

Department of Legal Studies & Business Ethics
The Wharton School, University of Pennsylvania
LGST/MGMT/OIDD 291-408

NEGOTIATIONS

Fall 2021

Instructor: Rachel M. Krol, JD
Class times: Wednesdays, 3:30-6:30 PM ET
Location: *TBD*
E-mail: rkrol@wharton.upenn.edu

Office Hours: Wednesdays, 1:00-2:30 PM ET
Location: 6th Floor, Huntsman Hall

OVERVIEW

We negotiate every day—with merchants, service providers, employers, colleagues, clients, friends, and family—determining what price we will pay, the amount of our salary and compensation, how to accomplish a team project, what movies to watch, where to go to dinner, who will clean the kitchen, and so forth. Although negotiations are a ubiquitous part of our everyday lives, many of us know little about the strategy and psychology of effective negotiations. Why do we sometimes get our way, while other times we walk away feeling frustrated by our inability to achieve the agreement we desire?

This course integrates theory and practice. It will give you a foundation, a conceptual understanding of negotiation processes, so that you can analyze negotiation situations intelligently and choose effective strategies. It will also build your practical hands-on negotiation and conflict resolution skills in a range of settings.

Each class period will include negotiation simulations and exercises. We will combine this experiential learning with readings, lectures, discussions, and small group review sessions. I encourage you to approach this course with an open mind and a willingness to experiment!

COURSE OBJECTIVES

More specifically, during the course you will:

1. Learn fundamental concepts of negotiation theory and behavior;
2. Enhance your ability to analyze negotiation processes in both professional and personal situations;
3. Build your confidence and competence through frequent practice; and
4. Gain tools for your continued development as a skilled negotiator.

READINGS

1. Roger Fisher, et al., *Getting to Yes* (Penguin 3rd edition 2011);
2. Douglas Stone, et al., *Difficult Conversations* (Penguin 2nd edition 2010); and
3. Additional Readings on Canvas (see the “Course Materials @ Penn Libraries” tab).

ATTENDANCE

Attendance in this course is very important!

Each class period, you will have interactive negotiation simulations where you will be given a specific role to play and be teamed up with at least one other student. Therefore, missing a class hurts everyone’s learning, not just yours. The same applies to preparation. If you come to a negotiation unprepared, not only will you lose out, but your counterpart(s) will also lose out and you will not learn the lessons and skills that the simulation aims to teach.

If you need to miss a class, please let me know at least 24 hours in advance—by 3:30PM on Tuesday. The more notice there is, the more easily I can plan to ensure that the learning experience of other students is uninterrupted.

Missing one class = losing 3 participation points. You can earn those points back by arranging making up the missed roleplay or completing a short writing assignment related to the class material that week. Consult with me as to which make-up is appropriate.

If you miss more than two classes, your overall grade for the course will be reduced one level (i.e. from B- to C+). Make sure you attend regularly so that getting sick or having a schedule conflict does not risk putting you over the 2-class limit.

GRADING

Grading for this course will be based on the following components. Due dates are posted on Canvas and summarized at the end of this syllabus:

GRADE COMPONENTS	Percentage per Assignment	Percentage of Final Grade
A. Negotiation Preparation	3 + 3 + 6	12
B. Reflection Papers	10 + 12	22
C. Quizzes	10 + 12	22
D. Final Paper		20
E. Class Participation	18 + 6	24

A. Negotiation Preparation

Preparation is probably the single most important thing you can do to improve your performance in any negotiation. In class, it is essential that you read and prepare for every negotiation exercise. Lack of preparation diminishes the value of in-class negotiations, not only for you, but also for your negotiating partners.

To ensure you are prepared and to show you how to prepare, there will be two types of preparation assignments:

1. **Comprehensive preparation memos:** There are two comprehensive preparation memos due throughout the semester (3 points each). *The prep plan form will be posted on Canvas and we will discuss this assignment in detail in class.*
2. **Short prep plans:** For all remaining negotiations that require preparation in advance, you will submit a short prep form via Canvas with a few brief questions (.5 points each, 6 points total). You will receive full credit for submitting the forms, so long as you complete them with apparent effort and thought, prior to each class period.

B. Reflection Papers

Two reflection papers are due throughout the semester. The first paper is weighted slightly less than the second paper to give you the opportunity to incorporate my feedback on your first paper. *Maximum 1000 words each.*

The purpose of these papers is to help gain greater awareness of yourself as a negotiator, as well as of the people and situations you encounter, and to foster a deeper understanding of the experience of negotiating.

Reflect on your in-class simulations and/or negotiation-related experiences that arise in your life outside of this class. There's no need to explain blow-by-blow what happened in your negotiations. Focus instead on one or two significant moments: what you were thinking, feedback for yourself about what worked well, what you might do differently next time, what you can learn from stepping into your counterpart's perspective, and what unanswered questions you still have. In addition, each paper should reference at least one of the required readings and incorporate it into your self-reflection. That said, these papers are not a test of your research or formal writing skills. They are intended to be an exercise in self-awareness and an opportunity to engage in ongoing reflection and personal growth.

Grading is based on:

1. Meeting the assignment parameters: submitted on time, correct word length, includes one citation to a course reading
2. How astutely you observe and evaluate your own actions and feelings, and those of others involved.

3. The quality of the negotiation ideas / observations / arguments / questions you present and how well you connect your negotiation experience to theories and frameworks from readings and class sessions or other sources.

Some potential approaches: Successful reflection papers can take a variety of forms. Here are some examples of the type of analysis I am looking for. I will also post a few examples on Canvas.

- Theory → Practice → Theory: How the ideas from class & readings influenced your preparation for a negotiation → what happened during the actual negotiation → how that experience led you to understand or question what you learned from class & readings.
- Practice → Theory → Practice: How you approached a negotiation → how the ideas from class & readings helped you unpack and better understand what happened and why in your negotiation → what specific strategies, goals, or advice you might use next time.
- Present → Past → Future: What happened during a negotiation simulation → what in your past life experiences contributed to you acting/reacting in that way → what specific strategies, goals, or advice you might use next time.
- Exploring various perspectives → insights → advice: how you understood or acted in a negotiation, how others around you may have understood or acted, how a third-party observer might have seen things → what insights/lessons can you draw from these different perspectives → specific advice for what you might do/say in a future negotiation

Two analytical tools that may help you achieve deeper reflections:

- Problem-Solving Circle Chart in Getting to Yes, pg. 69.
- Ladder of Inference. Look this up online, using image search. There are many variants-- pick the one that seems understandable and relevant to your thinking process for this paper.

C. Quizzes

The two in-class quizzes, given in Classes 7 and 13, will cover readings, lectures, and class discussions, and will last 20-30 minutes each.

While we will not have time to discuss all the readings in class, you will be expected to understand and apply the main substantive points of each chapter/article. Studying this conceptual knowledge will inform your negotiation practice, and give you a broader perspective that gives you a basis for growing your skills long after you finish this class.

D. Final Paper

Sometime during the semester, you must plan and execute a negotiation outside of class. For the Final Paper, I would like you to analyze this real-world negotiation that *you* have participated in and discuss negotiation lessons from the experience. *Maximun 1800 words.*

Choosing your real-world negotiation:

- The negotiation should be about something nontrivial (i.e., you should care how the negotiation turns out). Other than that, it can be about any topic (a good or service, salary, resolving a conflict, etc.).
- The negotiation counterpart(s) may not be another student in this class or the instructor.
- The negotiation counterpart(s) must not be aware either before or during the negotiation that you will be analyzing it to satisfy course requirements (however, you may share your paper with them afterwards if you wish).
- Please enter any “new” negotiation in good faith and act ethically.

Writing your paper: Although there are many creative formats for papers, a good paper usually includes the following elements:

- Introduction – What is this negotiation about? Who is involved? What is the context? What were your goals?
- Analysis/discussion – *Note: You should not give a complete play-by-play of your entire negotiation nor should you necessarily answer each of the following questions. Part of your analysis involves choosing a few key moments (2? 3? 4?) in which something interesting happened and analyzing those moments in a detailed, meaningful way. Whatever your focus, you should incorporate the use of theory and research from the readings and lecture material to bolster your analysis.*
 - What did you do to prepare for this negotiation? How did that preparation help (or not help) in your actual negotiation? What strategies did you plan to employ? How did they play out in real life?
 - What happened at certain key moments in your negotiation (specifically what did someone do or say)? What were you thinking at the time? What might they have been thinking (and why do you think they were thinking that)?
 - What impact did a particular moment have on you/them/the negotiation? Why do you think it had the impact that it did?
 - What concepts/theories from the readings or from lectures can help you analyze what happened in these moments?
 - What past negotiation/life experiences can help you analyze your own behavior and reactions in these moments?
 - What specifically could or should you have done differently, if anything, and why?
- Conclusion – What lessons about negotiation and/or yourself did you learn from this experience that you will take with you into your future negotiations?

E. Class Participation

Participation in weekly class discussions to debrief the negotiation simulations is a very important part of this learning process. Grading will be based on my weekly observations of your effort and engagement during in-class exercises and the quality of your in-class comments (. If you rarely contribute to discussions, it is impossible to evaluate the quality of your thinking and your classmates cannot learn from your insights. At the same time,

over participating or excessively dominating the conversation can hinder the learning environment

Typically, quality comments:

- 1) are relevant to the topic;
- 2) clearly articulate a personal experience or observation;
- 3) move the conversation forward in some way by adding new information, insights, or viewpoints; and
- 4) engage other students by sparking peer responses.

In addition, the timely completion of four additional assignments will count towards your class participation grade (1.5 points each):

- 1) Submission of preliminary course goals;
- 2) Preparation for video review #1;
- 3) Preparation for video review #2; and
- 4) Submission of a peer feedback survey to be submitted during the final week of class in which you a) identify peers who made significant contributions to your learning during the course simulations and discussions; and 2) list the names of the top five negotiators in class, defined as “those who were able to achieve excellent results while maintain and strengthening long-term relationships.” These ratings will give me insights into aspects of the course that I cannot observe directly, namely, how well you prepared for and conducted your negotiation simulations, how seriously you played your roles, and your involvement in small group discussions.. I may take the results of this final Peer Feedback survey into account when grading Class Participation.

Plagiarism

I expect students to adhere to Penn’s [Code of Academic Integrity](#) in all assignments. Papers must represent only your own creative work and effort. Any source you rely on or quote directly must be cited. You may use whichever citation method you prefer as long as it is clear and consistent.

Confidentiality and Academic Integrity:

In the various negotiation exercises, you will typically be given confidential instructions for the role that you will play. It is up to you to decide, during the course of each negotiation, what information you want to share (or not share) with your counterparts. This is a large part of what will make the simulation an enriching learning experience. Therefore, it is

critical that you not discuss or share these instructions with your classmates until we begin our formal class debrief session.

In addition, it is critical that you not share or discuss negotiation simulations 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. To invent and refine a case is an arduous task, often taking several years. If either the structure of a case (its basic challenge) or the substantive facts of one or both sides should become widely known, or if you should attempt to learn about the structure of the case prior to negotiating it, the case would be of little use to you or future students.

I may ask you to videorecord your negotiations at certain times throughout this course as a way to help you improve your negotiation skills. You may not share these videos with anyone outside of this course—in order to protect the privacy of others on the video and the integrity of the negotiation simulations.

Any of these actions (sharing confidential case information, attempting to obtain confidential case information, or sharing video recordings from this course to anyone outside of this course) would be considered a violation of Penn's [Code of Academic Integrity](#).

INSTRUCTOR BIO

Rachel M. Krol is an attorney, consultant, and educator with a focus on negotiation and conflict management. In addition to teaching Negotiations at Wharton and Penn Law, she is an Advisor with the Cambridge Family Enterprise Group, where she advises family-owned enterprises on strategies for achieving multigenerational success, including helping families and ownership groups implement effective governance systems and build their capacity for managing relationships, communication, and conflicts. Professor Krol has taught negotiation around the world including at Harvard Law School, Georgetown University Law Center, and the Vienna University of Economics and Business. She has worked with a variety of client organizations ranging from court systems to tech companies, local government agencies to international NGOs. Professor Krol earned her J.D. from Harvard Law School and her B.A. in History from Columbia University. She began her legal career as an attorney in the Corporate and Securities Group at Faegre Drinker LLP (previously Drinker, Biddle & Reath LLP).

COURSE SCHEDULE AND DELIVERABLES

Class (Date)	Agenda	Readings Due	Assignments Due
Class 1 (9/1)	<ul style="list-style-type: none"> • INTRODUCTION TO NEGOTIATION • Read, negotiate, and review <i>Cessna</i> • Discuss Syllabus 	Suggested: Get a head start on the readings due next week.	<ul style="list-style-type: none"> • Submit Self Introduction Video & Preliminary Course Goals by Tuesday evening, August 31. See Canvas for instructions.
Class 2 (9/8)	<ul style="list-style-type: none"> • Read and negotiate <i>Parker Gibson</i> • GIVING AND RECEIVING FEEDBACK • Review <i>Parker Gibson</i> • DISTRIBUTIVE BARGAINING, FIRST OFFERS, ANCHORING 	<ul style="list-style-type: none"> • Fisher, <i>Getting to Yes</i>, Introduction, chs. 1-2. • Peppet & Moffitt, "Learning to Learn How to Negotiate." • Goodpaster, "A Primer on Competitive Bargaining" (pp. 325-349). 	NONE
Class 3 (9/15)	<ul style="list-style-type: none"> • Negotiate and review <i>Negotiating a Pandemic</i> • INTEGRATIVE BARGAINING & PREPARING TO NEGOTIATE 	<ul style="list-style-type: none"> • Bazerman, "Judgment in Managerial Decision Making" (ch. 7). • Tinsley, "Reputations in Negotiation." 	<ul style="list-style-type: none"> • Prepare to negotiate <i>Negotiating a Pandemic</i>
Class 4 (9/22)	<ul style="list-style-type: none"> • Negotiate and review <i>Diego Primadonna</i> • CREATING VALUE 	<ul style="list-style-type: none"> • Fisher, <i>Getting to Yes</i>, chs. 3-4. • Moffitt, "Contingent Agreements: Agreeing to Disagree about the Future." 	<ul style="list-style-type: none"> • Submit Preparation Plan for <i>Diego Primadonna</i> (due before class)
Class 5 (9/29)	<ul style="list-style-type: none"> • THE CHALLENGE OF DISTRIBUTION 	<ul style="list-style-type: none"> • Fisher, <i>Getting to Yes</i>, ch. 5. • Young, "Dividing the Indivisible." 	<ul style="list-style-type: none"> • Submit Reflection Paper #1 (due before class)

	<ul style="list-style-type: none"> • Negotiate, video record, and review <i>Eazy's Garage</i> 		<ul style="list-style-type: none"> • Prepare to negotiate <i>Eazy's Garage</i>
Class 6 (10/6)	<ul style="list-style-type: none"> • Video review of <i>Eazy's Garage</i> negotiation in small groups • Mini-labs: ACTIVE LISTENING • Negotiate <i>Bullard Houses</i> 	<ul style="list-style-type: none"> • Stone, <i>Difficult Conversations</i>, chs. 9-10. • Shell, "Negotiating with the Devil without Losing Your Soul." • Adler, "Negotiating with Liars." 	<ul style="list-style-type: none"> • Submit video clip for video review of <i>Eazy's Garage</i> (due 24 hours before class; see Canvas for details) • Review video clips for your group members and come to class ready to discuss • Prepare to negotiate <i>Bullard Houses</i>
Class 7 (10/13)	<ul style="list-style-type: none"> • Quiz #1 • Review <i>Bullard Houses</i> • NEGOTIATION ETHICS 		<ul style="list-style-type: none"> • Prepare readings and lectures from Classes 1-6 for Quiz #1
Class 8 (10/20)	<ul style="list-style-type: none"> • Review <i>The Offer</i> email negotiation • DEALING WITH DIFFICULT TACTICS • Mini-labs: Dealing with Difficult Tactics 	<ul style="list-style-type: none"> • Ebner, "Negotiation via Email." • Malhotra, "Control the Negotiation Before It Begins." • Fisher, <i>Getting to Yes</i>, chs. 7-8. <p><i>Optional: Watch/Listen to additional resources on negotiating job offers.</i></p> <ul style="list-style-type: none"> • "How to Negotiate Your Job Offer" • "Thinking Strategically about Career Negotiations" 	<ul style="list-style-type: none"> • Prepare AND NEGOTIATE <i>The Offer</i> via email (see Canvas for details)

Class 9 (10/27)	<ul style="list-style-type: none"> • Negotiate and review <i>Author Author</i> • MANAGING EMOTIONS AND DIFFICULT CONVERSATIONS 	<ul style="list-style-type: none"> • Stone, <i>Difficult Conversations</i>, chs. 1-6. • Fisher, "Beyond Reason." 	<ul style="list-style-type: none"> • Submit Preparation Plan for <i>Author Author</i> (due before class)
Class 10 (11/3)	<ul style="list-style-type: none"> • Video review of <i>Author Author</i> • ASSISTED NEGOTIATION: AGENTS • Negotiate and review <i>House Sale</i> 	<ul style="list-style-type: none"> • Mnookin, "The Tension Between Principals and Agents." • Krieger, "Interviewing a Client." 	<ul style="list-style-type: none"> • Submit video clip for video review of <i>Author Author</i> (due 24 hours before class; see Canvas for details) • Review video clips for your group members and come to class ready to discuss • Prepare to negotiate <i>House Sale</i>
Class 11 (11/10)	<ul style="list-style-type: none"> • ASSISTED NEGOTIATION: MEDIATION • Mediate and review <i>Catering Coworkers</i> 	<ul style="list-style-type: none"> • Cleary, "Mediators: Lessons and Observations." • Beer, excerpts from "The Mediator's Handbook." 	<ul style="list-style-type: none"> • Reflection Paper #2 due • Prepare to mediate <i>Catering Coworkers</i>
Class 12 (11/17)	<ul style="list-style-type: none"> • Negotiate and review <i>Harborco</i> 	<ul style="list-style-type: none"> • Watch lecture on multiparty negotiation <p>Note: Readings below are for the next two class sessions:</p> <ul style="list-style-type: none"> • Lewicki, "Multiparty Negotiations: Coalitions and Groups." • Vanover, "Get Things Done through Coalitions" • Watkins, "Negotiating in a Complex World." 	<ul style="list-style-type: none"> • Prepare to negotiate <i>Harborco</i>

		<ul style="list-style-type: none"> • Bazerman & Neale, "Negotiating in Groups and Organizations." 	
NO CLASS (11/24)	HAPPY THANKSGIVING!		
Class 13 (12/1)	<ul style="list-style-type: none"> • Quiz 2 • NEGOTIATING IN TEAMS • Meet with teams to prepare to negotiate <i>Chestnut Village</i> • Conduct opening negotiation session of <i>Chestnut Village</i> 		<ul style="list-style-type: none"> • Prepare to negotiate <i>Chestnut Village</i> • Prepare readings and lectures from Classes 7-12 for Quiz #2
Class 14 (12/8)	<ul style="list-style-type: none"> • Final negotiation session of <i>Chestnut Village</i> • Review <i>Chestnut Village</i> • Course wrap-up 	NONE	<ul style="list-style-type: none"> • Prepare to finish negotiating <i>Chestnut Village</i> <p>Reminder:</p> <ul style="list-style-type: none"> • Online peer reviews due by midnight on December 10, 2021. • Final paper due by midnight on December 17, 2021.