

BLAW 453 Negotiation and Conflict Management

Professor Williams

Fall 2021

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For email messages, type "Negotiation" in the reference portion

Office Hours: Mondays and Wednesdays 10:45 – 11:45 a.m.; Fridays 1:00 – 2:00 p.m. and by appointment. Please find the Zoom link in Canvas.

Texts: Fisher, R. and Ury, W. *Getting to yes* (any edition).

Lewicki, R., Saunders, D. & Barry, B. *Negotiation: Readings, exercises & cases* (7th ed.). (2014.) New York: McGraw-Hill.

Stone, D., Patton, B. & Heen, S. *Difficult conversations: How to discuss what matters most* (any edition).

Negotiations materials license from the CSUN bookstore – these are for proprietary materials we'll be using for simulations. Upload a screenshot or pdf of the receipt on the Canvas.

Course description

This course explores the ways that people negotiate to create value and resolve disputes. It is designed to introduce negotiation theory and to build negotiation skills. The curriculum integrates negotiation research and experiential learning activities. Some of the exercises explore aspects of bargaining, value creation and distribution, the dynamics of coalitions, multi-party negotiations with a focus on organized preparation, dispute resolution, and process analysis. Students must demonstrate learning through both experiential activities and written assignments.

Mission of the Department of Business Law

Our mission is to equip students with the academic knowledge, problem solving, analytical and professional skills in the areas of business law, business ethics, and real estate necessary to achieve their personal and professional goals.

Objectives of the Course

1. To learn the fundamentals of negotiation and conflict management
2. To explore legal and behavioral aspects of negotiation
3. To explore ethical standards and criteria of negotiation and conflict resolution
4. To explore the social contexts of negotiation
5. To learn best practices in negotiation and conflict management

Course topics

- I. Negotiation fundamentals
 - a. Managing the process of interdependence: negotiation and conflict management
 - b. Exploration of two core strategic approaches: zero-sum negotiations and integrative ("win-win") negotiations.
 - c. Negotiation preparation: choosing a strategy, framing issues, defining objectives and planning action
- II. Psychological subprocesses of negotiation

- a. Perception, cognition and emotion
 - b. Communication dynamics
 - c. Power
 - d. Ethical standards and criteria
- III. Social contexts of negotiation
- a. Reputation and its effect
 - b. Managing multi-party negotiation
 - c. International and cross-cultural negotiation
- IV. Best practices

Grading

Here are the course activities and the allocation of the course grade:

Paper 1	15%
Paper 2	35%
Exam	25%
Class Contributions	25%

Unless noted otherwise, all written assignments should be posted on Canvas. In addition to the graded assignments, there are various credit plus/credit/no credit and credit/no credit written assignments. These are factored into the “class participation” portion of your grade. Canvas generates percentages for various graded and ungraded assignments. For our class, *these percentages are meaningless*. The grade will be determined using the system explained in this syllabus.

Letter grade	Numerical equivalent	Meaning
A	4.0	Outstanding
A-	3.7	
B+	3.3	
B	3.0	Very good
B-	2.7	
C+	2.3	
C	2.0	Satisfactory (Passing, graduate)
C-	1.7	
D+	1.3	
D	1.0	Passing (undergraduate)
D-	0.7	
F	0	Fail

Papers

Begin each paper with the following statement: “I verify that this paper is entirely my own work, with the exception of sources that have been properly cited.” Then “sign” the sentence (your typed name is fine). You’ll lose 0.1 of a grade for each paper that does not begin with this honesty verification. Use APA formatting for references, however you do not need cover sheets, tables of contents, abstracts, running titles, etc. Simply use APA for in-text referencing (including page numbers where relevant) and attach a list of references. For citing articles in the Lewicki et al. text, cite the author(s) (not the editors) and just give the page in the text – you don’t need to cite the original article publication. A helpful APA guide is located at <http://owl.english.purdue.edu/owl/resource/560/01/>

You may not get tutoring, assistance, advice or any other outside support other than that available through CSUN's Learning Resource Center.

Here is the rubric for all papers:

Problem: Briefly and adequately explained the negotiation (or other event) being analyzed, supported by research when necessary

Integration: Integrated course materials (Lectures, discussion, text, videos, exercise) as appropriate to develop a reasoned analysis

Analysis: Demonstrated intellectual depth and mastery of course topics

Writing: Lucid writing. Clear, correct English. Well-edited. Correct use of APA.

If there's a common area for improvement, it's to increase the incorporation of course materials into the paper. Take careful class notes so that you can refer to particular discussions and exercises. You want to demonstrate that you have read, heard, understood and engaged in the coursework. Demonstrate intellectual depth by going beyond repetition to explain significance, to draw connections, to illustrate, to integrate. Reference liberally.

There are no page limits: write long enough to explain your ideas with intellectual depth integrating readings and other course work but not so long that you lose the reader's attention.

Class contributions: This evaluation will be based on how your presence improved the class. This would include, for example, attendance, the quality of preparation (including familiarity with the reading material and cases), quality of performance on the exercises (as a process, not as outcome-driven), and the quality of participation in the feedback and discussion sessions. Your participation in the simulations, the debriefing process and other class discussion is essential to your learning individually and to the class. In addition, the credit/no credit written work will form a portion of your class participation grade. Because of the complicated multiple groups and individualized handouts, I appreciate and reward students who do not create unnecessary work. I also appreciate students who flag problems, ask questions, and suggest improvements.

If you must miss class, contact me along with any affected class partners well before class. If emailing, write "Negotiations class – absence" in the subject area. We need to pair students in various activities and will need to make alternate plans if there are any disruptions. If you cannot contact a group member, be resourceful: realize that I want you to have an opportunity for the learning experience regardless of whether you have an uninvolved or unavailable partner – make alternate arrangements. Someday (if they're not already) someone will pay you to solve problems; start now. Absences will adversely affect your performance in and contributions to the class.

Avoid generating externalities. When we engage in behavior but don't bear the full cost, we're generating externalities. If, for example, you carelessly run out of gas causing a lane on the freeway to shut down while you wait to get towed, other people are inconvenienced. You're not bearing the full cost of your behavior. By the same token, when you are hard to reach, haven't prepared, aren't engaged, don't show up...you're generating externalities for your classmates and me. Don't.

Observe confidentiality. You will be getting contact information for your classmates so that you can complete work out of class. You may not distribute this information to any other person for any reason. Refer any questions to me. In addition, you will be given course materials that require confidentiality

until we discuss them in class; you may not share information with class members until we finish the exercises.

Observe academic honesty. You must begin each paper with the honesty verification, listed under “Papers” above. You may not get advice, consultation, editing or tutoring from any source except CSUN’s learning resource center. In addition to the requirements imposed by the university’s standards of academic honesty, you may not upload, give or otherwise transmit any work prepared for this class, whether written by a classmate, me or yourself. You must submit an academic honesty statement as noted in the assignments.

Reputation index. This term is borrowed from other courses, including the Negotiation course taught by Prof. Pachino. The concept of a reputation index is based on the notion that your reputation as a fair, effective and trustworthy negotiator is an important asset in real-world business dealings. Reputations have a habit of spreading within and among organizations and your future relationships depend on how others perceive you through your past behavior. In addition, it is recognition that our interactions with the community have an important impact; we want to work towards the general good. By the end of the course you will have negotiated with most or all of your classmates, received feedback from some and heard about the performance of others. The reputation index is meant to measure the importance of establishing a long-term positive reputation negotiation. This index recognizes those individuals who develop a reputation as trustworthy and effective negotiators and who, through their feedback, also contribute to the experience in this course. Your classmates will be evaluating your reputation as a fair, effective and trustworthy negotiation. These evaluations are used in arriving at the class contributions portion of the grade. In addition, students with significantly positive or negative reputation ratings may (at the professor’s discretion) have their overall course grade affected positively or negatively by as much as 0.5 on the 4.0 scale. Please consult the university catalog for the letter grade equivalents of the 4.0 scale.

Podcasts

Links to podcasts (or “recorded lectures”) are located on the “modules” section of Canvas. Powerpoints are loaded into Canvas’s “Files.”

Canvas

Unless noted otherwise, all written assignments are uploaded on Canvas. Be sure to check Canvas to learn of any activities and assignments in addition to those listed in the syllabus.

Class in the time of Covid

This class is an online hybrid: some sessions are synchronous, some are asynchronous. These are indicated in the Assignments table that follows. It is tentative, however. It is possible that this will change so please block out all class sessions to ensure your availability. Many of the class activities, lectures and other resources are online and can be accessed at your convenience. For synchronous classes, we’ll use Zoom. You can get information about Zoom here: “Zoom Basics for Students”:
<https://www.youtube.com/watch?v=fSps9S5096w>

Assignments¹

	Topics	Work to be completed before class	Work to be completed outside of class
9/3 Syn. class ²	Getting to yes principles Interests, rights & power	Getting to yes: ch. 1, 2 Readings ³ : 1.1, Ury et al., Three approaches to resolving disputes: Interests, rights and power Listen to podcasts, Getting to yes, ch. 1, 2 ⁴	
9/10 Syn. class	Perception and Persuasion: Myers-Briggs Ariely's predictable irrationality Self-Management skills Business etiquette	Readings: 2.1, Neale & Bazerman, Negotiating rationally: The power and impact of the negotiator's frame 2.2, Certo et al., Managers and their not-so rational decisions 2.3, Shapiro, Untapped power: emotions in negotiation 2.4, Leary et al., Negotiating with emotion Ariely & Kreisler, Who doesn't love sales? https://ideas.ted.com/who-doesnt-love-sales-theres-just-one-problem-they-lead-us-to-make-dumb-choices/	Prepare for Salary negotiation to be conducted in class, ex. 14 (Readings, p. 513) before class. Upload evidence of license for negotiation exercise on Canvas.
Sun., 9/12	No class		Deadline to submit the academic honesty statement on Canvas.
9/17 Asyn class ⁵	Distributive/ Integrative Bargaining	Readings: 1.2, Lewicki et al., Selecting a strategy 1.4, Simons & Tripp, The negotiation checklist	Complete At Your Service exercise. Post your negotiation results on Canvas. ⁶

¹ This is a tentative list; there may be changes and additions. Be sure to monitor Canvas and class discussions.

² "Syn" Synchronous class. Attendance required.

³ Refers to Roy Lewicki et al., *Negotiation: Readings, exercises and cases*, 7th ed.

⁴ Video lecture links are on Canvas.

⁵ "Asyn" Asynchronous class. No attendance required; no live class.

⁶ When posting negotiation results, begin by listing all participating negotiators and briefly explain the results. This is not an extended reflection; just a summary of the result.

9/24 Syn. class	Distributive/ Integrative Bargaining	Getting to yes, ch. 3 & 4 Listen to podcasts, Getting to yes, ch. 3 & 4 1.5, Nierenberg & Calero, Effective Negotiating Techniques: From selecting strategies to side- stepping impasses and assumptions	Complete Island Cruise ex. 15 (Lewicki Readings) negotiation before class. Prepare for Federated Science Fund to be conducted in class.
10/1 Asyn. class		1.8, Lewicki et al., Implementing a collaborative strategy 1.9, Lax & Sebenius, Solve joint problems to create and claim value	Complete Coffee Contract exercise and post results on Canvas.
10/8 Syn. class		Getting to yes, ch. 5 - 8 Listen to podcasts, Getting to yes, ch. 5 & 6	Prepare for Texoil negotiation to be conducted in class.
Sun., 10/10	No class		Paper 1: Upload your paper Canvas. The topic to be posted on Canvas (as with all other written assignments) Be sure to include the honesty verification at the beginning of each paper.
10/15 Asyn. class	"In Negotiation" issues BATNA	Readings: 1.6, Cellich, Closing your business negotiations 2.9, Cialdini, Harnessing the science of persuasion 3.4, Malhotra, The fine art of making concessions	Complete Viking negotiation and post results on Canvas.
10/22 Syn. class	Managing Difficult Negotiations – Getting Past No Negotiating with Agents – Representative Negotiation	Readings: 3.7, Mnookin et al., The tension between principals and agents 3.9, Stuart, This is not a game: Top sports agents share their negotiating secrets	Prepare for STAR negotiation to be conducted in class.
10/29 Syn. class	Exam Communication Skills	Difficult conversations: How to discuss what matters most. Listen to podcasts, Difficult Conversations 1-5	Prepare for Chestnut negotiation to be conducted in class.
11/5 Asyn. class	Ethics in Negotiation Lying	Watch Ariely, Our buggy moral code, located at http://www.ted.com/talks/dan_ariely_on_our_buggy_moral_code.html	Complete Employee Exit negotiation and post results on Canvas.

11/12 Syn. class	Global Negotiations Negotiating Styles, Gender and Cultural Issues	Readings: 3.5, Allred, The high cost of low trust 4.1, Babcock & Laschever, Women don't ask 4.2, Benoliel & Cashdan, Become a master negotiator	Complete Towers negotiation before class. Prepare for All in the Family negotiation to be conducted in class.
11/19 Syn. class	"Best of" Discussion Mediation & Dispute Resolution Reputation Index	Readings: 7.1, Lewicki et al., Best practices in negotiation 7.5, Sebenius, Six habits of merely effective negotiators	Prepare for Darcy and the Rascal mediation to be conducted in class. Submit reputation index on Canvas.
Sun., 11/21	No class		Paper 2 due uploaded to Canvas