

Adopting the best dispute resolution method in the Travel and Hospitality industry using Multi-Attribute Decision Making Models^{1, 2}

Laura Bierling

ABSTRACT

Travel and Hospitality industry faces regular disputes between the different stakeholders and at different levels. This paper reviews the different dispute resolution methods in the Travel and Hospitality Industry. After a brief description of each alternative to dispute resolution, those alternatives are compared to each other regarding chosen criteria. Those seven criteria are weighted according to their level of importance for dispute resolution. This analysis using the Multi-Attribute Decision-Making method allows us to conclude that Negotiation is the best dispute resolution method in the Travel and Hospitality Industry. On the other hand, this paper also shows the worst dispute resolution in this kind of industry. Between the best and the worst one, other important alternatives need however to be considered when discussing the dispute resolution method which is going to be used. It is hoped that this paper will provide useful advice for The Travel and Hospitality Industry to help them resolve the dispute in the most effective and efficient way.

Keywords: Dispute resolution, tourism, travel industry, tourism industry, ADR (Alternative Dispute Resolutions)

INTRODUCTION

“The Travel and Tourism represents 10,4% of the Global Gross Domestic Product (GDP) in 2018.”³ It is, therefore, an important sector whose proliferation and successful completion of projects must be encouraged. The smooth running of a project depends on the respect of the rules and clauses established by the two signatories of the contract. However, sometimes internal or external elements can disrupt the project and conflicts between project stakeholders can arise. The Travel and Hospitality industry regularly face disputes which can arise at any stage of the project, and that can often have a strong negative impact on one or both parties to the conflict and thus, on

¹ Editor’s note: Student papers are authored by graduate or undergraduate students based on coursework at accredited universities or training programs. This paper was prepared for the course “International Contract Management” facilitated by Dr Paul D. Giammalvo of PT Mitratata Citragraha, Jakarta, Indonesia as an Adjunct Professor under contract to SKEMA Business School for the program Master of Science in Project and Programme Management and Business Development. <http://www.skema.edu/programmes/masters-of-science>. For more information on this global program (Lille and Paris in France; Belo Horizonte in Brazil), contact Dr Paul Gardiner, Global Programme Director, at paul.gardiner@skema.edu.

² How to cite this paper: Bierling, L. (2019). Adopting the best dispute resolution method in the Travel and Hospitality industry using Multi-Attribute Decision Making Models, *PM World Journal*, Vol. VIII, Issue III (April).

³ World Travel and Tourism Council. (2018). Travel and Tourism Economic Impact 2018 World. Retrieved from <https://www.wttc.org/-/media/files/reports/economic-impact-research/regions-2018/world2018.pdf>

the project. These disputes are not diminishing, especially because of the development of online travel agencies (OTA's) and all travel meta-search. Indeed, these new entrants in the tourism industry encourage the multiplication of conflicts between the different partners.

Now, let's consider different definitions linked to Project and Program Management in order to better understand the link with the Travel and Hospitality industry.

	Definition	Example
Project	An investment that requires a set of logically linked and coordinated activities performed over a finite period in order to accomplish a unique result in support of a desired outcome”. ⁴	Development of a mobile app for the travel agency
Program	« A program is a collection of projects that are managed as a group in order to achieve efficiencies of scale. » ⁵ There are four types of programs – Strategic program, operational program, multi-project program, and Megaproject ⁶	Strategic program: Digitalization of the company Operational program: Reorganizing the different departments of the company Multi-projects programs: Elaborate a program in order to understand better customers choices Mega-project: Opening a new office in a new country
Assets	“A tangible or intangible resource with economic value that an individual, corporation or country owns or controls with the expectation that it will provide future benefit” ⁷ There are five types of assets “human assets, information assets, physical assets, financial assets, intangible assets”. ⁸	<ul style="list-style-type: none"> • Human assets: employees • Information asset: Customer list • Physical assets: Computers/Office • Financial assets: marketing budget • Intangible assets: the reputation of the company

⁴ Adapted from a Linked In discussion initiated by William R. Duncan 1/13/2018-
<https://www.linkedin.com/feed/update/urn:li:activity:6357416976318558208/>

⁵ Wrike (n.d.). What is a Program in Project Management? - Project Management Guide

⁶ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

⁷ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

⁸ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

Portfolio of projects	“a “portfolio of projects” is no different than any investment portfolio, the objective being to minimize the risk and optimize the return” ⁹	Having offices in different countries and doing different projects
Portfolio of assets	“portfolio of assets (resources) available to dedicate to projects, with the objective is to develop the best "mix" of projects which will generate the most favorable return on those assets” ¹⁰	All the employees, the equipment, furniture, offices, the capital, the ideas

Table 1. Definition and examples of the Guild terms¹¹

“The main causes of disputes between the different stakeholders are related to money issues such as payment or commission, they can also be related to the management of a partnership, and the role and rights of each.”¹² Moreover, disputes can also be customer-related.

Whatever the cause of the dispute, solutions must be found quickly to avoid the bankruptcy of the project and that of one or both parties in conflict.

Defining the method of conflict resolution once the dispute already engaged is not the right thing to do. It seems better to decide the dispute resolution method before the signing of a contract between the different parties, to make sure that they have agreed and approved the chosen method, then to facilitate the resolution of the dispute. It is then necessary and imperative to implement a clause on the resolution of disputes in contracts between different stakeholders. However, there are many different alternatives to manage disputes which are all good but not necessarily adapted to the Travel and Hospitality Industry. It is then important to analyze which one is the best.

Knowing how to resolve correctly a dispute is very important since disputes and conflicts arise inevitably in any type of projects. It is thus important to learn about the different ways to manage a conflict during a project and to choose the right method according to the type of Industry and its particular needs. Indeed, Project Management is also about taking into consideration the risks and resolving conflicts in order that the projects deliver the good product in time.

⁹ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

¹⁰ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

¹¹ By the author

¹² Norman, J. M., & Montejó, R. E. (2012, August 15). Hotel management agreement dispute resolution: a critical design challenge. Retrieved from <https://www.lexology.com/library/detail.aspx?g=c4064b47-119a-48f1-a763-d9f2a83e5065>

Studying here how to evaluate the best alternative for a dispute resolution in the Travel and Hospitality Industry, will provide the readers and the author the necessary tools and techniques, in order to best resolves Projects Disputes, whatever industry the Project belongs to.

Step 1: Problem recognition, definition, and evaluation

This **Fishbone Diagram** below illustrates the problem and its main causes:

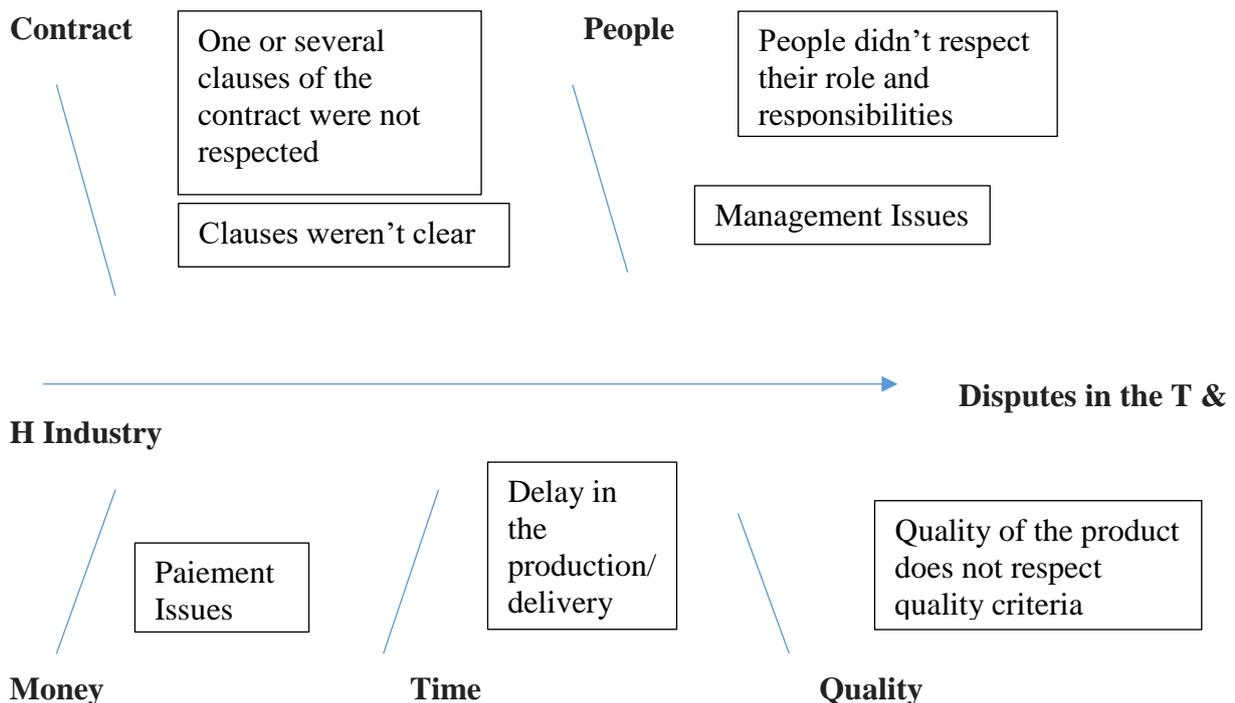


Figure 1. Fishbone Diagram¹³

It is necessary to understand how disputes in the Travel and Hospitality Industry are to be resolved so that it has the least negative impact on the project and on the two parties in conflict.

For some time now, the Hospitality and Travel industry will prefer to use Alternatives Disputes Resolution (ADR) in order to avoid going to court. Indeed, the ADR, include all the methods of resolving disputes expect the mitigation method. Thus, even within ADR, there are several methods of dispute resolution, and each of them has its advantages and disadvantages, which must then be compared and evaluated according to certain criteria. They will be defined by the author according to their importance for the success of the project. This will help decide which one is best suited for resolving conflicts in the Travel and Hospitality Industry.

¹³ By the author: Fishbone Diagram

Several questions then come to the author's mind:

- *What are the different alternatives in order to resolve disputes in the Travel and Hospitality Industry?*
- *Which criteria need to be taken into consideration in order to evaluate these different alternatives?*
- *What is the best effective dispute resolution method in the Travel and Hospitality Industry?*
- *What is the worst dispute resolution method?*

METHODOLOGY

Step 2: Development of Feasible Alternatives

Thus, as we have seen above, different alternatives to dispute resolution are possible, some require recourse to the court, while others such as those that are part of the Alternatives Disputes Resolution (ADR) do not need to go to the court. The different dispute resolutions that can be used in the Travel and Hospitality Industry are¹⁴

- **Litigation**
- **Arbitration**
- **Expert determination**
- **Meditation**
- **Negotiation**
- **Prevention**

Step 3: Development of the outcomes

- **Litigation¹⁵**

¹⁴ GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/settlement-negotiations-phase>

¹⁵ Pon Staff. (2018, July 19). What are the Three Basic Types of Dispute Resolution? What to Know About Mediation, Arbitration, and Litigation - PON - Program on Negotiation at Harvard Law School. Retrieved from <https://www.pon.harvard.edu/daily/dispute-resolution/what-are-the-three-basic-types-of-dispute-resolution-what-to-know-about-mediation-arbitration-and-litigation/>

Litigation is a way to resolve a dispute between different stakeholders, by bringing the issue and the case before a court of law. The judge or the jury hear the case and decide of the outcome of the dispute.

Litigation as a dispute resolution method has different advantages such as the fact that is a formal process, it's a judicial decision, which binds the different parties, and which will force them to respect the decisions taken.

However, litigation is a time consuming and expensive method. Finally, court proceeding can often have a bad impact on the reputation of the stakeholders, because of the lack of privacy due to media coverage.

- **Arbitration¹⁶**

In arbitration, it is a neutral third party composed of one or several arbitrators, is responsible for rendering a binding decision (most of the time). In order to render his decision, the arbitrator takes arguments and evidence from each side in the conflict.

Arbitration is usually faster than litigation since it is easier to obtain an arbitration date, unlike court date. Moreover, the procedure is private which allows stakeholders to keep more confidentiality about the dispute. Finally, most of the time it costs less than court procedure, since they just have to pay an or several arbitrators, and both parties share the fees, but it stays quite expensive.

But arbitration also has disadvantages, as in the case of a binding decision, both parties lost their right to an appeal. Also, an arbitrator is required to follow the law, however, they do not always follow it, they can take decision according to what they think the fairest, which can impact the party that who do respect the most the law.

- **Expert determination¹⁷**

In a case of the use of the expert determination method, one or more experts is involved in order to resolve the disagreement. The outcome of the expert is binding. Expert determination is really useful when there is a matter of valuation and/or for specific technical issues. Indeed, he must be a specialist or the technical skills relevant to the dispute.

Expert determination is more informal and usually faster process than arbitration for instance. It also very interesting when the dispute is technical in nature, because if parties go to the court they will have to pay for an expert which will provide evidence, and this type of court proceeding is

¹⁶ Pon Staff. (2018, July 19). What are the Three Basic Types of Dispute Resolution? What to Know About Mediation, Arbitration, and Litigation - PON - Program on Negotiation at Harvard Law School. Retrieved from <https://www.pon.harvard.edu/daily/dispute-resolution/what-are-the-three-basic-types-of-dispute-resolution-what-to-know-about-mediation-arbitration-and-litigation/>

¹⁷ Robinson, M., Cline, R., Dunwoody, D., & Neff, D. (n.d.). Alternative Dispute Resolution in the Hospitality Industry. Retrieved from <https://www.jurispro.com/files/documents/doc-703942005-article-1638.pdf>

very expensive. However, the lack of formality can be a disadvantage because for instance, the expert does not have to give its decision solely according to the evidence, but he can also base his determination according to its own experience and opinions.

- **Meditation¹⁸**

Meditation is a dispute resolution method based on the consensus. Like for arbitration, there is the intervention of a neutral third party, the mediator, chosen by mutual agreement. However, the role of the mediator is to help stakeholders to find a consensus by themselves. To do so, the mediator works with each party separately in order to understand to issues and the will of each side. From these elements, the mediator facilitates communications between the parties by clarifying the interests of each party and by giving advice. Eventually, it would allow finding a solution or a compromise which both sides would approve.

Despite the fact that mediation is also cost and time effective and that it protects the reputation of both parties, it also enables parties to work and know each other better for the good continuation of the project. Indeed, since the mediator is only here to facilitate discussion in order to make a fair decision, it forces parties to get to know and understand each other.

However, the fact that the mediator does not impose a solution, means that sometimes decisions may not be taken, and time and money would have been wasted.

- **Negotiation¹⁹**

Negotiation is based on communication between two parties involved in a dispute. These discussions must lead to a mutual agreement, according to the processes and rules of their choices. Their representatives' lawyers can be invited to discussions, but their presence is not mandatory, however, there is no involvement of a third party.

In a case, of negotiation, relationships between parties are rarely degraded because the ultimate goal is to find a comprise through discussions. Disputes can be solved really fast since they establish their own timetable and do not depend on a third party. However, it can also take a lot of time if they stay in their positions and if they do not understand each other wills.

Negotiations is not an easy process depending on the disputes, but if each party put its interests first rather than trying to find comprises, it will be just a waste of time for both parties. At last, problems of fairness can arise if one of the two parties is quite passive while the other one is much more imposing.

¹⁸ Pon Staff. (2018, July 19). What are the Three Basic Types of Dispute Resolution? What to Know About Mediation, Arbitration, and Litigation - PON - Program on Negotiation at Harvard Law School. Retrieved from <https://www.pon.harvard.edu/daily/dispute-resolution/what-are-the-three-basic-types-of-dispute-resolution-what-to-know-about-mediation-arbitration-and-litigation/>

¹⁹ Esmaili, T. (2017, June). Alternative Dispute Resolution. Retrieved from https://www.law.cornell.edu/wex/alternative_dispute_resolution

- **Prevention**²⁰

Prevention can also be considered as a mean of dispute resolution. The aim of prevention is to reduce the risk of dispute and conflicts between the different stakeholders. Many tools and techniques can be set up in order to prevent conflicts such as team-building, planning, contracts and agreements, strategies for dispute management and dispute resolution.

Step 4: Selection of the criteria

In order to decide which alternative is the best to resolve a dispute in the Travel and Hospitality Industry, it is necessary to choose criteria which are important for the good proceedings of a Travel and Hospitality Project. These criteria will enable to rank order alternatives from the best to the worst one.

First of all, for a project to run well, **time**²¹ is an important criterion to be taken into consideration, then stakeholders cannot take too much time to resolve issues. In the same way, they have to be careful not to spend too much money on procedures, **the cost**²² is then also a criterion that needs to be considered.

In the Travel and Hospitality Industry, maintaining **good relationships**²³ whether it is been the client and the company or between partners is very important. More than that, it also the reputation of the disputants that needs to be considered and which is very important in this kind of Industry where there is a lot of competition. Maintaining a good reputation requires more or less **privacy**²⁴ of procedures. **The flexibility** of the process is also important in order to “suit their needs and preferences”²⁵.

²⁰ Brief Review of Typical Dispute Prevention and Resolution Best Practices | Reducing Construction Costs: Uses of Best Dispute Resolution Practices by Project Owners: Proceedings Report | The National Academies Press. (2007). Retrieved from <https://www.nap.edu/read/11846/chapter/4>

²¹ Sherwin, P., Vermal, A., & Figueira, E. (n.d.). Perceived Advantages and Disadvantages of International Arbitration - Chapter 19: The Decision to Arbitrate - Proskauer on International Litigation and Arbitration. Retrieved from <https://www.proskauerguide.com/arbitration/19>

²² Sherwin, P., Vermal, A., & Figueira, E. (n.d.). Perceived Advantages and Disadvantages of International Arbitration - Chapter 19: The Decision to Arbitrate - Proskauer on International Litigation and Arbitration. Retrieved from <https://www.proskauerguide.com/arbitration/19>

²³ Allison, J. R. (2014, August 01). Five Ways to Keep Disputes Out of Court. Retrieved from <https://hbr.org/1990/01/five-ways-to-keep-disputes-out-of-court>

²⁴ Allison, J. R. (2014, August 01). Five Ways to Keep Disputes Out of Court. Retrieved from <https://hbr.org/1990/01/five-ways-to-keep-disputes-out-of-court>

²⁵ Sherwin, P., Vermal, A., & Figueira, E. (n.d.). Perceived Advantages and Disadvantages of International Arbitration - Chapter 19: The Decision to Arbitrate - Proskauer on International Litigation and Arbitration. Retrieved from <https://www.proskauerguide.com/arbitration/19>

Moreover, the process chosen must be the **fairest**²⁶ possible for both parties in order to avoid any further disputes or the poor progress of the project. Finally, getting a **neutral opinion**²⁷, seems an important criterion in order to make the dispute resolution process objective.

To sum up, the criteria to consider in order to rank alternatives solutions are:

- Time
- Cost
- Relationship between disputants
- Flexibility
- Privacy
- Fairness
- Get a neutral opinion

	Litigation	Arbitration	Expert determination	Mediation	Negotiation	Prevention
Time	Long	Medium	Medium	Medium	Medium	Medium
Cost	High	High	Medium	Medium	Low	Medium
Relationship	Bad	Bad	Medium	Good	Good	Good
Flexibility	Low	Medium	Good	Good	Good	Medium
Privacy	Low	Medium	Medium	Medium	High	Medium
Fairness	Medium	Medium	High	High	High	Medium
Get a neutral opinion	High	High	Medium	Medium	Low	Low

Figure 2. Non-compensatory model²⁸

However, it is important to take into consideration that all the criterion do not have the same weight. As an example, “Cost” appears as the most important criteria, the author will then not use “Arbitration” because, with this alternative, costs can be really high. Moreover, the Litigation

²⁶Ogden, J. S., & McIntyre Finlay, N. (n.d.). Strategies for choosing a dispute resolution method. Retrieved <https://csbweb01.uncw.edu/people/eversp/classes/BLA361/General%20Info/Trial%20Process%20&%20Legal%20Analysis/STRATEGIES%20FOR%20CHOOSING%20A%20DISPUTE%20RESOLUTION%20METHOD.pdf>

²⁷ Brown, S., Cervenak, C., & Fairman, D. (n.d.). ALTERNATIVE DISPUTE RESOLUTION PRACTITIONERS GUIDE. Retrieved from <https://www.usaid.gov/sites/default/files/documents/1868/200sbe.pdf>

²⁸ By the author: Non-compensatory model

alternative, won't be considered anymore by the author, because out of seven criteria, five of them are likely not to be respected.

FINDINGS

Step 5: Analysis and comparison of the alternatives

Relationship	
Good	2,00
Medium	1,00
Bad	0,00

Privacy	
High	2,00
Medium	1,00
Low	0,00

Get neutral opinion	
High	2,00
Medium	1,00
Low	0,00

Fairness	
High	2,00
Medium	1,00
Low	0,00

Figure 3. Compensatory model – Relative weighting²⁹

	Expert determination	Mediation	Negotiation	Prevention
Time	1,00	1,00	1,00	1,00
Cost	1,00	1,00	2,00	1,00
Relationship	1,00	2,00	2,00	2,00
Flexibility	2,00	2,00	2,00	1,00
Privacy	1,00	1,00	2,00	1,00
Fairness	2,00	2,00	2,00	1,00
Get neutral opinion	1,00	1,00	0,00	0,00
TOTAL	9,00	10,00	11,00	8,00

Figure 4. Compensatory model – Relative weighting³⁰

²⁹ By the author: Compensatory Model – Relative weighting

³⁰ By the author: Compensatory Model – Relative weighting

Attribute	Step 1	Step 2			Expert determination		Mediation		Negotiation		Prevention	
	Relative Rank	Normalized Weight (A)			(B)	(A)x(B)	(C)	(A)x(C)	(D)	(A)x(D)	(E)	(A)x(E)
Time	6	6/28	=	0,21	1,00	0,21	1,00	0,21	1,00	0,21	1,00	0,21
Cost	7	7/28	=	0,25	1,00	0,25	1,00	0,25	2,00	0,50	1,00	0,25
Relationship	5	5/28	=	0,18	1,00	0,18	2,00	0,36	2,00	0,36	2,00	0,36
Flexibility	1	1/28	=	0,04	2,00	0,08	2,00	0,08	2,00	0,08	1,00	0,04
Privacy	4	4/28	=	0,14	1,00	0,14	1,00	0,14	2,00	0,28	1,00	0,14
Fairness	3	3/28	=	0,11	2,00	0,22	2,00	0,22	2,00	0,22	1,00	0,11
Get neutral opinion	2	2/28	=	0,07	1,00	0,07	1,00	0,07	0,00	0,00	0,00	0,00
SUM	28		SUM	1,00	SUM	1,15	SUM	1,33	SUM	1,65	SUM	1,11

Figure 6. Compensatory model - Additive Weighting Technique³¹

Step 6: Selection of the preferred alternative

After using the Compensatory model approach of the Multi-Attribute Decision Making (MADM) method, the preferred alternative seems to be 'Negotiation' since it has the highest score: 1,65. Negotiation is a better choice by 138% than Prevention.

The ranking from the best to the worst alternative is the following: Negotiation > Mediation > Expert determination > Prevention.

Step 7: Performance monitoring and post-evaluation of results

The author's advice is to firstly use Negotiation as an alternative to resolve the dispute in the Travel and Hospitality Industry. Indeed, this alternative does not involve too much time and cost and it allows the disputants to keep private about their conflict. Moreover, it has fewer chances to impact the good relationship between them. If Negotiation does not enable to achieve the desired goal, then the author suggests using Mediation which is a better choice of 125% and which would

³¹ By the author: Compensatory model - Additive Weighting Technique

have a better chance of resolving the dispute. The author suggests that these dispute resolution alternatives are written in the initial contract by mutual agreement in order to facilitate processes.

In order to monitor that this recommendation is a good one, we can firstly investigate if projects which use Negotiation, have great success in resolving disputes compared to other alternatives proposed.

Moreover, it would be interesting to measure if the use of Negotiation in the Travel and Hospitality industry has increased after this recommendation was made, compared to other dispute resolution alternatives.

CONCLUSIONS

It is now important to answer the different questions this paper asked:

- *What are the different alternatives in order to resolve disputes in the Travel and Hospitality Industry?*

The author found out that different type of disputes resolution methods could be used in the Travel and Hospitality industry in order to resolve a dispute, such as Litigation, Arbitration, Expert Determination, Mediation, Negotiation, and Prevention. Some of them are binding, some are not. They all have positives and negatives aspects and the idea was to compare their strengths and weaknesses in order to determine the best-fitted alternative.

- *Which criteria need to be taken into consideration in order to evaluate these different alternatives?*

The Travel and Hospitality industry is a sector where things need to go fast and where a good reputation is important because of the high level of competition. Thus, some criteria such as privacy, time, fairness and maintain good relationship had to be taken into account. The cost is also an important criterion since a budget is fixed in advance and that it could be a big threat to the successful achievement of the project if the budget is overcome. Finally, getting a neutral opinion is an important criterion since the main aim is to resolve the dispute.

- *What is the best effective dispute resolution method in the Travel and Hospitality Industry?*

According to the author analysis of the different alternatives using the MADM model and taking into account that all criteria do not have the same weight, the recommendation is that Negotiation is the best effective dispute resolution method in the Travel and Hospitality Industry.

- *What is the worst dispute resolution method?*

Using the same method (MADM), the author defined Prevention as the less effective dispute method. However, before the analysis part, the author dismissed two other alternatives: Litigation and Arbitration, since they did not fulfill enough criteria.

FOLLOW ON RESEARCH

More research on that questions could be very interesting for the Travel and Hospitality Industry.

As an example, a more in-depth analysis could be led by analyzing at a more precise level the best alternatives for resolving the dispute.

What the author means by “precise level” is to conduct the analysis according to the stakeholders involved in the dispute. For instance, negotiation could be the best effective method for a dispute between a hotel and a travel agency but not for a dispute between a customer (a single individual) and a travel agency. Thus, a deeper analysis of how to resolve the dispute could be conducted depending on the stakeholders involved.

BIBLIOGRAPHY

Adapted from a Linked In discussion initiated by William R. Duncan 1/13/2018-
<https://www.linkedin.com/feed/update/urn:li:activity:6357416976318558208/>

Allison, J. R. (2014, August 01). Five Ways to Keep Disputes Out of Court. Retrieved from
<https://hbr.org/1990/01/five-ways-to-keep-disputes-out-of-court>

Brief Review of Typical Dispute Prevention and Resolution Best Practices | Reducing Construction Costs: Uses of Best Dispute Resolution Practices by Project Owners: Proceedings Report | The National Academies Press. (2007). Retrieved from
<https://www.nap.edu/read/11846/chapter/4>

Brown, S., Cervenak, C., & Fairman, D. (n.d.). ALTERNATIVE DISPUTE RESOLUTION PRACTITIONERS GUIDE. Retrieved from
<https://www.usaid.gov/sites/default/files/documents/1868/200sbe.pdf>

Carver, T. B., & Vondra, A. A. (1994, May 1). Alternative Dispute Resolution: Why It Doesn't Work and Why It Does. Retrieved from <https://hbr.org/1994/05/alternative-dispute-resolution-why-it-doesnt-work-and-why-it-does>

Consolex Legal Practitioners. (2016, August 22). ADR; A Viable and Attractive Form of Dispute Resolution For Tourism And Hospitality Industry Operators. Retrieved from <http://www.consolexlegal.com/news-events/adr-a-viable-and-attractive-form-of-dispute-resolution-for-tourism-and-hospitality-industry-operators>

Esmaili, T. (2017, June). Alternative Dispute Resolution. Retrieved from https://www.law.cornell.edu/wex/alternative_dispute_resolution

GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (2016, January 17). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (2015, December 14). Retrieved from <http://www.planningplanet.com/guild/gpccar/settlement-negotiations-phase>

GUILD OF PROJECT CONTROLS COMPENDIUM and REFERENCE (CaR) | Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (2015, December 11). Retrieved from <http://www.planningplanet.com/guild/gpccar/managing-change-the-owners-perspective>

Kelsey, K. P. (1999, August 9). Mediation: The Sensible Means for Resolving Contract Disputes. Retrieved from <https://www.mediate.com/articles/kelsey.cfm>

Kunitzky, L. D. (2016). Dispute resolution in the luxury hotel industry (Master's thesis, Modul Vienna University, Vienna, Austria). Retrieved from <https://www.modul.ac.at/index.php?eID=dumpFile&t=f&f=9449&token=de61446b2107a2fec8c3d29e26c5178db76183d1>

Norman, J. M., & Montejo, R. E. (2012, August 15). Hotel management agreement dispute resolution: a critical design challenge. Retrieved from <https://www.lexology.com/library/detail.aspx?g=c4064b47-119a-48f1-a763-d9f2a83e5065>

Ogden, J. S., & McIntyre Finlay, N. (n.d.). Strategies for choosing a dispute resolution method. Retrieved from <https://csbweb01.uncw.edu/people/eversp/classes/BLA361/General%20Info/Trial%20Process%20&%20Legal%20Analysis/STRATEGIES%20FOR%20CHOOSING%20A%20DISPUTE%20RESOLUTION%20METHOD.pdf>

Perry Group. (2017, May 10). Hospitality Dispute Resolution: Mediation. Retrieved from <http://www.perrygroup.com/hospitality-dispute-resolution-mediation/>

Pon Staff. (2018, July 19). What are the Three Basic Types of Dispute Resolution? What to Know About Mediation, Arbitration, and Litigation - PON - Program on Negotiation at Harvard Law School. Retrieved from <https://www.pon.harvard.edu/daily/dispute-resolution/what-are-the-three-basic-types-of-dispute-resolution-what-to-know-about-mediation-arbitration-and-litigation/>

Pucciarelli, A. (2017, December). Best Practices for Hotel Arbitration. Retrieved from

<https://cayugahospitality.com/albert-pucciarelli/best-practices-for-hotel-arbitration/>

Robinson, M., Cline, R., Dunwoody, D., & Neff, D. (n.d.). Alternative Dispute Resolution in the Hospitality Industry. Retrieved from <https://www.jurispro.com/files/documents/doc-703942005-article-1638.pdf>

Staugas, J. (2002, January 3). Strategies for dispute prevention and management in commercial arrangements. Retrieved from <https://epublications.bond.edu.au/cgi/viewcontent.cgi?article=1169&context=adr>

World Travel and Tourism Council. (2018). Travel and Tourism Economic Impact 2018 World. Retrieved from <https://www.wttc.org/-/media/files/reports/economic-impact-research/regions-2018/world2018.pdf>

Wrike (n.d.). What is a Program in Project Management? - Project Management Guide. Retrieved from <https://www.wrike.com/project-management-guide/faq/what-is-a-program-in-project-management/>

About the Author



Laura Bierling

Paris, France



Laura Bierling is currently an MSc student in Project and Program Development and Business Development in SKEMA Business School, Paris, France. She started her academic career with a double bachelor's degree in History and Political Science at Paris 1 Panthéon Sorbonne University. Then she did a MSc in International Communication and Development at City University of London. As a graduate she gained knowledge about very diverse domains, such as communication, marketing, law and public relations.

She has worked in a French newspaper as a communication manager and in an Online Travel Agency as a marketing and media partnerships manager, which provided her with greater skills and knowledge about leadership, teamwork, problem-solving, communication, work ethic and management.

By studying Project and Program Development and Business Development in SKEMA Business School she is looking to develop her management and leadership skills and become a Project Manager in the Travel and Hospitality Industry.

Laura lives in Paris, France and can be contacted at bierlinglaura@gmail.com