

Chapter 19

The Efficacy of Trust-Building Tactics in Construction Dispute Mediation

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Abstract Distrust hinders disputing parties and mediators from achieving mediation success. Mediators therefore often use trust-building tactics to generate some degree of trust in themselves and in the mediation process. This chapter reports a study that identified the trust-building tactics used by construction mediators and examined the efficacy of these tactics with respect to their outcomes. Three study stages were designed. With reference to the mediation model of Sloan (1998), trust-building tactics and outcomes were first identified in Stage I. Next, the data were collected from accredited mediators with a questionnaire survey in Stage II. The collected data were then validated via reliability assessments in Stage III. With the use of multiple regression analyses, the efficacy of the trust-building tactics was examined by relating these tactics to their outcomes. The findings of this study suggest that the trust-building tactics used in Step 4 (i.e., explore interests) of Sloan's mediation model (1998) are influential in developing trust among disputing parties and that they can also act as a time-saving tool in the mediation process. Furthermore, it was found that mediators can earn trust by adopting the trust-building tactics used in Step 3 (i.e., issues and trust) of Sloan's model (1998). These tactics can also serve to improve the relationships between the disputing parties. The results show that the trust-building tactics used in the final step (i.e., solutions) of Sloan's model (1998) seem to have low efficacy in developing trust among disputing parties.

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19.1 Introduction

Mediation has become a common means of resolving disputes in construction for its flexible, cost-effective, and non-confrontational approach. Mediation also allows disputes to be settled voluntarily and privately without a loss of business relationships or damage to reputations (Chau 1992, 2007; Cheeks 2003; Hon 2006). Such settlements can therefore be made more rapidly and are more adaptable to the specific needs of the disputing parties in the mediation process (Cheung and Yiu 2007; Striengnitz 2006; Susskind and Ozawa 1983; Yiu and Cheung 2007). However, mediation involves a series of negotiation processes with no guarantee of success.

The actions taken by mediators are critical to mediation success. Integrity, reliability, and competence are the most important attributes of mediators that affect the level of trust that disputing parties have in them (Boulle 2001; Settle 1998). During the process of mediation, the major task of the mediator is to encourage the disputing parties, such as clients, contractors, and sub-contractors, into rethinking and modifying their positions (Kolb 1985; Madden 2001). However, the degree of influence that mediators have depends considerably on whether the disputing parties trust them (Kolb 1985). Therefore, mediators need to realise the importance of using trust-building tactics in the course of the mediation process to address any long-held and deep-seated concerns among the disputing parties (Blackstock 2001). If trust can be built, then mediators need to monitor the level of that trust (and its influence) on the disputing parties, and thus credible relationships can be established with them (Carnevale 1986; Carnevale et al. 1989). Such relationships can serve as a lubricant to avoid unnecessary hurdles in the mediation process (Boulle 2001; Torres 1991). For example, the early establishment of trust can ease subsequent inquiries into the course of mediation (Boulle 2001; Torres 1991). Time-savings can also be achieved when the disputing parties are willing to disclose confidential information or hidden agendas in the mediation process. If the disputing parties trust the mediator, then they are more likely to remain at the negotiating table, to remain committed to the mediation process, to believe in achieving successful mediation outcomes (Boulle 2001), and to behave co-operatively (Cheung and Yiu 2007). Mistrust, in contrast, discourages mediation success. The level of trust among disputing parties varies with attitude (Govier 1997). Mediators should apply trust-building tactics to generate some degree of trust in themselves and in the mediation process (Boulle 2001) to ensure that the disputing parties work toward a win-win settlement. Hence, the objectives of the study reported in this chapter were to identify the trust-building tactics used by construction mediators and to examine the efficacy of these tactics with respect to their outcomes. To achieve these objectives, three study stages were involved. In Stage I, a literature review was conducted to identify commonly used trust-building mediator tactics and mediation outcomes. Using these, a questionnaire survey was designed in Stage II to collect data from accredited mediators. A series of data analyses were then performed in Stage III to examine the efficacy of the trust-building tactics that were identified.

Table 19.1 Brief introduction to Sloan's mediation model (1998)

Step	Description
1. Preparation	<i>The aim of this step is to orient the disputing parties to the mediation process and to encourage genuine interest. Expressing genuine interest can increase awareness among the disputing parties.</i>
2. Introduction	<i>The aim of this step is to establish and maintain a collaborative tone for negotiation. The mediator can help the disputing parties to develop ground rules for the negotiation processes.</i>
3. Issues and trust	<i>The aim of this step is to identify what the disputing parties have come to the mediation to resolve. The mediator has to encourage the disputing parties to listen to, recognise, and understand each other.</i>
4. Explore interests	<i>The aim of this step is to help the disputing parties explore what interests are important to them and why. The mediator should assist them by asking questions and using interrogative and reflective skills.</i>
5. Solutions	<i>The aim of this step is to help the disputing parties generate a creative, tailored, and durable settlement.</i>

19.2 Stage I: Identification of Trust-Building Tactics and Mediation Outcomes

19.2.1 Trust-Building Tactics

Theoretically, the mediation process flows from one phase to the next: for example, from the mediator's opening statement to the disputing parties' opening statements and then to a joint session, private sessions, joint negotiations, and the final closure phase. As mediation proceeds, the mediators work to build and monitor the trust levels of the disputing parties. To do so, they employ different types of trust-building tactics in each phase of the process. Sloan's mediation model (1998), which conceptualises the mediation process, provides an important framework for the identification of trust-building tactics in construction mediation. According to this model, which is shown in Table 19.1, the mediation process has five steps: (1) Introduction (2) Preparation (3) Issues and Trust (4) Exploration of Interests, and (5) Solutions.

Based on the steps in Sloan's mediation model (1998), trust-building tactics were identified from the literature (Bercovitch and Derouen 2004; Boulle 2001; Cheung and Yiu 2007; Kolb 1985; Latz 2001; Moore 1996; Salem 2003). As can be seen from Table 19.2, a list of 18 trust-building tactics was compiled.

19.2.2 Mediation Outcomes

In this study, the outcomes refer to the results that were obtained from the trust-building tactics used in construction mediation. The generic types of outcomes, which were identified from the literature review and are listed in Table 19.3, can

Table 19.2 List of trust-building tactics

Trust-building tactics	Steps involved in the mediation model of Sloan (1998)
T1. Try to observe and understand how the parties interact and communicate with and treat each other	Step 1: Preparation
T2. Try to be effective and show respect/concern for the disputing parties, even when they do not trust you initially	
T3. Try to use humor to lighten the atmosphere	
T4. Express very clearly what you can and cannot do. Try to focus on designing a negotiation process	Step 2: Introduction
T5. Try to comfort the parties first by solving minor issues	
T6. Try to develop ground rules for the mediation process	
T7. Set realistic targets for the disputing parties	Step 3: Issues and Trust
T8. To allow the parties to express themselves freely, you have to know how to listen and when to keep silent during the mediation process	
T9. Implement caucusing to understand and explore the parties' concerns and their bottom lines	
T10. When a dilemma occurs, encourage the disputing parties to ask for help, thus acknowledging their need for assistance from the other disputing parties	
T11. Try to be patient and understand the feelings of the disputing parties	
T12. Share your personal details and experience of mediation with the disputing parties	Step 4: Explore Interests
T13. Try to simplify the agenda, develop a framework, and prioritise the issues	
T14. Be well-prepared for the issues that the disputing parties want to clear up	Step 5: Solutions
T15. Try to encourage the disputing parties to make incremental agreements in which success can be measured along the way	
T16. To assist the effective resolution of the dispute, learn not only about the immediate issue, but also about its background/history	
T17. Gain insight into how the disputing parties react when you make suggestions	
T18. Keep explicit promises and do not lie to the disputing parties	

be reduced to: (1) trust-building between the disputing parties (2) trust-building between the disputing parties and the mediator, and (3) the negative (or positive) implications of using these trust-building tactics (Bercovitch and Derouen 2004; Boule 2001; Butler 1991; Cheung and Yiu 2007; Kolb 1985; Latz 2001; Lui et al. 2006; Moore 1996; Salem 2003).

Table 19.3 List of mediation outcomes

Mediation outcomes

Trust-building (party-party)

- O5. The disputing parties voluntarily resolved the identified issues by themselves
- O7. Interactions between the disputing parties were facilitated
- O13. The disputing parties became less defensive and more willing to share information

Trust-building (mediator-parties)

- O8. Your reputation was enhanced
- O11. The parties were willing to rely on you and accepted risk and vulnerability
- O6. In private sessions (caucusing), the disputing parties were willing to share confidential information that was crucial in reaching a mutually acceptable solution

Failure to build trust

- O1. Mistrust appeared due to the different cultural, racial, and historical background of the disputing parties
- O2. It was difficult to persuade the disputing parties to disclose confidential information
- O3. It was difficult to build trust, and there was a lack of frank communication between you and the disputing parties
- O4. The disputing parties avoided face-to-face conversations by sending their representatives to act on their behalf
- O9. Mistrust led to positional persistence and failure of the negotiated settlement

Improvement of relationships

- O12. A win-win settlement was achieved, and the relationships among the disputing parties were improved

Deadlock

- O10. Mistrust delayed the settlement or resulted in no settlement

Time-savings

- O14. The mediation process was shortened.
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19.3 Stage II: Data Collection

To accomplish the research objectives, a four-part questionnaire survey was performed to collect case-specific data from construction mediators. The first part required the respondents to provide personal information, such as their sex, their age, and the number of years of experience they have had in construction mediation. Next, the respondents were asked to provide particulars about their mediated cases, such as the project nature, contract sum, and the parties involved. The last two parts of the survey were designed to identify the trust-building mediation tactics used and their respective outcomes, based on the items in Tables 19.1 and 19.2. Seven-point Likert scales were used to measure the degrees of usefulness (1: least useful; 7: most useful) and agreeableness (1: least agreeable; 7: most agreeable) on each trust-building tactic and mediation outcome, respectively. The respondents targeted in this study are accredited mediators from the General Panel of the Hong Kong International Arbitration Centre (HKIAC), which is composed of 226 accredited

Table 19.4 Profile of respondents (by amount of experience)

	Years of experience (No.)	Percentage
No experience: newly accredited mediators	8	26.7
Less than 5 years	6	20
5–10 years	1	3.3
11–15 years	1	3.3
16–20 years	3	10
More than 20 years	11	36.7
Total	30	100.0

Table 19.5 Types of reported mediation cases

	Frequency (No.)	Percentage
Building	5	22.8
Civil	11	50
Building services	2	9.1
Maintenance	2	9.1
Others	1	4.5
Building & civil	1	4.5
Total	22 ^a	100.0

^a 8 respondents did not provide this information

mediators from 30 professions. Ninety-six of these mediators who specialise in building, construction, and engineering were selected as the target respondents, and their participation was requested. If they agreed to participate in the questionnaire survey, then questionnaires were sent to them by post, fax, or e-mail. The respondents, particularly newly accredited mediators, made a number of enquiries regarding the completion of the questionnaire. Many of them wanted to know about the possibility of completing the questionnaires by referring to their experience with mediating simulated cases in lieu of reporting real mediated cases. To ensure the relevance of the responses, this suggestion was rejected. Thirty of the 96 targeted respondents completed the questionnaire survey, for a response rate of 31 %. This sample size is comparable to those in previous studies of construction mediation (Cheung and Yiu 2007; Yiu and Cheung 2007). All of the respondents are accredited mediators with a construction background, such as construction lawyers, quantity surveyors, and engineers, who actively participate in mediating construction disputes in Hong Kong. They all hold senior positions and are well-respected by the industry. For example, 36.7 % of the respondents have more than 20 years of experience in construction mediation. Fifty percent of the reported mediation cases concerned civil projects. The profiles of the respondents by experience and type of reported mediation cases are shown in Tables 19.4 and 19.5, respectively. As for the scale of the reported cases, 31.8 % of them had contract sums of less than HK\$50 million. Most of the disputes (36.4 %) had arisen between the employer and the main contractor. Tables 19.6 and 19.7 show the reported mediation cases by value and the parties involved, respectively.

Table 19.6 Reported mediation cases by value (in HK\$)

	Frequency (No.)	Percentage
<50 million	7	31.8
50–200 million	6	27.3
200–500 million	6	27.3
Above 500 million	3	13.6
Total	22 ^a	100.0

^a 8 respondents did not provide this information

Table 19.7 Parties involved in reported mediation cases

	Frequency (No.)	Percentage
Employer	6	27.3
Main contractor	2	9.1
Nominated subcontractor	1	4.5
Employer and main contractor	8	36.4
Main contractor and domestic subcontractor	4	18.2
Main contractor and others	1	4.5
Total	22 ^a	100.0

^a 8 respondents did not provide this information

19.4 Stage III: Efficacy of the Trust-Building Tactics

A series of data analyses were performed on the collected data using the Statistical Package for Social Sciences (SPSS). Descriptive statistics were first performed to identify (1) the most commonly used trust-building tactics in construction mediation and (2) the most frequent outcomes achieved using them. Next, reliability assessments were performed for the Cronbach's alpha coefficients and item-total correlations to test the internal consistency of the responses (Streiner and Norman 1997). Finally, multiple regression analysis (MRA) was employed to examine the efficacy of the trust-building tactics by relating them to the outcomes. The independent contribution of each trust-building tactic to the prediction of outcomes was investigated by the MRA regression coefficients.

19.4.1 Descriptive Statistics

The descriptive statistics, such as the minimum, maximum, and mean scores for each trust-building tactic and its outcomes are shown in Table 19.8.

In general, these descriptive statistics show that the trust-building tactics of implementing caucuses (T9), giving the disputing parties the opportunity to

Table 19.8 Descriptive statistics of trust-building tactics and outcomes

Variables	Minimum	Maximum	Mean	Standard deviation	Item-total correlations ^a	Cronbach's α coefficients ^b
<i>Trust-building tactics</i>						
T1.	3	7	5.33	0.92	0.47	0.89
T2.	2	7	4.67	1.35	0.70	0.88
T3.	2	7	5.83	1.26	0.21 ^c	0.89
T4.	2	7	4.77	1.38	0.47	0.89
T5.	1	7	4.77	1.52	0.35	0.89
T6.	2	7	4.83	1.29	0.55	0.88
T7.	3	7	5.10	1.21	0.47	0.89
T8.	4	7	5.60	0.86	0.52	0.89
T9.	4	7	5.84	1.11	0.53	0.88
T10.	3	7	5.57	1.17	0.67	0.88
T11.	3	7	5.60	1.22	0.74	0.88
T12.	1	6	3.33	1.54	0.66	0.88
T13.	1	7	4.30	1.66	0.59	0.88
T14.	2	7	5.60	1.45	0.64	0.88
T15.	3	7	5.47	1.07	0.19 ^c	0.89
T16.	2	7	4.90	1.32	0.52	0.88
T17.	2	7	4.63	1.27	0.61	0.88
T18.	2	7	5.60	1.45	0.60	0.88
<i>Outcomes</i>						
O1.	1	7	4.30	1.69	0.51	0.78
O2.	2	7	4.77	1.31	0.28 ^c	0.80
O3.	3	7	5.40	0.97	0.24	0.80
O4.	2	6	4.33	1.42	0.28	0.80
O5.	1	7	4.17	1.95	0.71	0.76
O6.	2	7	5.27	1.20	0.42	0.79
O7.	3	7	5.20	0.93	0.48	0.79
O8.	2	6	4.90	1.24	0.36	0.80
O9.	2	7	5.37	1.89	0.20 ^c	0.81
O10.	1	7	5.50	1.41	0.13 ^c	0.82
O11.	2	6	5.00	1.08	0.58	0.78
O12.	4	7	5.63	1.00	0.60	0.78
O13.	2	7	5.23	0.90	0.57	0.79
O14.	2	7	4.60	1.52	0.73	0.76

^a Threshold of item-total correlations: 0.30 (Streiner and Norman 1997)

^b Threshold of Cronbach's α coefficients: 0.70 (Cronbach 1951)

^c Item failed to meet the threshold for item-total correlations

express themselves freely (T8), being patient and understanding the feelings of the disputing parties (T11), being well-prepared for the issues (T14), and keeping explicit promises (T18) are the most common means of trust-building. Furthermore, the mediators also reported that the improvement of relationships (O12) is the outcome most frequently achieved when using trust-building tactics.

19.4.2 Reliability Assessments

The internal consistency of the responses to trust-building tactics and outcomes was assessed by the Cronbach's alpha coefficients and item-total correlations. Cronbach's alpha provides an estimate of reliability in most situations, as the major source of measurement error is the sampling of content (Cronbach 1951). In addition, reliability that is based on internal consistency considers the sources of errors that are based on the "sampling" of the situational factors that accompany the administration of items (Nunnally and Bernstein 1994). Item-total correlation measures the relationship between an item and the total score of the set of items within the scale (Robinson et al. 1991). This correlation represents not only the relationships among the items, but also the internal consistency of the model. A low corrected item-total correlation value indicates that an item is inconsistent with the other items and is not measuring what the rest of the test is trying to measure (Ferketich 1991). The results of these two assessments are also reported in Table 19.8. As per the rule of thumb suggested by Nunnally and Bernstein (1994), a Cronbach's alpha of 0.70 and an item-total correlation of 0.3 or above are the threshold values for these assessments. In this study, the Cronbach's alpha coefficients for both the trust-building tactics and their outcomes exceeded the threshold value of 0.70, which indicates that the scale items are homogeneous (Bowling 1997). These rules were adopted in previous studies by Ferketich (1991), Robinson et al. (1991), and Knapp and Brown (1995). The item-total correlations for the trust-building tactics ranged between 0.19 and 0.74, and a range of between 0.20 and 0.73 was achieved for the outcomes. Two of the trust-building tactics, T3 and T15, and three of the outcomes, O2, O9, and O10, failed to meet the threshold of 0.30 (Streiner and Norman 1997) and were discarded from further analysis.

19.4.3 Multiple Regression Analysis

MRA, which is a statistical technique used to analyse the relationship between a single dependent variable and several independent variables (Hair et al. 1995), was employed to relate the use of the trust-building tactics to their outcomes. The efficacy of the trust-building tactics could thus be examined via the independent contribution of each tactic (i.e., the independent variable) to the prediction of the outcomes (i.e., the dependent variable). To achieve this, composite scales were calculated for each sub-group of trust-building tactics and outcomes, as shown in Tables 19.1 and 19.2. These composite scales were obtained by averaging the scores given by the respondents for each sub-group to form new sets of variables for the performance of MRA. Five composite scales of trust-building tactics were developed, each representing one of the tactics used in each step of Sloan's mediation model (1998). Likewise, five factor scales of mediation outcomes were also developed, representing the five sub-groups of outcomes that were defined in

Table 19.3. For each MRA, the dependent variable was one of the five composite scales for outcomes, and the independent variables were the composite scales of the trust-building tactics. As previously discussed, two trust-building tactics, T3 and T15, and three outcomes, O2, O9, and O10, failed to achieve the threshold values of the reliability assessments and were thus excluded from the calculation of the respective composite scales.

In light of the above, a total of five MRAs were performed. Equation 19.1 shows the MRA models.

$$O_i = a + b_1T_1 + b_2T_2 + b_3T_3 + b_4T_4 + b_5T_5, \quad (19.1)$$

where O is the dependent variable (the composite scales of outcomes); T is the independent variable (the composite scales of trust-building tactics); and $i = 1, 2, 3, 4,$ and 5 .

The results obtained from the five MRAs are shown in Table 19.9. The R^2 values for the five regression models, which represent the combined effect of the entire variant in prediction, range from 0.393 to 0.522. Comparable results were reported by Oetzel (1998), Gross and Guerrero (2000), Sharland (2001) and Cheung et al. (2006). For ease of discussion, the relative contributions of the trust-building tactics to the outcomes can be compared via the normalised regression coefficients (Cheung et al. 2006): the higher the normalised regression coefficient, the greater its contribution to the prediction of the outcome.

During the mediation process, the mediator works to build and maintain the trust of the disputing parties. However, the levels of trust may improve, deteriorate, or remain the same during the course of mediation (Boulle 2001). As can be seen from Table 19.9, the highest normalised regression coefficient (i.e., 0.379) of Model 3 indicates that the trust-building tactics used in Step 5 (i.e., Solutions) may not improve the level of trust among the disputing parties. Thus, the trust-building tactics used in the last step of Sloan's model (1998) appear to have low efficacy in developing trust among disputing parties. This means that if the level of distrust is high, then the disputing parties are defensive, which makes it difficult for the mediation process to reach a joint decision. Perhaps, as supported by the MRA results obtained from Models 1 and 2, it would be more pragmatic to apply these tactics at an earlier stage of the mediation process.

Model 1 shows that the trust-building tactics used in Step 4 of the Sloan's model (1998) (i.e., Explore Interests) are influential in developing trust among disputing parties. This can be seen from Table 19.9 in which the normalised regression coefficient of these trust-building tactics is 0.437, which is the highest among the independent variables. According to Sloan (1998), the aim of exploring interests is to help the disputing parties to identify what interests are important to them and why. The trust-building tactics used in this step, such as understanding the feelings of the disputing parties, sharing experiences, and simplifying/prioritising agendas or issues, may encourage the disputing parties to demonstrate genuine concern about the interests and enlarge the range of settlement alternatives. More importantly, the use of these tactics can encourage the disputing parties to understand

Table 19.9 Overall results of multiple regression analysis

Model	Dependent variables (Outcomes)	Independent variables (Trust-building tactics used in the five steps of Sloan's mediation model) (1998)	R ²	Standardised regression coefficients (Beta)	Normalised regression coefficients
1	Trust-building (party-party)	Preparation (Step 1) Introduction (Step 2) Issues and trust (Step 3) Explore interests (Step 4) Solutions (Step 5)	0.471	0.124 -0.304 0.221 0.620 -0.151	0.087 0.214 0.156 0.437 0.106
2	Trust-building (mediator-party)	Preparation (Step 1) Introduction (Step 2) Issues and trust (Step 3) Explore interests (Step 4) Solutions (Step 5)	0.522	0.049 0.018 0.371 0.285 0.144	0.057 0.021 0.428 0.328 0.166
3	Failure to build trust	Preparation (Step 1) Introduction (Step 2) Issues and trust (Step 3) Explore interests (Step 4) Solutions (Step 5)	0.474	0.021 0.211 0.083 0.223 0.329	0.025 0.243 0.096 0.257 0.379
4	Improvement of relationship	Preparation (Step 1) Introduction (Step 2) Issues and trust (Step 3) Explore interests (Step 4) Solutions (Step 5)	0.486	0.388 -0.106 0.607 -0.091 -0.160	0.287 0.078 0.449 0.068 0.118

(continued)

Table 19.9 (continued)

Model	Dependent variables (Outcomes)	Independent variables (Trust-building tactics used in the five steps of Sloan's mediation model) (1998)	R ²	Standardised regression coefficients (Beta)	Normalised regression coefficients
5	Time-savings	Preparation (Step 1) Introduction (Step 2) Issues and trust (Step 3) Explore interests (Step 4) Solutions (Step 5)	0.393	0.151 -0.146 0.027 0.662 -0.193	0.128 0.124 0.023 0.561 0.164

each other (Blackstock 2001) and can thus facilitate communication so that the interests of each can be explored more effectively. Model 5 also suggests that the trust-building tactics used in this step can be a significant predictor of time-savings in the mediation process.

Step 3 of Sloan's model (1998) (i.e., Issues and Trust) suggests that the mediator should encourage the disputing parties to listen to, recognise, and understand the issues of the dispute, and, most importantly, he or she should attempt to restore trust in the long run and deal with the problems of the dispute in the short run. This is thus the step that can generate trust in the mediator. The result obtained from Model 2 is consistent with these propositions: the normalised regression coefficient of the trust-building tactics used in Step 3 is the highest—0.428. This result is also supported by Boulle (2001) and Sloan (1998), who noted that such trust-building tactics as providing equal speaking time and separate meetings for the disputing parties can generate trust in the mediator, which means that these parties may be able to take risks with him or her that they would not take with each other (Boulle 2001). As mediation is a form of facilitated negotiation, the role of the mediator is critical. If the mediator can be trusted, then the disputing parties are willing to engage with him or her openly and disclose important and confidential information. This helps the mediation process to proceed effectively and eventually improves the relationships between the disputing parties. Model 4 thus supports the notion that the trust-building tactics used in this Step are also significant and contribute to the improvement of the relationship between the disputing parties.

19.5 Chapter Summary

The appropriate use of trust-building tactics can have an immense impact on mediation outcomes. The aim of the study reported in this chapter was to identify the trust-building tactics used in construction mediation and to examine the efficacy of these tactics with respect to their outcomes. The research design was based on the mediation model of Sloan (1998), and, with the use of MRA, the key findings of this chapter can be concluded as follows. (1) The trust-building tactics used in Step 4 (i.e., Explore Interests) of Sloan's mediation model (1998) are influential in developing trust among disputing parties and can also act as a time-saving tool in the mediation process. (2) Mediators can earn trust by adopting the trust-building tactics used in Step 3 (i.e., Issues and Trust) of the Sloan's model (1998) and can also improve the relationship between the disputing parties. (3) The trust-building tactics used in the last step (i.e., Solutions) of Sloan's model (1998) appear to have low efficacy in developing trust among disputing parties.

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