

Negotiation & Conflict Resolution

WINTER 2019 // LGST #206, MGMT #291, OPIM #291 Section 409

University of Pennsylvania, Wharton School

Instructor: Dr. Jennifer Beer

This syllabus, the course calendar, and all class materials except roleplays are posted on Canvas.

Office Hours: Thursdays, 1:30 – 3:00 or by appointment.

TA office hours: will be available mostly during weeks before essay assignments are due.

Legal Studies & Business Ethics, 6th floor, Huntsman Room 618

215-898-6044 (to see if I am there). This is a shared phone. No one listens to the voicemail.

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Email: beerj@wharton.upenn.edu (use this one. Messages sent via Canvas may not get noticed right away.) For urgent replies, use jbeer@jenniferbeer.com.

How this course might change your life...

Welcome to Wharton's Negotiation & Dispute Resolution course. I hope this class will be stimulating, informative, and build your confidence for the many kinds of negotiations you will encounter in your careers and beyond.

Whatever your ideas and goals are... to bring them into reality, you will need resources and generous cooperation from others. How to get what you need and want now, *while* building up a wide, skilled personal and professional network at the same time?

This "laboratory" course is designed to improve your effectiveness in negotiating and in handling conflicts. We will look at several types of business negotiations – buying & selling, job negotiations, cooperative ventures, agents & clients, collective bargaining, as well as many the negotiations involved in working *within* an organization. We will also look at personal, non-profit, and public/ governmental negotiations.

Objectives: By the end of the semester, you should have basic competence in 4 areas:

1. Concepts—Understand and be able to explain to a less skilled negotiator:

- ✓ What negotiation approaches and structures might work best for the situation.
- ✓ Factors that facilitate and those that hinder effective negotiation and conflict resolution.
- ✓ The value of information, interests, priorities, perspectives, leverage.
- ✓ Emotional and mental aspects of negotiation.
- ✓ Ethical and cross-cultural issues.

2. Skills in preparation, communication, strategy, teamwork:

- ✓ Strategic choices: goals & priorities, structuring the process, trading for a workable deal.
- ✓ How to gather useful and accurate information before and during negotiation.
How to determine what to reveal when, and how to frame it.
- ✓ Effective speaking, facilitating, and problem-solving
- ✓ Handling multi-person and multi-party situations – agents, coalitions, teams.
- ✓ Creating the environment for flexible thinking, communication, and staying on good terms.

3. Personal Awareness: Noticing and adjusting your thinking patterns, emotional responses, speaking and non-verbal presence, and patterns of interaction. Being alert to what other people are thinking and feeling. Expanding your repertoire of approaches.

4. Experience: Hands-on experience in negotiation, conflict resolution, and mediation through roleplays, exercises, assignments, peer feedback, and “real life” situations.

This course is a “lab class.” Each week will have one or more experiential learning activities designed to incrementally build your negotiation skills. Learning-by-doing means that presentations and discussions of readings will be brief, and will hit the high points.

What you put into this course is what you will gain from it. The more you prepare and engage in roleplays, the more active you are in debriefs and discussions, the more time you spend reading and crafting the intellectual reflection essays, the more you’ll learn.

Readings

1. *Negotiation Genius: How to Overcome Obstacles and Achieve Brilliant Results at the Bargaining Table and Beyond*. 2007. Deepak Malhotra and Max Bazerman.
2. *Getting to Yes: Negotiating Agreement Without Giving In*. Roger Fisher, William Ury, and Bruce Patton. The classic work on interest-based negotiation. Please read the 2011 edition.
3. Required and optional articles, lectures, and videos. Most links or files are posted on Canvas, or on Study.net..

Recommended:

4. *Bargaining for Advantage: Negotiation Strategies for Reasonable People*. 2006. G. Richard Shell. His new edition is coming out in February, and I advise waiting to buy it until then.
5. *The Mediator’s Handbook*. 2012. J. Beer, C. Packard, E. Stief.
6. Annotated list of video and text links on the Canvas “Links Page” (recommendations always welcome).

Fees

Some of the articles and roleplay cases we will use in this class require a copyright fee per use. You will also be charged \$15 for the roleplay management software we’re experimenting with this semester. These charges will appear on your bursar bills towards the end of the semester. I’m guessing the total will be around \$60.

Attendance & Participation

Attendance

Attendance is crucial ! As a lab class, this course is highly interactive and depends on each person preparing, attending, and participating fully. Your learning and your *classmates* learning depend on your presence, especially on roleplay days.

If you have an intense recruiting or sports schedule (etc.) that will make your weekly attendance uncertain, please don't take this course.

You may miss up to 3 classes without a grade reduction. Thereafter, each missed class = one step down in your course grade. **This includes "good excuse" absences**, such as illness or recruiting interviews. so leave yourself some slack. There is no need to submit written excuses or to get permission.

***Please email me before class if you won't be there.** I don't need to know why, It gives me time to re-arrange the roleplay groups beforehand so that your classmates don't have to scramble to read a new role, or wait to see if you show up. Or to arrange for you to get the role sheet for the next roleplay.

You must complete all roleplays, even if you miss a class. **You are responsible for arranging your make-up roleplays within 2 weeks of the missed day.** This means finding people to play the other roles, scheduling sufficient time for a full negotiation experience, posting your results and conclusions on Canvas. The class absence will still be counted.

Guest lectures and interviews:

You may make up ONE missed class by attending a **live** lecture of 45 min+ that is relevant to our course, given by someone who PRACTICES negotiation and conflict resolution (rather than a professor who primarily teaches it.) Submit a "key points + your reaction" report to Canvas. Brief is okay – 200 words or so.

Roleplays and debriefs

Roleplays, games, and exercises are the core of this course. Roleplay outcomes are not graded. This gives you a chance to take risks, to experiment with different approaches, and learn together.

Post your results on the idecisions app at the end of your roleplay, THEN return to the classroom and pick up a debrief sheet to guide your roleplay group's discussion and your self-reflection (or download it from Canvas). **Store your debrief notes together** for completing the Peer Review at the end of the course and for your own self-evaluation. The content of any feedback you give other students during roleplay debrief conversations will not affect their grades in any way.

Negotiation skills are difficult to measure fairly, but it seems fair to include this in a Negotiations Course grade. Your classmate's perceptions of negotiating with or against you and their knowledge of the roleplay outcomes will be the main factor in determining this portion of your grade (see "Peer Review" below.)

Participation & Preparation

EVERYONE participates in this class! Participation in class discussion is not graded. Your contribution to everyone else's learning, as reported by your classmates during the Peer Review at the end of the course, will be lightly factored into the "Ungraded Assignments" grade.

Assignments & Grades

Reflecting the course objectives, your grades will be based on:

1. Your ability to learn from experience, and to connect those experiences with course concepts and strategies.
2. The sophistication of your thinking (nuance, making connections, original ideas, self-awareness)
3. Your own and your peers' estimation of your negotiation and conflict resolution capabilities.

The class median for most assignments is a B+. Usually about a third of students earn an A or A- for the course and about half the class earns a B or B+. While grades do reflect your relative standing compared to your peers, scores for assignments or for the course grade are not "curved".

CATEGORY	% OF GRADE	ASSIGNMENT
A. Ungraded Assignments	10%	First Assignment, roleplay preparation, and class session-related assignments completed satisfactorily and on time. Essay assignments submitted on time. Peer Review scores about roleplay preparation and contribution to class learning will also factor into this grade.
B. Reflection Essays	10%	1st Reflection Essay – Negotiate Something
	10%	2nd Reflection Essay – Interview
	10%	3rd Reflection Essay – Video analysis
C. Real World Analysis Essay	20%	Analysis of a current negotiation or conflict.
D. Kaizen Team	10%	5 Kaizen Team meetings with full attendance and substantive conversations/activities.
E. Concept Quizlets	20%	9 online open book 25 minute "quizlets" (15 points each. Your 7 highest scores will be added together.)
F. Skill evaluation	10%	Peer Review

A. Ungraded Assignments

First Week Assignment: Introduce yourself, think through what you'd like to accomplish in this class. Instructions are on last page of this syllabus (also posted on Canvas). Required but not graded. Please do it SOON!

Several roleplays require preparation before class. Three of these need to be posted to Canvas. There will be a few other "required but not graded" short assignments for classwork or to practice a specific skill.

Your peers' and my judgment as to how much you contributed to everyone's learning (as measured by the Peer Review) will count in cases where your grade is on a line.

B. Reflection Essays

Each of these reflections gives you a different way to enhance and reflect on your own learning and

progress as a negotiator.

Reflection Essays are scored based on how much you learned from the activity, how well you understand and apply course concepts, the intellectual richness of your observations, questions, and conclusions, and the (apparent) effort you put into the activity.

Details for each assignment will be posted on Canvas.

#1 Negotiate Something. Explained in class next week. Maximum word count: 800.

#2 Interview a negotiator. Maximum word count: 850.

#3 Video: You will select 3-4 minutes of video clip(s) of yourself negotiating, and give a written guide to what you learned from watching the raw videos. You'll review the videos with classmates. *Start recording your roleplays from the start to give you plenty of footage!* Maximum word count: 775.

Both the TAs and I are available to talk with you about essay assignments. If you don't understand your grade, if you want to know how to improve, or how to get the most out of the essay assignments, please meet with us.

C. "Real World" Analysis Essay

The final essay assignment analyzes a *current* real-world negotiation of your choice. As part of your own grade, you will also read and comment on another student's draft. Maximum word count: 1500.

D. Kaizen Team

Kaizen Teams consist of 4 students who meet at least 5 times throughout the semester with the goal of supporting each other in "incremental improvement". Here you can apply class learning to your real life negotiations and conflicts, get useful ongoing feedback, practice facilitation, practice negotiation skills through playing games, through roleplaying, watching films, or other activities of your choice. See the Kaizen page at the back of this syllabus.

E. Concept "Quizlets"

Nine online "quizlets" will cover the readings, roleplays, and slides from the previous week or two. Each will be about 25 minutes long, and are open book. Most quizlets will be posted on Canvas mid-evenings on Thursday to be completed by Sunday 9pm. Given the time constraint, it is wise to review assigned readings and the class slide decks beforehand. Questions generally ask for one or two sentence answers, and test your ability to recognize and apply central concepts from class notes and readings. Most questions do not have straight right/wrong answers. Better answers will get more points. Each quizlet =15 points, and your grade will be the sum of your 7 highest scores. There will be no make-up quizlets. If you are going to be away from your computer for a quizlet weekend, email to me about taking one earlier.

F. Negotiation and conflict resolution skill

You will fill out a peer review survey at the end of the semester that highlights who has strong negotiation skills in what areas, and who has contributed to other people's learning.

This means that your reputation in the class can affect your final grade – which usually reflects how people experience negotiating with you (on the same side as well as across the table), whether they find you reach good outcomes, how seriously you prepared for roleplaying and worked to make it a learning experience for everyone. I adjust your peer review scores slightly for mitigating factors, and make sure that it does not affect your grade more than one level.

Please note observations about roleplay members on your private roleplay debrief sheets so that you can recall details when it's time for the Peer Review – especially when someone does something well.

More about assignments

1. Assignments will ONLY be considered “received” by the date & time they are posted to Canvas!

This rule is necessary to keep us all organized and in agreement about when work was turned in.

Conversely, EMAIL your important communications and questions about assignments, rather than posting comments/messages on Canvas, if you want me to respond to it quickly and to be able to find that info again later (such as an agreement about how you will make up an absence).

Plan ahead! If you want to change a due date, ask at least 48 hours before the assignment is due (and I may not be able to say yes).

2. How to format assignments

- HEADERS: Make a header or footer on every page with your name, the assignment title, and page number. You’d be amazed how often people forget to do this.
- WORD COUNT should also be noted at the top of your assignment. (MS Word calculates this for you.)
- SINGLE SPACE: (or multi 1.2 if you are into that sort of thing) with white space between paragraphs. This is my preference, but I won’t penalize you, I’ll just reformat to my liking. BTW, I enjoy any readable font that isn’t Times Roman.
- SAVE A TREE: Please save paper by omitting title pages, decorative graphics, etc.
- NO PDFs please. Post as a docx, .ods, .txt, or .html file. PDFs are a pain to put comments on.

3. Collaborative studying

You are actively encouraged to talk with each other about your assignments. There are two exceptions:

- Please **do not disclose or discuss roleplay details with any Penn student**—not just your classmates, but students in other negotiation classes, or any student who might take a Wharton negotiation class in the future.
- **Quizlets** – you’re welcome to prepare together, however *during* the quizlet and *thereafter* until everyone in the course has finished taking that quizlet, please do not pass along ANY info about the quizlet content.
- If your classmate gives you a good idea for one of your written assignments, please use it and credit them!

Kaizen Teams



The challenge of this course is applying what you experience and read in class to improve your real life ability to negotiate for yourself and others.

This learning is a bit-by-bit process, hence the name, “Kaizen,” a Japanese business concept which means incremental revisions, disciplined improvement. Your Kaizen Team will help you to consolidate your class learning, and to apply it to the “real world” of your work, school, political, and personal life.

Who? We'll form teams in class on the 3rd day.

How often? How long? 5 substantive meetings throughout the semester, including one time with a TA or with me. Schedule at least a full hour for each meeting.

1st meeting: Share the stories and course goals from your First Assignment.

There's no need to summarize these in your kaizen report, as I have read them already! Identify the emotions and strategies in your stories. Discuss what you'd each like to work on this semester.

The other 4 meetings—you decide how to use them best.

At the end of each meeting, select one member who will facilitate the next session AND do the write up (see next page). Each of you should take a turn doing this.

The facilitator's job is to make sure your meeting is substantive and satisfying. You will consult about what topics and activities people want, and then facilitate conversations and activities, while making sure everyone participates and gets some value out of the meeting. The conversation may change direction at the last minute, especially if someone wants coaching or there's something hot in the news, or you just finished a roleplay. Go with it, but whatever activity or discussion you have, remember that the facilitator's task is to make sure you all tying it back to the course – learning about negotiation and conflict. And if you can have fun at the same time, that's a plus!

Discussion possibilities

- Coach & roleplay: Discuss your current personal negotiations and any conflicts happening outside of class (the more you can do this, the better). You can help kaizen member prepare for a job interview or difficult conversation by roleplaying it out.
- The temptation is to mostly chat about recent roleplays. This is fine, but make sure you focus on what you *learned* about negotiation and conflict from it.
- Self-evaluation: share what you want to work on, watch videos of your roleplays, set personal goals for the next weeks of class.
- Discuss negotiations / conflict management events in the news.
- Discuss course topics and readings that interest or confuse you, questions you have for me.

Activity possibilities

- Play a negotiation game: Can be great fun and team building. Warning though! Some games can take many hours. And you may never speak to each other again! Most groups use Settlers of Catan. I have the fun “Bohnanza” card game in my office that you can borrow. See the recommended games page on Canvas. Please add your review comments there afterward.
- Watch a negotiation-related film together.
- Do an extra roleplay, for fun, to help someone do a make-up for class, or to capture better video clips for Reflection Essay #3. Ask me-- I probably have some roleplays that fit what you're looking for.
- Review video clips of yourselves negotiating—what do you notice? (Ideal for your Video Reflection #3.)

Kaizen Reports

The facilitator for the session will write and distribute the report. A different team member should do this each time. If you meet with me, you will not need to post a report for that session.

Post a maximum 450 word summary of your meeting in your Canvas kaizen folder.

Include:

- ✓ The place, day, and time duration of the meeting
- ✓ Who attended—in person, or, if necessary, virtually,
- ✓ A group selfie!
- ✓ Who facilitated and wrote the report?
- ✓ A summary of the topics you talked about / activities you did. There's no need to report every point and detail, especially students' confidential situations. You can also report any idea or problem or question you want me to know about or respond to.

Kaizen Grades

Your kaizen grade will take into account the range of topics and activities you explore, how much energy you put into making your meetings useful for all group members, posting reports at the required intervals, and on your personal attendance.

There's no grade for individual kaizen meeting reports, just comments and guidance.

Most students enjoy their kaizen get-togethers and find it helps with their real world negotiations and conflicts. However, if you find your kaizen group is not particularly interesting or helping your learning, don't just put up with it – come talk to me (I will keep this confidential), and we'll strategize.

Roleplays & Games

Admittedly, games and roleplays are not “real life” (and often you’ll be grateful they were just for practice!). Nevertheless when approached as opportunities to learn, roleplays are surprisingly informative. Unlike real life, roleplays strip away the confusing complexities to highlight key points and give you opportunities to use particular skills. And unlike real world settings, roleplays allow you to:

- ✓ observe yourself in action
- ✓ experiment with unfamiliar approaches without risking dire consequences
- ✓ get immediate and more honest feedback
- ✓ find out what the other side’s situation and reactions really were
- ✓ compare your skills with your peers.

Roleplay Rules:

1. **Shhhhhh.** Do not share your role information beforehand, even with people in other roleplay groups or other negotiation classes, unless I say it is okay.
2. Stick to the facts on your roleplay sheet. You are welcome to “embroider” information given to make your character or the roleplay storyline more realistic, but **do not “invent money” or make up ANY other facts or events that improve your negotiation position.** (Your roleplay persona can choose to *lie* about the information given, but not to change the roleplay sheet facts). And please, no accusations of illicit sex, incompetence, drunkenness, or other alleged defects of character unless they are written into your roleplay information.
3. Do as well as you can for yourself within the given constraints of your role. That doesn’t necessarily mean defeating everyone else!—skilled negotiators can often find acceptable outcomes for everyone. Try out any strategy you want... just remember that you will face those same students in other roleplays later. Reputation effect!
4. **Debriefs:** This is the most valuable moment of your class time together!!
Strive to be both **forthright and kind** in your review of others and yourself, a difficult combination which learned well will stand you in good stead as negotiator and as a colleague and manager in your working life.

First Week Assignment

Post to Canvas, preferably by Wednesday, January 23rd.

This assignment is *required*, but not graded.

1. What kind of work do you plan to do after graduation? (One paragraph).

- What do you value most about the work you want to do in the world?
- About the person you want to be-come?
- What kinds of negotiation are likely to be most important for you?

Feel free to be open and frank here – rather than the smooth answer you might give to recruiters :-)

2. Goals & hopes

- What negotiation & conflict resolution skills would you most like to improve by the end of this semester? (The more specific and measurable, the more it can help focus your learning.)
- What are you curious about?

3. Describe a negotiation or conflict you've been involved with in this past year.

(One or two paragraphs, max.)

- Write about a work-related situation, if possible.
- Note at least one thing you did **well** in the situation.

4. Personal information

- a. The name you would like to be called, if it differs from your roster name.
Pronunciation of your name, and your preferred pronouns if I'm likely to say either of them wrong.
- b. Your phone number and preferred email address.
- c. Any difficulties or special situations that I should know about. (For example: scheduling problems which might make you late for class, hearing loss, English not your first language).
- d. Whether I can post your name, photo, and email address on a class list that will be available on Canvas.
- e. If you're so inclined, please include a head shot photo, especially if your official university one doesn't look much like you! (I'll use it on the class list, too.)

I will keep your phone number and your answers to "c" confidential.