Negotiation & Conflict Resolution

WINTER 2020 // 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.

Home office & voicemail: 610-623-1926

Email: beerj@wharton.upenn.edu Use this one. BTW, messages sent via Canvas may not get noticed right away. For urgent replies or correspondence, 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 as various types of business situations – buying & selling, job negotiations, cooperative ventures, agents & clients, collective bargaining, and negotiations *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 four 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 include one or more experiential learning activities designed to incrementally build up 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. Links to online and Library Reserves are posted on Canvas, Copyrighted articles will also be available on Study.net (all are for the 2nd half of the semester.)

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. Jennifer. Beer, C. Packard, E. Stief.
- 6. Negotiating the Business Environment: Theory and Practice for all Governance Styles. 2011. Jennifer Waterhouse, Robyn Keast, Kerry Brown. (Excellent: how to negotiate differently in 3 systems: bureaucracies, markets, networks. It's Australian, and US Amazon doesn't have enough in stock to use as a text, though the few listed there now are less than \$15.)
- 7. Annotated list of video and text links on the Canvas "Links Page" Recommendations always welcome!

Fees

The iDecisionsGames roleplay management app for roleplays will cost \$15 when you sign up on their website.

Some of the articles and roleplay cases we will use in this class require a copyright fee per use. 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, job interviews, sports etc., so leave yourself some slack. You do not need to submit a written excuse or ask my permission. However...

*Please email me before class if you won't be there. It lets me re-arrange the roleplay groups beforehand so that your classmates don't have to scramble to read a new role, or wait around to see if you show up. And we can arrange for you to get the assignments or role sheet to prep for the next class.

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 researches or 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 form the core of this course.

You must complete all roleplays, even if you miss a class. You are responsible for arranging your makeup 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, and posting your results and conclusions on Canvas. The class absence will still be counted.

Roleplay *outcomes* are not graded. This gives you a chance to take risks, to experiment with different approaches, and learn together. At the end of the course, your classmates' overall perceptions of your negotiation strengths will be measured in the Peer Review portion of your grade.

Roleplays are organized through the somewhat finicky iDecisionsGames app. At the end of a roleplay, you'll post your results there, THEN return to the classroom to pick up a paper debrief sheet to guide your roleplay group's discussion and your self-reflection (or download it from Canvas).

Store your debrief notes together for your own self-evaluation and for completing the Peer Review at the end of the course. Feedback you give other students during roleplay debrief conversations will not affect their grades in any way.

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+. Grades reflect your standing relative to your peers, however assignments and course grades are not mathematically curved.

CATEGORY	% OF GRADE	ASSIGNMENT
A. Ungraded Assignments	10%	1st Assignment, roleplay prep, class session-related assignments—completed satisfactorily and on time. Essay assignments submitted on time. Peer Review scores for contribution to class learning also factor into this grade.
	10%	1st Reflection Essay - Negotiate Something
B. Reflection Essays	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 substantive conversations/activities.
E. Concept Quizlets	20%	8 online open book 25 minute "quizlets" (15 points each. Your 7 highest scores will be added together.)
F. Skill evaluation	10%	Peer Review survey

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 survey) 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 learn 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. It is an essay, *not* a research paper. 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 on Canvas and also at the back of this syllabus.

E. Concept "Quizlets

Eight open book "quizlets" will cover the readings, roleplays, and slides from the previous week or two. Each will be about 25 minutes long. Most quizlets will be posted on Canvas mid-evenings on Thursday to be completed by Sunday 9:15pm. Given the time constraint, it is wise to review assigned readings and the class slides 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 answers will get more/fewer points rather than being strictly right or wrong. 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'll be away from the internet for the 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.

Your reputation in the class *will* influence your final grade –how do others experience negotiating with you (as a team, as an adversary) – your preparation, your outcomes, your attitude, your skill at communication, bargaining, problem-solving. I adjust the peer review raw scores slightly for mitigating factors, and make sure that it does not affect your grade more than one level.

Debrief sheets: Within 12 hours of finishing a roleplay, write down observations about what your other roleplay members did well. Skim through the debriefs again before filling out the Peer Review survey.

More about assignments

1. Assignments are ONLY 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 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 reading preference. 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. unless it is LOL amusing.
- 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!

Course Calendar Negotiation & Conflict Resolution

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Readings and assignments are due by the start of class, unless noted otherwise. Be alert - quizlets are usually due Sunday night, and many assignments are due Monday night.

The version of this calendar posted on Canvas will contain the latest updates and is the final word if you find discrepancies.

Many course materials and readings and library reserve links are on Canvas, as is this calendar.

DATE (Color = same week)	IN CLASS	ASSIGNMENTS DUE
16 January	 Why study negotiation? What do we mean by "negotiation" and why study it? Semester Roadmap Your Starting Point 	Write: Complete the 1st assignment (back page of the syllabus) as soon as you can. It is required but not graded. Read: Webber's summary of Leigh Steinberg interview (also on Canvas): http://www.fastcompany.com/35462/howget-them-show-you-money
21 January	 What do you value? Course nuts & bolts Negotiate Roleplay #1 and debrief "Negotiate Something" assignment. 	Read: <i>Getting to Yes</i> – Intro, Chapter 1, 2 Optional: <i>Bargaining for Advantage</i> , Chapter 1, 2
23 January	Competitive (distributive) negotiations Basic terms & concepts Form Kaizen teams Roleplay #2 (may need to finish outside of class)	Read: Negotiation Genius Chapter 1 Take 15 minutes to get a sense of the whole book, because we'll be reading subsequent chapters out of order. Quizlet 1 this weekend 25-minute open book Quizlets: You can open them ONCE any time after they are posted on Canvas (generally Thursday evening). Finish before Sunday evening, 9:15pm.

28 January 30 January	Competitive negotiations Debrief Roleplay #2 Core strategies & terms Your negotiation approach, strategies	Read: Jay Folberg on pawnshop negotiations (also on Canvas) http://www.mediate.com/articles/negotiation lessons from the pawnshop.cfm Read: Getting to Yes – Chapters 3 - 5 Due: Your "Negotiate Something" results. If you purchased something portable, please bring it in for show & tell!
	 Fitting your approach to the situation. Persuasion and influences strategies. Framing. Reviewing your "Negotiate Something" strategies. Explanation of Reflection #1 assignment 	Watch this 11 minute cartoon synopsis of Cialdini's book <i>Persuasion</i> : https://www.youtube.com/watch?v=cFdCz N7RYbw Due: Fill out for yourself: Richard Shell's style assessment questionnaire (in Canvas' Assignment Materials folder). Bring your results to class. Optional: Negotiation Genius Chapter 7. No Quizlet
3 February 10pm (Monday)	Negotiate Something Reflection Essay #1 due. See Canvas for detailed instructions.	Due: Reflection #1: Negotiate Something Post to Canvas before 10pm.
4 February	 Roleplay #3 Roleplay #3 Hand out Email Roleplay #5 – to be negotiated outside of class, results must be posted by 10am Tuesday Feb 18. 	Read: Getting to Yes – Chapters 6, 7, 8
8 February	Competition & Cooperation Debrief Roleplay #3 Explain Reflection #2: Interview	Due: First Kaizen report. Read: <i>Negotiation Genius</i> , Chapter 2 Quizlet 2

11 February	 Leverage, adversarial and collaborative Kinds of leverage, when and how to play your cards. Roleplay #4 	Read: <i>Negotiation Genius</i> , Chapter 2 Optional: <i>Bargaining for Advantage</i> , Chapter 6
13 February	 Interests Roleplay #4 debrief Understanding interests, positions, expanding value Getting to Yes takeaways & discussion 	Due: prepare your questions and "aha!" observations about <i>Getting to Yes</i> , and the first 2 chapters of <i>Negotiation Genius</i> . Quizlet 3
18 February	Debrief email Roleplay #5. Communications part 1 Debrief Email Roleplay #5 outcomes Communication channels "The Swiss army knife" –templates to organize your communication.	Due: Post Roleplay #5 results by 10am. Optional: Bargaining for Advantage, Chapter 5, 8. Due: Bring a printout of your Roleplay #5 transcript (not just looking at it on your screen) to use for the in-class exercise. Please don't post it to Canvas.
20 February	Communication skills, part 2 Asking effective questions One up, one down, shadow negotiations Transcript analysis.	Bring the transcript printout again. NOTE: you are not required to post your transcript analysis doc, but if you do, we will comment on it before the next quizlet to catch misconceptions you may have. Talk with Dr. Beer or TAs if you are having trouble lining up your interview for Reflection #2. Quizlet 4
25 February	Job negotiations Job negotiation overview, video Interests and leverage in job negotiations After the offer: Negotiating your power and compensation Hand out Roleplay #6	Due: 2nd Kaizen Report Read: Skim through the rest of <i>Getting to</i> Yes, read what interests you. Especially the Questions People Ask" final section. Read: <i>Negotiation Genius</i> , Chapter 3
26 February (Wednesday)	Employer role for Roleplay #6: Send a job offer email to your partner. Candidate response is optional.	"Employers" send one email by Wednesday noon .

27 February	Job negotiations Roleplay #6 & debrief More Job negotiations approaches	Schedule a conversation with your interviewee, for March 12 at the latest
	 Handout roleplay #7 to prep with your partner over the weekend. 	Quizlet 5
3 March	Roleplay #7 Roleplay #7	Due: Post your preparation pages for Roleplay #7 by 10am. Even if you have one doc, both of you should post it to Canvas. Optional: <i>Bargaining for Advantage</i> , Chapter 3 on Standards & Norms.
5 March	 Information: the currency of negotiation Debrief Roleplay #7 Norms & Standards based negotiations Information = the currency of negotiation (use of standards, revealing, sharing, evaluating, framing, etc.) Skills for discovering information Listening homework for the break. 	Read: <i>Negotiation Genius</i> , Chapters 11, 13 No quizlet
10 March	SPRING BREAK	Bring back your Negotiation stories!
12 March		No quizlet
17 March	 Agents Vacation stories! Explain Video Assignment -Reflection #3 Roleplay #8 Hand out Roleplay #9 Prepare with your partner and post prep sheet before next Tuesday's class. 	Read: Your role for Roleplay #8 Read: "When you shouldn't go it alone", by Susskind Optional: Watch "25 Most Difficult Negotiation Tactics" with William McCormick. https://www.youtube.com/watch?v=wl-p2eDVj4k
18 March (Wednesday)	Interview Someone: Reflection #2	Due: Wednesday 10pm Reflection #2 Interview

19 March	Agents Debrief Roleplay #8 Working with/as an Agent or representative Ethics, part 1 Fiduciary obligation, fraud What's unethical? Where do you draw the line?	Read: Negotiation Genius, Chapter 9, 10. https://hbr.org/2016/10/theres-a-word-for-using-truthful-facts-to-deceive-paltering https://www.forbes.com/sites/tanyatarr/2018/12/18/how-this-one-negotiation-tip-can-boost-truthfulness-for-everyone/#61fbc45672b3 Optional: "Negotiating with Liars" by Adler Optional: Bargaining for Advantage, Chapter 11 Quizlet 6
22 March (Sunday)	 Responding to unethical behavior, reducing risk. 	Due: 3rd Kaizen Report
24 March	Public negotiations Review Real World Essay assignment The politics of negotiation Start Roleplay #9	Due by 10 am: Your team's prep sheet for Roleplay #9 Due by class: Read one news article about current union or diplomatic negotiation, be ready to talk in class about how it differs from negotiations we've looked at so far.
26 March	Labor negotiations, multi-issue Continue Roleplay #9, debrief Strategies for handling multiple issues	Optional: Read this labor mediator's critique of Getting To Yes (short): https://www.beyondintractability.org/artsum/mccarthy-role
29 March (Sunday)	Reflection #3 Videos Post your 4-minutes of video clips (written part is due later).	Due: Reflection #3 video clips. Sunday 10pm. Please post as "video" not under "Reflection #3"). We can't batch download the essays when videos are co-posted with them. No Quizlet
31 March	 Conflict: High-emotion negotiations The negotiation life cycle Building realistic, action-centered agreements → Commitment Conflict dynamics, effects of anger. Conflict resolution: dealing with emotions and solutions. Watching skilled mediators in several settings (video). 	Read: summary + expansion of Joseph Daly article on anger in negotiations (on Canvas). Read Negotiation Genius, Chapter 12. Read: Understanding conflict chapter from The Mediators Handbook (posted files start with "MH") Optional: https://www.forbes.com/sites/tanyatarr/2018/10/01/how-the-kavanaugh-hearings-teach-us-about-leadership-and-emotion-in-negotiation/#2aeda1f42781

1 April 10pm (Wednesday)	Reflection #3 written part of the assignment due	Due: Reflection #3 Video Essay write up.
2 April	 Mediation 2-person mediation process – demo Roleplay #10 (mediation) & debrief Hand out Roleplay #11 (mediation) to read before next class. 	Read: <i>The Mediator Handbook</i> excerpts explaining mediation Due: Post your Real World topic on the google sheet. Quizlet 7
7 April	MediationDebrief Roleplay #10.Mediation Roleplay #11	Due: 4th Kaizen Report
9 April	Reaching agreement, Commitment Debrief Mediation roleplays Deal design, Agreements, getting commitment Handout Team Roleplay #12 (post your prep doc on Canvas before the next class)	Read: "3D Negotiations" by Lax & Sebenius. This article is a MUST read for your Real World Analysis. If you'd like to know more, check out their full book (same title). Optional: "Complex Negotiations" by Watkins. It is beyond the scope of this class but more actionable than the 3D article. Quizlet 8

14 April	Team Negotiations, Agenda, Team roleplay Roleplay #12	Due: Post your #12 Team Prep document before class starts. Read: 3D Negotiations article (see above).
16 April	Complex negotiations Roleplay #12 continued, and debrief 3D negotiations Keeping track of interests, information, positions Sequencing, alliances & coalitions Hand out public info for Roleplay #13 to read for the next class	
20 April 10pm (Monday)	Real World Analysis FULL ROUGH DRAFT due The draft needs to be a <i>full</i> essay, NOT an outline!	Due by Monday, 10pm. Plan ahead! This due date is not negotiable. Post your Real World draft to Canvas, and email it to your Swap Partner (see Google doc for who that is).
21 April	Multiparty negotiations Roleplay #13: Prep time with same parties First round or two of negotiations.	Due: Read the public info for Roleplay #13 thoroughly. You'll get assigned a role in class. Read one of these (use in your Real World Essay): "Making the Most of Multiparty Negotiations" by Susskind https://hbswk.hbs.edu/archive/making-themost-of-multiparty-negotiations "Three Keys to Navigating Multiparty Negotiations", by Mannix
23 April	Multiparty negotiationsRoleplay #13, continued & debriefCourse evaluations	Skim: Ertel on Corporate Capability.
24 April 5pm (Friday)	Essay Swap comments due	Due by 5 pm Friday: Essay Swap comments. Email them to your partner, and post on Canvas. Help your partner out by sending them on time.

27 April noon (Monday)	Online peer evaluation You'll need a good bit of review time set aside to give your classmates the considered assessment they (and you) deserve. Look over the google.doc roleplay results. Your debrief sheets. The photo file.	Due by noon: Complete the online peer evaluation. *Please* don't be late! I need to collate the complete data set before Tuesday's class.
28 April	 Last Class - the larger picture Roleplay #13 debrief, continued. What have we learned, where next? Negotiation as core business & life competency Mantras & closing 	Due: decide on your pithy mantra! Optional: fill out the self-evaluation grid & questions. Strongly requested: Fill out the unofficial course evaluation.
29 April 5pm (Wednesday)	Real World Analysis Essayb	Due Wednesday, 5pm: Real World Analysis. Don't forget to include your questions and your list of key sources you used.
7 May 2pm (Thursday)	#5 Kaizen Report due	Due by 2pm: 5th Kaizen report: It can be fun to hold a celebratory final Kaizen meeting at the very end of the semester, however you can meet any time after April 23. All make up work, guest lecture reports, etc are also due by 2pm on this day.