

**SKILLS AND COMPETENCY REQUIREMENTS
OF CONSTRUCTION PROFESSIONALS
FOR EFFECTIVE DISPUTE MANAGEMENT
IN CONSTRUCTION INDUSTRY**

Rajapakshe Wasala Panditharathna Mudiyansele
Imashi Sasidya Rajapakshe

(159167J)

Degree of Master of Science in Construction Law and Dispute Resolution

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Abstract

Frequent disputes in construction projects are detrimental to the project performance which in turn demands effective dispute management efforts. Although construction professionals' involvement is highly envisaged in dispute management due to technicality and complexity involved and due to their contribution to generate disputes, such involvement is barred by essential competency and skill deficits of construction professionals. In view of that, this research is aimed at exploring the skills and competencies that are required to be acquired by Construction Professionals (CPs) in order to effectively manage disputes in the construction industry.

Accordingly, 'survey' was selected as the research strategy which is under the quantitative research approach. Questionnaires designed based on the knowledge gained through literature was distributed to construction professionals holding corporate memberships in the related Sri Lankan professional institutes. Data analysis was done through statistical t-tests and finally, a comparison was conducted using the questionnaire survey results and literature findings to accomplish the research aim.

With related to dispute avoidance (DA), which is one compartment of Dispute Management (DM), questionnaire findings identified twenty significant sources of disputes which are supported by construction professionals. Further, in order to avoid disputes in the construction industry, questionnaire findings identified significantly important thirteen Competencies and ten Skills. The comparison of above questionnaire findings and literature findings on availability of skills and competencies with CPs, revealed that the CPs are equipped with all necessary Dispute Avoidance Competencies while 'Team working skills', 'Ability to be flexible', 'Ability to acknowledge other's needs and interests' and 'Skill in recognising and responding to cultural differences' were identified as deficient Dispute Avoidance Skills for effective involvement in DA.

Questionnaire findings on Dispute Resolution (DR), which is the other compartment of DM, identified seven competencies and fifteen skills commonly important for all DR methods with high influence on all or particular DR method (s), one competency and nine skills commonly important for all DR methods but less influential and two competencies and three skills important for only certain types of DR methods. Comparison of such questionnaire findings with literature findings on availability of skills and competencies with CPs, unveiled the competency and skill areas which are deficient with each CP. Consequently, the research findings provide clear guidance on improving the Competency and Skill areas of each CP for strengthening their involvement in desired DR method (s) to a predetermined extent.

Thus, this research provides inputs to the professional institutes in Sri Lanka and to the construction professionals on improving competency and skill areas of CPs in order to achieve effective dispute management in Sri Lankan construction industry.

Key Words: Dispute Management, Dispute Avoidance, Dispute Resolution, Competency, Skill, Construction Professionals

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LIST OF ABBREVIATIONS

Abbreviation	Description
A	Architect
ADR	Alternative Dispute Resolution
C	Conciliation
CP	Construction Professional
DA	Dispute Avoidance
DAB	Dispute Adjudication Board
DAC	Dispute Avoidance Competencies
DAS	Dispute Avoidance Skills
DM	Dispute Management
DR	Dispute Resolution
DRC	Dispute Resolution Competencies
DRS	Dispute Resolution Skills
E	Engineer
M	Mediation
N	Negotiation
QS	Quantity Surveyor
SL	Sri Lanka

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