313	354

Source: Central Organization of Trade Unions. (n.d.)

Data Collection Procedure

Prior to data collection the researcher obtained authorization letter from Technical University of Mombasa and a license to conduct the research from National Commission for Science, Technology and innovation (NACOSTI). The intended respondents were assured before to the questionnaire's administration, that their information would remain confidential.

Validity and Reliability of Research Instrument

One of the requirements of the research before data is collected is to ensure that the tools of data collection should be able to provide same responses under similar environment from time to time. This was done by carrying out, the reliability test. In this research Cronbach's alpha test was used. If the Cronbach's Alpha value is at 0.60 and below, it would mean that the instrument has a low reliability and it's unacceptable. If the value of Cronbach's Alpha is within the range of 0.60 to 0.80,

it means that the value of Cronbach's Alpha is a moderate and acceptable reliability measure, Daud et al 2018. The results of reliability are presented in Table 3.

Table 3: Cronbach's Alpha Values

Variable	Number of Items	Co-efficient Alpha	Comment
Perceived Knowledge Possession in ADR and awareness	7	0.780	Accepted
Existence and Nature of Work Place Grievances	4	0.692	Accepted
Adoption of ADR Mechanisms	4	0.729	Accepted
Overall	34	0.920	Accepted

Table 3 shows the Cronbach's Alpha value was more than 0.6 hence the tool was reliable.

Validity Results

One of the requirements in research is to carry out a validity test before carrying further analysis. To test for validity Pearson correlation coefficient was computed between the total sum of the scores and each question. A p-value of less than 0.05 indicates that there is validity.

DATA ANALYSIS AND RESULTS

Quantitative data was subjected to data analysis. Multiple regression analysis, normality test, multicollinearity, heteroscedasticity, linearity, autocorrelation and moderation effect were used to analyze quantitative data. KMO, Bartlett's test was used to measure the sample adequacy. Hypothesis testing was conducted to establish the link between the variables.

Research Findings and Discussion

Response Rate

During the data collection process, 354 questionnaires were distributed using a drop-and-pick method, but only 300 completed questionnaires were retrieved. This shortfall was due to the unavailability of the respondents during the scheduled pick-up time and the decision by some of them to withdraw their participation. To ensure a comprehensive dataset, additional efforts were made to reach out to these respondents through follow-up emails and phone calls. Despite these efforts, it was not possible to obtain responses from all initially targeted participants. As a result, the final dataset did not include responses from every participant who initially received a questionnaire. This translated to a response rate of 84.75% which is above the 50% threshold response rate proposed as adequate for measuring objectives by Theuri (2015) and Duncan et al., (2015). The response rate is given in Table 4.

Table 4: Response Rate

Response	Frequency	Percentage
Responded	300	84.75%
Did Not Respond	54	15.25%
Total	354	100.00%

Source: Researcher (2024)

Based on Table 4, the response rate was relatively high because 94.94% of the informants responded to the questionnaire, while 5.06% did not. The high response rate might be attributed to the high level of training given to enumerators. Rodriguez-Segura and Schueler (2023) note that the training of enumerators improves their competence in data collection. The numerous call backs and many reminders sent to the respondents also increased their response rate.

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Descriptive statistics

The elements of Perceived Knowledge Possession in ADR were coded and transformed into ratio scale from which the mean and standard deviations were computed. The proportion of responses per scale was also determined for each element as given by Table 5.

Table 5: Descriptive Results of Perceived Knowledge Possession in ADR

	SD	D	NS	A	SA	Mean	Standard deviation
There is a good sensitization on ADR of Trade Unions	27.7	10.3	9.7	24.7	27.7	3.14	0.9597
ADR process ensures referral by third party	5	29	18.3	33.7	14	3.23	0.9157
Employee confidentiality is assured during dispute resolution using ADR methods and techniques.	12.3	15.7	17.7	33.3	20.7	3.41	0.9454
Trade Unions ensures good understanding of ADR methods	19	8.7	13.7	31	27.7	3.40	0.969
Union leaders attend labour dispute and ADR sensitization seminars	20.3	13.3	18	32.3	16	3.10	0.938
Trade unions in Kenya only learn about ADR through the media	13	42.7	11	21	12.3	2.77	0.9266
Some organizations learn about ADR only when there is labour dispute.	29.7	16.7	5	27.7	21	2.94	0.9573

Key Scale

1.0 – 1.49 = Strongly Disagree

1.50 – 2.49 = Disagree

2.50 – 3.49 = Neutral

3.50 – 4.49 = Agree

4.50 – 5.00 = Strongly Agree

Results from Table 5 show that on average the respondents were not sure with most of the statements with the mean ranging from 2.77 to 3.41. However, all the respondents were in agreement that all the statements on Perceived Knowledge Possession in ADR had an influence on the Adoption of ADR Mechanisms as evidenced by high standard deviation that was above 0.9. The results are in agreement with the past researchers that knowledge has a great influence on the Adoption of ADR Mechanisms.

It was on the same line that Ali (2019) discovered evidence in his research that pointed to a lack of comprehension that had a significant impact on the uptake of alternative conflict management for resolving disputes within Nigeria's building projects.

Lack of knowledge significantly affected decisions to use ADR in building projects (Bachar, 2017). They argued, in particular, that limited usage of this ADR strategy for dispute resolution in construction projects was significantly influenced by insufficient award awareness. Limited usage of these ADR methods for resolving disputes in building projects was caused by lack of knowledge of conciliation, insufficient knowledge of negotiation, and poor knowledge of arbitration.

Perceived Knowledge Possession in ADR was assessed by only one measure whose descriptive results are given in Table 5 on a scale of 1 to 5 (where 5 = Strongly Agree and 1 = Strongly Disagree).

Descriptive results of Adoption of ADR

The elements of the Adoption of ADR Mechanisms were coded and transformed into a ratio scale from which the mean and standard deviations were computed. The proportion of responses per scale

was also determined for each element as given by   Table 6.

Table 6: Descriptive Results of Adoption of ADR Mechanisms

Statements	SD	D	NS	A	SA	Mean	Standard Deviation
Level of adoption of ADR is higher compared to previous times	29.3	22	13.7	20.3	14.7	2.69	0.9447
Percentage of cases submitted and processed through ADR process affect the Reliability & Responsiveness of Trade Unions	9.3	33.3	18.7	23.3	15.3	3.02	0.9248
The alternative agreement options provided by ADR are effective in motivating employees and meeting the needs of all parties involved	22	23.3	13	24	17.7	2.92	0.9435
Effectiveness of ADR has a greater positive contribution to the resolution of disputes compared to alternative agreement methods contributes	32.7	17.3	9.3	21	19.7	2.78	0.956

Key Scale

1.0 – 1.49 = Strongly Disagree

1.50 – 2.49 = Disagree

2.50 – 3.49 = Neutral

3.50 – 4.49 = Agree

4.50 – 5.00 = Strongly Agree

Results from Table 6 shows that on average the respondents were somehow unsure and/or disagreed with most of the statements with a mean ranging from 2.65 to 3.09. The majority of the respondents disagreed that the cases submitted and processed through ADR process affect the reliability and responsiveness of trade unions at 51.3% while 35% agreed. Further, 42.6% of the respondents disagreed that the Adoption of ADR Mechanisms process has an effect on the quantity of effective alternative, and 38.6% agreed cumulatively. Lastly, 50% of the respondents disagreed that the use of ADR had any effect on the motivation of employees while 40.7% were in agreement. Therefore, on average, respondents did not agree with the three constructs on the Adoption of ADR Mechanisms.

Uwazie (2021) discovered evidence in research that pointed to a lack of comprehension that had a significant impact on adopting alternative dispute resolution for resolving disputes in Nigeria's building projects. They specifically mentioned how limited usage of these ADR methods for resolving disputes in building projects was caused by a lack of Perceived Knowledge Possession in ADR of conciliation, insufficient Perceived Knowledge Possession in ADR of negotiation, and poor Perceived Knowledge Possession in ADR of arbitration. Lack of Perceived Knowledge Possession in ADR significantly affected decisions to use ADR in building projects (Kathpalia, 2020). They specifically claimed that limited utilization of this ADR approach for dispute settlement in construction projects was due in large part to insufficient award awareness.

Adoption of ADR Mechanisms was assessed by one measure whose descriptive results are given by Table 6 on a scale of 1 to 5 (where 5 = Strongly Agree and 1 = Strongly Disagree).

Correlation Results

Correlation analysis was used to determine the strength, significance of the strength, and direction

of the relationship between any independent variable and dependent variable. Pearson correlation coefficient was computed between each independent variable and the dependent variable. Pearson correlation coefficient values range between -1 and +1. Values at the extremes (close +1 or -1) indicate a strong relationship between the independent and the dependent variable. Values close to zero point to a weak relationship between the variables. The significance of the relationship is determined by the size of the p value of the correlation coefficient. A p value less than the specified level of significance (usually 0.05 but not always) indicates that the relationship is significant at that level. This was in support of results by researcher on Adoption of Alternative dispute resolution and coded significance relation between the independent variable and the dependent variable (Thakur, 2019). Pearson correlation coefficient was obtained and the resultant matrix is presented in Table 7.

Table 7: Correlation Matrix Results

Variables		Perceived Benefit of ADR	Perceived Effectiveness of Communication and Documentation in ADR	Perceived Knowledge Possession in ADR	Finality and Binding Level of ADR Decisions	Workplace Grievances	Adoption of ADR Mechanisms
Perceived Knowledge Possession in ADR	N	300	300				
	r	.646**	.527**	1			
	p	.000	.000				
	N	300	300	300			
Workplace Grievances	r	.547**	.634**	.732**	.725**	1	
	p	.000	.000	.000	.000		
	N	300	300	300	300	300	
Adoption of ADR Mechanisms	r	.619**	.708**	.733**	.721**	.789**	
	p	.000	.000	.000	.000	. 000	
	N	300	300	300	300	300	

**. Correlation is significant at the 0.01 level (2-tailed).
R=Correlation coefficient
P=P Value
N= Sample size
Key Scale
 |r|≥0.8: Very strong correlation
0.6≤| 0.80: Strong correlation
 0.4≤|r|<0.60: Moderate correlation
 0.2≤|r|<0.4: Weak correlation
|r|<0.2: Very weak or no correlation

From Table 7, it can be seen that there were significant relationships between each and every independent variable and the dependent variable. The correlation coefficient The correlation coefficient between Perceived Knowledge Possession in ADR and Adoption of ADR Mechanisms was 0.733 with a P value of 0.000. This was a strong positive significant relationship; as Perceived Knowledge Possession in ADR increases Adoption of ADR Mechanisms increases linearly keeping other factors constant. The correlation between the moderating variable and the independent variable is 0.789 with a P value of 0.000. This was a strong positive significant relationship; as Workplace grievances increase Adoption of ADR Mechanisms increases linearly

keeping other factors constant. These results were in line to the findings by Muathe (2020) that there was a strong positive relation between the independent variables and the ADR.

Regression Analysis

The main objective of this research was to determine the influence of independent variables on the dependent variable and further check on the moderating effect of the Workplace Grievances on the influence of the independent variables on Adoption of ADR Mechanisms. To achieve these two multiple linear regression models were fitted. Model 1 contains the independent variables only while model 2 contains both independent and moderating variables. The findings are also consistent with those of (Ele, 2020) who found out that workplace grievance as moderating variable has no significant impact on the independent variable and dependent variable.

Multiple Linear Regression Model

The overall linear regression model was fitted between the independent variables and ADR with work place grievances as the moderating variable. The results obtained are presented in Tables 8.

Model Summary

The model summary was obtained presenting the predictive powers of the two models

Table 8: Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.771[a]	.595	.590	.78226
2	.836[b]	.699	.691	.67886

a. Predictors: (Constant), Perceived Knowledge Possession in ADR
b. Predictors: (Constant), Perceived Knowledge Possession in ADR, Workplace grievances
c. Dependent Variable: Adoption of ADR Mechanisms

Table 8 model 1 shows that R square (Coefficient of determination) is 0.595. This implies that the independent variables account for 59.5% of all the variations in the adoption of ADR Mechanisms. Other factors not in the model accounting for 40.5% of the variation in the adoption of ADR Mechanisms. In model 2, workplace grievances are introduced as a moderating variable and this makes the R square increase to 0.699. This implies that the introduction of workplace grievances increases the variations in the adoption of ADR Mechanisms by only 10.4%; the variation in the adoption of ADR Mechanisms accounted for by the model is 69.9%.

The findings concur with those of Gramberg (2002) and (Colvin, 2003), who found that workplace grievances have an influence on the adoption of ADR Mechanisms although they may be insignificant.

Goodness of Fit of the Model

The ANOVA table was obtained to help ascertain the goodness of fit of the model. In the ANOVA table, the null hypothesis is that none of the independent variables have a significant influence on the dependent variable. The null hypothesis is rejected when the p-value is less than 0.05. Table 9 presents the ANOVA table.

Table 9: ANOVA: Model Summary: Multiple Variables

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	265.256	4	66.314	108.369	.000[b]
	Residual	180.518	295	.612		
	Total	445.774	299			
2	Regression	311.667	8	38.958	84.536	.000[c]
	Residual	134.107	291	.461		
	Total	445.774	299			

a.   Dependent Variable: Adoption of ADR Mechanisms

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b. Predictors: (Constant), Finality and Binding Level of ADR Decisions, perceived benefit of ADR, Perceived Knowledge Possession in ADR, Perceived Effectiveness of Communication and Documentation in ADR

c. Predictors: (Constant), Finality and Binding Level of ADR Decisions, Adoption of ADR mechanisms, Perceived Knowledge Possession in ADR, Perceived Effectiveness of Communication and Documentation in ADR, Workplace Grievances,

Table 9 shows that for model 1 the F value was 108.369 with a P value of 0.000 which implies that the model was a good fit and at least one of the independent variables has a significant influence on Adoption of ADR Mechanisms.

In model 2 the introduction of Workplace Grievances reduces the F value to 84.536 with a P value of 0.000. This implies that Workplace Grievances could be having no significant moderating effect on the influence of independent variables on the Adoption of ADR Mechanisms in line with the findings presented by (Gramberg, 2002; Colvin, 2003).

Regression Coefficient

To determine which specific variables had significant influence on the Adoption of ADR Mechanisms, regression coefficients were computed and results were presented in Table 10. The results in Table 10 have two models; model 1 contains only the independent variables while model 2 contains the independent variable, moderating variable, and the interaction effect between the moderating and independent variables.

Table 10: Regression Coefficient

Model		Unstandardized Coefficients		Standardized Coefficients		
		B	Std. Error	Beta	T	Sig.
1	(Constant)	-.231	.181		-1.276	.203
	Perceived Knowledge Possession in ADR	.369	.087	.330	4.250	.000
	Finality and Binding Level of ADR Decisions	.221	.077	.227	2.890	.004
	Perceived Knowledge Possession in ADR	.259	.187	.231	1.381	.168
	Perceived Knowledge Possession in ADR Workplace Grievances	-.018	.063	-.099	-.285	.776

a. Dependent Variable: Adoption of ADR Mechanisms

Model 1 in Table 10 shows that all the independent variables have significant influence on the Adoption of ADR Mechanisms since the P value of their test statistics are less than 0.05. The resultant optical model is given by Equation 1.

$$Y = 0.215X_1 + 0.253X_2 + 0.369X_3 + 0.221X_4$$

(1)

From the equation it can be seen that: for every unit change in perceived benefit of Adoption of ADR Mechanisms increases by 21.5% keeping other factors constant; For every unit change in Perceived Knowledge Possession in ADR, Adoption of ADR Mechanisms increases by 36.9% keeping other factors constant while, Adoption of ADR Mechanisms increases by 22.1% keeping other factors constant.

From model 1 in Table 10, there was no variable that had significant influence on the Adoption of ADR Mechanisms. Therefore, there was no significant moderating effect of Workplace Grievances on the influence of the independent variables on the Adoption of ADR Mechanisms (Kariuki, 2018).

Workplace Grievances were tested to explore whether this variable moderates the relationships between the independent variable and the dependent variable. The results showed that none

Hypothesis Testing

In this research there were five hypotheses to be tested to measure each of the specific objectives stated in chapter one.

Hypothesis one

The first null hypothesis was stated as

H_{01}: Perceived Knowledge Possession in ADR has no significant influence on the Adoption of ADR Mechanisms.

This was tested using a regression model fitted in equation 1 where the P value (0.000) of the t-test was found to be less than 0.05. The null hypothesis was rejected implying that Perceived Knowledge Possession in ADR has a significant influence on Adoption of ADR Mechanisms.

of these interactions were statistically significant. The magnitude of effect on the actual impact of Workplace Grievances on the relationship between predictors and the outcome might be too small to detect given the current sample size and statistical power. A smaller sample size can limit the ability to detect significant interactions, leading to potential Type II errors where true effects are not identified. The complex Interactions in the relationship between the predictors and the dependent variable might involve more complex interactions than were accounted for in the current model.

The second null hypothesis was stated as

H02: Workplace Grievances have no significant moderating effect on the perceived benefit of ADR, Perceived Effectiveness of Communication and Documentation in ADR, Perceived Knowledge Possession in ADR, and finality and binding level decisions in their influence on the adoption of Alternate Dispute Resolution mechanisms of Trade Unions in Kenya.

5 (a) Workplace grievances have no significant moderating effect on the relationship between perceived knowledge possession in ADR and the adoption of ADR Mechanisms

Table 11: Summary of Research Hypotheses

Null Hypothesis	Results	Comments
1. Perceived knowledge possession in ADR has no significant influence on the adoption of ADR mechanisms	.000	Rejected
2. Work place grievances has no significant moderating effect on the influence of perceived knowledge possession in ADR on the adoption of ADR	.776	Fail to reject

SUMMARY

The objective of this study was to establish how Perceived Knowledge Possession in ADR influences the adoption of alternative dispute resolution mechanisms of trade unions in Kenya. Descriptive statistics showed that on average the respondents

were not sure about the indication that trade unions in Kenya demonstrate a keen awareness and understanding of ADR methods, ensuring employee confidentiality and actively participating in a labor dispute and ADR sensitization seminars, although some organizations only become aware of ADR

through media or when faced with a labor dispute, highlighting the need for wider education and training initiatives. However, all the respondents were in agreement that all the statements on Perceived Knowledge Possession in ADR had an influence on the Adoption of ADR Mechanisms. The inferential statistics indicated correlation coefficient between perceived Knowledge Possession in ADR and adoption of ADR mechanism was 0.733 with a P value of 0.000 shows there was strong positive and significant relationship. The regression analysis results gave standardized coefficient (Beta) of 0.330 which indicates a strong positive and statistically significant effect, indicating that greater perceived knowledge in ADR is strongly associated with the dependent variable. The null hypothesis indicated that Perceived Knowledge Possession in ADR does not have a significant influence on Adoption of ADR mechanisms of trade unions in Kenya was rejected in favor of the alternative. This was tested using a regression model and the rejection of null hypothesis implied that Perceived Knowledge Possession in ADR had a significant influence on the Adoption of ADR Mechanisms.

CONCLUSION

The objective of this study was to establish how perceived knowledge possession in alternative dispute resolution (ADR) influences the adoption of ADR mechanisms of trade unions in Kenya. Descriptive statistics revealed that respondents were generally uncertain about the level of awareness and understanding of ADR methods among trade unions in Kenya. While some respondents noted that trade unions actively participate in labor dispute and ADR sensitization seminars and ensure employee confidentiality, others indicated that some organizations only become aware of ADR through media or when faced with a labor dispute. This underscores the need for broader education and training initiatives in ADR. Despite this uncertainty, all respondents agreed that perceived knowledge possession in ADR influences the adoption of ADR mechanisms. The correlation analysis showed a strong, positive, and

significant relationship between perceived knowledge possession in ADR and the adoption of ADR mechanisms. This implies that as perceived knowledge possession in ADR increases, the adoption of ADR mechanisms also increases linearly, keeping other factors constant.

Regression results further confirmed that perceived knowledge possession in ADR has a direct and meaningful influence on the adoption of ADR mechanisms of trade unions in Kenya. Specifically, a unit increase in perceived knowledge possession in ADR would lead to an increase in the adoption of ADR mechanisms, assuming other factors remain constant. The null hypothesis, which stated that perceived knowledge possession in ADR does not significantly influence the adoption of ADR mechanisms of trade unions in Kenya, was rejected in favor of the alternative. This indicates that perceived knowledge possession in ADR significantly influences the adoption of ADR mechanisms.

These findings align with previous research, such as Ali (2019), who found that a lack of comprehension significantly impacts the uptake of alternative conflict management methods for resolving disputes within Nigeria's building projects. Bachar (2017) also noted that limited use of ADR strategies for dispute resolution in construction projects was significantly influenced by insufficient awareness of awards, conciliation, negotiation, and arbitration. In conclusion, perceived knowledge possession in ADR plays a significant role in the adoption of ADR mechanisms of trade unions in Kenya. Enhancing knowledge and awareness through education and training initiatives is crucial for increasing the adoption of ADR methods in labor disputes.

Workplace Grievances on the Adoption of ADR Mechanisms

The moderating variable of this study was to determine the influence of Workplace Grievances on the adoption of alternative dispute resolution mechanisms of trade unions in Kenya. Descriptive statistics showed that the respondents were somehow unsure of whether the mediation,

arbitration, negotiation, and conciliation processes in ADR collectively impact the performance of an organization with a mean ranging from 2.69 to 3.09. Further, the respondents strongly disagreed that the mediation process in ADR had effects on the adoption of alternative dispute resolution mechanisms. Arbitration, negotiation, and conciliation processes as well seemed to have no effect on the adoption of alternative dispute resolution mechanisms.

The inferential statistics results where regression results showed that Workplace Grievances had a significant influence on the adoption of alternative dispute resolution. This meant that a unit increase in the Workplace Grievances of ADR would lead to Adoption of ADR Mechanisms while keeping other factors constant. The regression results gave a standardized Coefficient (Beta) of 0.175 which The conclusion underscores the critical role of perceived knowledge possession in the adoption of ADR mechanisms of trade unions in Kenya. To improve the effectiveness and adoption of ADR, the following recommendations are proposed. Expand education and training programs by developing and implementing comprehensive training on ADR methods, including mediation, arbitration, negotiation, and conciliation. These programs should target trade union leaders, members, and relevant stakeholders to enhance their understanding and application of ADR mechanisms. Offer continuous learning opportunities through workshops, seminars, and online courses to keep trade union members updated on ADR practices and developments. Increase awareness and accessibility by launching awareness campaigns to educate trade unions about the benefits and processes of ADR. Utilize various media channels, including social media, newsletters, and community meetings, to reach a broader audience. Use case studies and real-world examples to illustrate the application of ADR methods, highlighting successful ADR cases and their positive outcomes to demonstrate the effectiveness of these methods.

indicated a positive but not statistically significant, indicating that workplace grievances do not significantly affect the dependent variable in this research. The null hypothesis that workplace grievances have no significant moderating impact on the influence of perceived benefit of ADR, level of documentation and confidentiality in ADR, Perceived Knowledge Possession in ADR, and final and binding level of ADR decisions on the adoption of Alternative Dispute Resolution mechanisms of Trade Unions in Kenya was rejected. This was tested using regression and the rejection of the null hypothesis implied that Workplace Grievances did not have a significant influence on the Adoption of ADR Mechanisms.

RECOMMENDATION

Promote collaboration with ADR experts by establishing partnerships with ADR practitioners and organizations to facilitate knowledge sharing and provide expert guidance. Invite ADR experts to conduct workshops and provide mentorship to trade union members. Support research and development by encouraging research on the impact of ADR knowledge on dispute resolution outcomes and the factors influencing its adoption. Use research findings to inform and improve ADR training and implementation strategies. Trade unions should emphasize the importance of the processes by educating members about the legal implications of ADR outcomes and the enforceability of decisions through training programs and legal seminars.

Trade unions should still address grievances promptly and effectively to prevent disputes from escalating and promote a positive work environment. Mediation and conflict resolution training programs can be implemented to equip members with the skills to resolve disputes amicably.

Workplace Grievances Recommendations

Based on the findings of this study, it is recommended that trade unions in Kenya adopt a more nuanced approach to managing workplace grievances to enhance the effectiveness of alternative dispute resolution (ADR) mechanisms. The results indicate that while the nature of grievances and ADR processes like arbitration, negotiation, and conciliation may not directly affect ADR adoption, nature of workplace grievances significantly influence its implementation. Therefore, trade unions should focus on developing and implementing comprehensive grievance handling policies and strategies that address the complexities and dimensions of workplace disputes. Additionally, training and resources should be provided to improve understanding and management of grievances, and to ensure that ADR mechanisms are more effectively utilized. This approach should help in better aligning grievance management practices with ADR processes, potentially improving organizational performance and resolving disputes more efficiently.

Suggestions for Further Study

Future scholars should conduct a study on the employers' perspective to test the application of the results for comparison of the findings. Further, there should be an examination of trends and perceptions in other areas away from labour issues on the Adoption of ADR Mechanisms in terms of dispute resolution. It will be essential to explore the effectiveness of specific educational interventions, such as workshops or training programs, in increasing the Adoption of ADR mechanisms of trade unions in Kenya. Additionally, future research could investigate the role of leadership within trade unions in promoting the Adoption of ADR Mechanisms, as well as the impact of organizational culture on the willingness of trade unions to embrace ADR. Furthermore, longitudinal studies could be conducted to track the long-term effects of Adoption of ADR mechanisms on organizational performance and employee satisfaction. Lastly, comparative studies could be conducted to assess the differences in Adoption of ADR mechanisms between trade unions in Kenya and those in other countries and the effect of workplace grievances on adoption of ADR mechanisms of trade unions in Kenya. This will help create literature for understanding whether ADR is an effective method of settling disputes between parties from different sectors of the economy.

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