

Department of Legal Studies & Business Ethics  
The Wharton School, University of Pennsylvania  
LGST/MGMT/OIDD 291-410

## NEGOTIATIONS

---

Spring 2022

**Instructor:** Rachel M. Krol, JD ([rkrol@wharton.upenn.edu](mailto:rkrol@wharton.upenn.edu))

**Class times:** Tuesdays/Thursdays, 12:00 - 1:30 PM ET

**Location:** TBD

**Office Hours:** Thursdays, 2:00-3:30 PM ET or by appointment; JMHH 6<sup>th</sup> fl. or via Zoom

### 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 3<sup>rd</sup> edition 2011);
2. Douglas Stone, et al., *Difficult Conversations* (Penguin 2<sup>nd</sup> edition 2010); and
3. Additional Readings on Canvas (see the “Course Materials @ Penn Libraries” tab).

You will also be required to register for the online platform iDecisionGames (iDG) and pay a \$15 user fee. This is where you will receive your negotiation case instructions and pairings and submit your preparation forms and results. Further instructions on Canvas.

## ATTENDANCE

### **Attendance in this course is very important!**

Each week, 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.** 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 participation points back by making up the missed roleplay or completing a short 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.

**UPDATE:** *Given the unique circumstances of the 2021-22 school year, I expect you to follow the spirit of this policy and prioritize attendance as much as possible. Of course, you should follow all Penn protocols related to COVID screening, quarantining, and isolation. There will be no negative impact to your grade if you are unable to attend class for this reason (even if you are above the 2-class limit). Please prioritize your health and safety and the health and safety of the Penn community. Let’s keep open communication so we can work through any issues together as early as possible.*

## USE OF LAPTOPS AND OTHER ELECTRONIC DEVICES

Unless directed otherwise, you may not use laptops or other electronic devices during lectures and class discussions/review sessions. You may use laptops or other devices during the negotiation simulations. I will make the PowerPoint slides of every lecture available. You may find it helpful to print out the instructions for your negotiation simulations, which you will receive electronically. If you need an accommodation to use a laptop or other device, please speak to me about this issue.

## GRADING

Grading for this course will be based on the following components. Due dates are posted on Canvas and listed in the course schedule at the end of this syllabus. A common question is whether the course follows a curve. The course does not adhere to a curve.

GRADE COMPONENTS	Percentage per Assignment	Percentage of Final Grade
A. Negotiation Preparation	1 per case	12
B. Reflection Papers	10 + 12	22
C. Quizzes	11 + 11	22
D. Final Paper		22
E. Class Participation		18
F. Other Short Written Work	1 + 2 + 1	4

### 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, you will be required to submit a short preparation form via iDecisionGames prior to each negotiation simulation.

#### Grading:

0 – did not complete

1 – completed with apparent effort and thought, by the deadline

### B. Reflection Papers

During the semester, you will write two reflection papers in which you analyze your own experience negotiating in class to develop specific negotiation insights and advice for yourself in the future. The purposes are to help you gain a greater awareness of yourself as a negotiator, deepen your understanding of the factors that affect negotiation processes, relationships, and outcomes, and provide you with tools to continue to improve.

You will not be expected to write about every in-class negotiation simulation, but rather to choose one or two significant moments to explore in detail in each paper. You will apply theory from the course readings, frameworks from class, and your own common sense to analyze what happened and why and to draw out negotiation lessons.

Each paper should be no more than 1000 words (approximately 3 pages of double-spaced text in 12-point font, with one-inch margins) and must incorporate and reference at least one assigned reading.

*We will discuss this assignment in more detail in class and written guidelines and examples will be posted on Canvas.*

Grading: Papers will be graded on a 0-10 scale, where 10=A, 9=A-, 8=A-, 7=B+, 6=B, 5=B-, 4=C/C+, 3=C-/D+, 2=D/D-, 1=F. Note that 10s will be rare and reserved for assignments that truly excel. The first paper will be weighted slightly less than the second paper in order to give you the opportunity to incorporate my feedback on your first paper.

### **C. Quizzes**

The two in-class quizzes, given in Weeks 7 and 14, 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.

Grading: The quizzes will be worth 11 points each.

### **D. Final Paper: Real World Negotiation**

Sometime during the semester, you must plan and execute a negotiation outside of class. This is an opportunity for you to apply concepts outside of class in situations with real stakes. 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 (buying or selling a good or service, subletting an apartment, negotiating a job offer, resolving a conflict with a friend, roommate or family member, etc.).

For the Final Paper, you will share your preparation for this negotiation, provide an analysis of key moments during the negotiation, and discuss lessons from the experience.

The paper should be no more than 1800 words. You may include your preparation notes in an Appendix that will not be counted towards the 1800-word limit.

*We will discuss this assignment in more detail in class and written guidelines and examples will be posted on Canvas.*

Grading: Papers will be graded on a 0-10 scale, where 10=A, 9=A-, 8=A-, 7=B+, 6=B, 5=B-, 4=C/C+, 3=C-/D+, 2=D/D-, 1=F. Note that 10s will be rare and reserved for assignments that truly excel.

### **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.

Grading: After each class, everyone gets a numeric evaluation

- 0 – Absent (unexcused)
- 1 – Present, but late or otherwise disengaged
- 2 – Present, on time, and engaged
- 3 – Present + high quality participation

High quality participation typically includes the following attributes:

- Relevant to the topic
- A clear articulation of a personal experience or observation
- Moves the conversation forward in some way by adding new information, insights, or viewpoints; and
- Engages other students by sparking peer responses.

At the end of the course, I will ask you to share feedback regarding peers who made significant contributions to your learning in the course. This feedback will give me additional perspectives as well as insight into aspects of the course that I cannot observe directly, such as the negotiation simulations and small group discussions. This feedback is not determinative. I may take it into consideration when determining each student's participation grade and will do so only a way that helps a student's participation grade.

Making sense of the grading:

- Being on time, present, and engaged in all class sessions + high quality participation in 50% of the class sessions would be the equivalent of an A participation grade.
- Being on time, present, and engaged in all class sessions, but with limited participation would be the equivalent of a B participation grade.
- If a student is on the cusp of a B+/A- for her participation grade and receives positive feedback from her peers, she would be bumped up to an A-.

### **E. Other Short Written Work**

A portion of your grade will depend on the timely completion of three short assignments:

1. Submission of preliminary course goals;
2. Preparation for video review; and
3. Submission of peer feedback during the final week of class

Grading:

- 0 – did not complete
- 1 or 1.5 – completed with apparent effort and thought, by the deadline

## **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

Week (Date)	Agenda	Readings Due	Assignments Due
Week 1 (1/13)	<ul style="list-style-type: none"> <li>• INTRODUCTION TO NEGOTIATION</li> <li>• Read, negotiate, and review <i>Cessna</i></li> <li>• Discuss Syllabus</li> </ul>	Suggested: Get a head start on the readings due next week.	<ul style="list-style-type: none"> <li>• Submit Self Introduction Video &amp; Preliminary Course Goals &amp; register for iDecisionGames (iDG) by <b>Wednesday evening, January 12</b>. See Canvas for instructions.</li> </ul>
Week 2 (1/18; 1/20)	<ul style="list-style-type: none"> <li>• Read and negotiate <i>Parker Gibson</i></li> <li>• GIVING AND RECEIVING FEEDBACK</li> <li>• Review <i>Parker Gibson</i></li> <li>• DISTRIBUTIVE BARGAINING</li> </ul>	<ul style="list-style-type: none"> <li>• Fisher, <i>Getting to Yes</i>, Introduction, chs. 1-2.</li> <li>• Peppet &amp; Moffitt, "Learning to Learn How to Negotiate."</li> </ul>	<ul style="list-style-type: none"> <li>• Review Course Syllabus (posted to "Files" on Canvas).</li> </ul>
Week 3 (1/25; 1/27)	<ul style="list-style-type: none"> <li>• Negotiate and review <i>Negotiating a Pandemic</i></li> <li>• INTEGRATIVE BARGAINING</li> </ul>	<ul style="list-style-type: none"> <li>• Bazerman, "Judgment in Managerial Decision Making" (ch. 7).</li> <li>• Tinsley, "Reputations in Negotiation."</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare to negotiate <i>Negotiating a Pandemic</i></li> </ul>
Week 4 (2/1; 2/3)	<ul style="list-style-type: none"> <li>• Negotiate and review <i>Diego Primadonna</i></li> <li>• CREATING VALUE</li> <li>• THE CHALLENGE OF DISTRIBUTION</li> </ul>	<ul style="list-style-type: none"> <li>• Fisher, <i>Getting to Yes</i>, chs. 3-4.</li> <li>• Moffitt, "Contingent Agreements: Agreeing to Disagree about the Future."</li> <li>• Fisher, <i>Getting to Yes</i>, ch. 5.</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare to negotiate <i>Diego Primadonna</i></li> <li>• Submit Reflection Paper #1 (due before class on Thursday)</li> </ul>



Week (Date)	Agenda	Readings Due	Assignments Due
Week 5 (2/8; 2/10)	<ul style="list-style-type: none"> <li>Negotiate, video record, and review <i>Eazy's Garage</i></li> <li>Video review of <i>Eazy's Garage</i> negotiation in small groups</li> <li>Mini-labs: ACTIVE LISTENING</li> </ul>	<ul style="list-style-type: none"> <li>Shell, "Authoritative Standards &amp; Norms"</li> <li>Stone, <i>Difficult Conversations</i>, chs. 9-10.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to negotiate <i>Eazy's Garage</i></li> <li>Submit video clip for video review of <i>Eazy's Garage</i> (see Canvas for details)</li> <li>Review video clips for your group members and come to class ready to discuss</li> </ul>
Week 6 (2/15; 2/17)	<ul style="list-style-type: none"> <li>Negotiate and review <i>Bullard Houses</i></li> <li>NEGOTIATION ETHICS</li> </ul>	<ul style="list-style-type: none"> <li>Shell, "Negotiating with the Devil without Losing Your Soul."</li> <li>Adler, "Negotiating with Liars."</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to negotiate <i>Bullard Houses</i></li> </ul>
Week 7 (2/22; 2/24)	<ul style="list-style-type: none"> <li><b>Quiz #1 (Tuesday)</b></li> <li>Bargaining Styles Exercise</li> <li>DEALING WITH DIFFICULT TACTICS</li> </ul>	<ul style="list-style-type: none"> <li>Fisher, <i>Getting to Yes</i>, chs. 7-8.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare readings and lectures from Classes 1-6 for Quiz #1</li> </ul>
Week 8 (3/1; 3/3)	<ul style="list-style-type: none"> <li>Negotiate <i>The Offer</i> via email (asynchronously, class will <u>not</u> meet on Tuesday, March 1)</li> <li>Review <i>The Offer</i> email negotiation</li> </ul>	<ul style="list-style-type: none"> <li>Ebner, "Negotiation via Email."</li> <li>Malhotra, "Control the Negotiation Before It Begins."</li> </ul> <p><i>Optional: Watch/Listen to additional resources on negotiating job offers.</i></p> <ul style="list-style-type: none"> <li>"How to Negotiate Your Job Offer"</li> <li>"Thinking Strategically about Career Negotiations"</li> </ul>	<ul style="list-style-type: none"> <li>Prepare <u>and negotiate</u> <i>The Offer</i> via email (see Canvas for details)</li> </ul>
NO CLASS (3/8; 3/10)	ENJOY SPRING BREAK!		

Week (Date)	Agenda	Readings Due	Assignments Due
Week 9 (3/15; 3/17)	<ul style="list-style-type: none"> <li>Negotiate and review <i>Author Author</i></li> <li>MANAGING EMOTIONS AND DIFFICULT CONVERSATIONS</li> </ul>	<ul style="list-style-type: none"> <li>Stone, <i>Difficult Conversations</i>, chs. 1-6.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to negotiate <i>Author Author</i></li> </ul>
Week 10 (3/22; 3/24)	<ul style="list-style-type: none"> <li>Negotiate and review <i>Hiring a Newtonian</i></li> <li>Guest Speaker TBD</li> </ul>	<ul style="list-style-type: none"> <li>Meyer, "Getting to Si, Ja, Oui, Hai, and Da"</li> </ul>	<ul style="list-style-type: none"> <li>Reflection Paper #2 due</li> </ul>
Week 11 (3/29; 3/31)	<ul style="list-style-type: none"> <li>ASSISTED NEGOTIATION: MEDIATION</li> <li>Mediate and review <i>Catering Coworkers</i></li> </ul>	<ul style="list-style-type: none"> <li>Cleary, "Mediators: Lessons and Observations"</li> <li>Beer, excerpts from "The Mediator's Handbook."</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to mediate <i>Catering Coworkers</i></li> </ul>
Week 12 (4/5; 4/7)	<ul style="list-style-type: none"> <li>ASSISTED NEGOTIATION: AGENTS</li> <li>Negotiate and review <i>House Sale</i></li> </ul>	<ul style="list-style-type: none"> <li>Mnookin, "The Tension Between Principals and Agents."</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to negotiate <i>House Sale</i></li> </ul>
Week 13 (4/12; 4/14)	<ul style="list-style-type: none"> <li>MULTIPARTY NEGOTIATION</li> <li>Prepare by role for <i>Harborco</i></li> <li>Negotiate <i>Harborco</i></li> </ul>	<p><b>Note: Readings below are for the next two weeks</b></p> <ul style="list-style-type: none"> <li>Lewicki, "Multiparty Negotiations: Coalitions and Groups."</li> <li>Vanover, "Get Things Done through Coalitions"</li> <li>Watkins, "Negotiating in a Complex World."</li> <li>Bazerman &amp; Neale, "Negotiating in Groups and Organizations."</li> </ul>	<ul style="list-style-type: none"> <li>Prepare to negotiate <i>Harborco</i></li> </ul>

Week (Date)	Agenda	Readings Due	Assignments Due
Week 14 (4/19; 4/21)	<ul style="list-style-type: none"> <li>• <b>Quiz #2 (Tuesday)</b></li> <li>• Review <i>Harborco</i></li> <li>• Negotiate <i>Chestnut Village</i></li> </ul>	NONE	<ul style="list-style-type: none"> <li>• Prepare readings and lectures from Classes 7-13 for Quiz #2</li> <li>• Prepare to negotiate <i>Chestnut Village</i></li> </ul>
Final Class (4/26)	<ul style="list-style-type: none"> <li>• Review <i>Chestnut Village</i></li> <li>• Course wrap-up</li> </ul>	NONE	<ul style="list-style-type: none"> <li>• Complete online peer feedback by midnight on April 26, 2022.</li> <li>• Final paper due by midnight on May 10, 2022.</li> </ul>