

## **BLAW 453 Negotiation**

Instructor: Valerie Flugge

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For email messages, type "Negotiation" in the reference portion. I make responding to student emails a top priority, but sometimes I am unable to return emails sent in the evenings or on the weekends until the next business day.

Student Hours: (In-person and on Canvas Chat):

MW 3:30-4:30 p.m.

Th 11:00 a.m.-noon.

And by appointment

Texts: Fisher, R. and Ury, W. *Getting to Yes: Negotiating Agreement Without Giving In* (any edition).

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

Andrew J. DuBrin, *Negotiation and Conflict Resolution in Organizations: Theories, Skills and Applications* (2020).

### **Course description**

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

### **Objectives of the Course**

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

### **Grading**

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

Attendance	5%
Participation/Peer Review	15%
Paper 1	15%
Paper 2	15%
Reflection Journal	15%
Midterm	15%
Final Exam	20%

Unless noted otherwise, all written assignments should be submitted through Canvas. In addition to the graded assignments, there may be various credit/no credit written assignments. These credit/no credit assignments are factored into the “participation/peer review” portion of your grade.

Letter grade	Numerical equivalent	Meaning	Percentage equivalent
A	4.0	Outstanding	93%-100%
A-	3.7		90%-92%
B+	3.3		88%-89%
B	3.0	Very good	83%-87%
B-	2.7		80%-82%
C+	2.3		78%-79%
C	2.0	Average	73%-77%
C-	1.7		70-72%
D+	1.3		68%-69%
D	1.0	Barely Passing	63%-67%
D-	0.7		60%-62%
F	0	Fail	0-59%

**Cheating, plagiarism or other forms of academic dishonesty may result in an “F” for the class and may be referred to the Dean’s office for further proceedings.** CSUN’s Policies and Procedures on academic dishonesty may be found here: <https://catalog.csun.edu/policies/academic-dishonesty/>

**Reflection Journal:** Throughout the term you will maintain/submit a reflection journal with entries concerning your personal growth as a negotiator. Your journal should contain an entry for each negotiation/exercise conducted throughout the term (excluding the \$2 game). Each entry should be at least a half page in length, single spaced. The entries should contain your personal reflections about your experience with each of the negotiations and exercises conducted in and outside of class, beginning with The Roommate negotiation. The entries are personal to you, so there is no “right” or “wrong” content. Among other things, your entries could include: what you thought you did well, where you believe you could improve, what you thought the other side did well, how the other side could have improved, what techniques we have learned in class were applied, what techniques that were not used might have been helpful, and how these changes may have made for a better outcome. Make your entries specific, not general. Instead of writing “I could have used better active listening skills”, be specific about the facts of the negotiation/exercise: “I should have asked Mary why it was important for her to stay in the apartment” or “I should have let Tom vent more before pushing forward with negotiating the terms of the agreement.”

**Participation/peer review:** This evaluation will be based on how your presence improved the class. This would include, for example, the quality of preparation (including familiarity with the reading material and exercises), quality of performance on the exercises (as a process, not as outcome-driven), and the quality of participation in the feedback and discussion sessions. Your participation in the simulations, the debriefing process and other class discussion is essential to your learning individually and to the class. In addition, the credit/no credit written work will form a portion of your participation/peer review grade.

If you must miss class, contact me along with any affected class partners well before class. If emailing, write "Negotiation class – absence" in the subject area. We need to pair students in various activities and will need to make alternate plans if there are any disruptions. Absences will adversely affect your performance in and contributions to the class.

Additionally, your participation/peer review grade will include the following considerations:

- 1) **Avoid generating externalities.** When you are hard to reach, haven't prepared, aren't engaged, don't show up...you're generating externalities for your classmates and me. This will adversely affect your grade.
- 2) **Observe confidentiality.** You will be getting contact information for your classmates so that you can complete work outside of class. You may not distribute this information to any other person for any reason. In addition, you will be given course materials that require confidentiality until we discuss them in class; you may not share information with class members until we finish the exercises.
- 3) **Observe academic honesty.** You may not get advice, consultation, editing or tutoring from any source except CSUN's learning resource center. In addition to the requirements imposed by the university's standards of academic honesty, you may not upload, give or otherwise transmit any work prepared for this class, whether written by a classmate, me or yourself.
- 4) **Reputation index.** The concept of a reputation index is based on the notion that your reputation as a fair, effective and trustworthy negotiator is an important asset in real-world business dealings. Reputations have a habit of spreading within and among organizations and your future relationships depend on how others perceive you through your past behavior. In addition, it is recognition that our interactions with the community have an important impact; we want to work towards the general good. By the end of the course, you will have negotiated with most of your classmates, received feedback from some and heard about the performance of others. The reputation index is meant to measure the importance of establishing a long-term positive reputation in negotiation. This index recognizes those individuals who develop a reputation as trustworthy and effective negotiators and who, through their feedback, also contribute to the experience in this course. Your classmates will be evaluating your reputation as a fair, effective and trustworthy negotiator. In addition, students with significantly positive or negative reputation ratings may (at the instructor's sole discretion) have their overall course grade affected positively or negatively by as much as 0.5 on the 4.0 scale.

**Netiquette Rules:** On occasion, you will be communicating with the class electronically, whether through email or on discussion boards. Please keep in mind these netiquette rules in your communications:

- Before posting your question to a discussion board, check if anyone has asked it already and received a reply.
- Stay on topic. Don't post irrelevant links, comments, thoughts or pictures.
- Don't type in ALL CAPS! If you do it will look like you are screaming.
- Don't write anything that sounds angry or sarcastic even as a joke, because without hearing your tone of voice, your peers might not realize you're joking.

- Always remember to say "please" and "thank you" when soliciting help from your classmates.
- Respect the opinion of your classmates. If you feel the need to disagree, do so respectfully and acknowledge the valid points in your classmate's argument. If you reply to a question from a classmate, make sure your answer is accurate!
- Be brief. If you write a long dissertation in response to a simple question, it's unlikely that anyone will spend the time to read through it all.
- If you refer to something your classmate said earlier in the discussion, quote just a few key lines from their post so that others won't have to go back and figure out which post you're referring to.
- Check the most recent comments before you reply to an older comment.
- Be forgiving. If your classmate makes a mistake, don't badger him or her for it. Just let it go.

**Canvas.** You are also responsible for checking Canvas regularly for announcements, assignments and other information related to the course.

### **Legal Advice**

Faculty members may not provide legal advice or legal services to students. If you need legal advice or information regarding the law, resources can be found on the Department of Business Law web page at <http://www.csun.edu/blaw/studentresources>. CSUN also provides a free legal clinic for its currently-enrolled students: <https://www.csun.edu/as/student-legal-support-clinic>.

### **Disability Resources and Educational Services**

If you have a disability and need accommodations, please register with the Disability Resources and Educational Services (DRES) office <http://www.csun.edu/dres> or the National Center on Deafness (NCOD) <http://www.csun.edu/ncod>. You can find CSUN's accessibility statement here: <https://www.csun.edu/universal-design-center/accessibility-statement>.

### **CSUN with a Heart**

If you are facing challenges related to food insecurity, housing insecurity/homelessness, mental health, access to technology, eldercare/childcare, or healthcare, you can find guidance, help and resources from CSUN with A HEART (<http://www.csun.edu/heart>).

**Technology Support:** For help with technology issues, please see: <https://www.csun.edu/it/need-help>

## Assignments<sup>1</sup>

Date	Topics/Class Activities	Assignments to be completed BEFORE class
Tues., 8/31	Syllabus/ Introductions	<b>Read:</b> Syllabus  <b>Watch:</b> Meet Your Instructor video (link is in Canvas Modules)
Thurs., 9/2	Introduction to Negotiation/ Two Dollar Game; Conflict Management Styles Assessment	<b>Read:</b> DuBrin, Ch. 1 & 2
Tues., 9/7	Perception and Persuasion	<b>Read:</b> Getting to Yes, Ch. 1 & 2
Thurs., 9/9	Perception and persuasion The Roommate Negotiation	<b>Prepare for:</b> The Roommate Negotiation
Tues., 9/14	Perception and persuasion	<b>Read:</b> Ariely & Kreisler, Who doesn't love sales? <a href="https://ideas.ted.com/who-doesnt-love-sales-theres-just-one-problem-they-lead-us-to-make-dumb-choices/">https://ideas.ted.com/who-doesnt-love-sales-theres-just-one-problem-they-lead-us-to-make-dumb-choices/</a>

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

Thurs., 9/16	Persuasion skills/Emotional Intelligence <b>Laundry Negotiation</b>	<b>Read:</b> DuBrin, Ch. 3 <b>Prepare for:</b> Laundry Negotiation
Tues., 9/21	Distributive/ Integrative Bargaining Ethos/pathos/logos	<b>Read:</b> Getting to Yes, Ch. 3 & 4
Thurs., 9/23	Distributive/ Integrative Bargaining <b>Salary Negotiations</b>	<b>Read:</b> DuBrin, Ch. 4 Getting to Yes, Ch. 5 <b>Prepare for:</b> Salary Negotiations
Tues, 9/28	Distributive/ Integrative Bargaining  <b>Lexus Negotiation</b>	<b>Prepare for:</b> Lexus Negotiation  <b>Turn in:</b> Reflection Journal #1: Roommate, Laundry, and Salary negotiations; submit on Canvas by 11:59 p.m.
Thurs., 9/30	BATNA/ Advanced Negotiation Tactics	<b>Read:</b> DuBrin, Ch. 5 Getting to Yes, Ch. 6
Tues., 10/5	BATNA  <b>Job Offer Negotiation</b>	<b>Read:</b> Getting to Yes, Ch. 7-8 <b>Prepare for:</b> Job Offer Negotiation
Thurs., 10/7	<b>Asynchronous class/No class meeting today</b>	<b>Complete by class on Thursday, Oct. 14:</b> Baker, Grocer, Florist Negotiation (this negotiation is to be completed outside of class time)  <b>Turn in:</b> Paper #1; Submit on Canvas by 11:59 p.m.
Tues., 10/12	<b>Asynchronous class/No class meeting today</b>	
Thurs., 10/14	BATNA <b>Debrief Baker, Grocer, Florist New House Negotiation</b>	<b>Prepare for:</b> New House Negotiation  <b>Complete by class on Thursday, Oct. 21:</b> Island Cruise Negotiation (this negotiation is to be conducted outside of class time)
Tues., 10/19	<b>MIDTERM</b>	

Thurs., 10/21	Brainstorming  Debrief Island Cruise	<b>Turn In:</b> Reflection Journal #2: Lexus, Job Offer, Baker, Grocer, Florist and New House negotiations; submit on Canvas by 11:59 p.m.
Tues., 10/26	Ethics in Negotiation  Employee Exit Interview	<b>Read:</b> DuBrin, ch. 7  <b>Watch:</b> Ariely, Our buggy moral code <a href="https://www.ted.com/talks/dan_ariely_our_buggy_moral_code?language=en">https://www.ted.com/talks/dan_ariely_our_buggy_moral_code?language=en</a>  <b>Prepare for:</b> Employee Exit Interview
Thurs., 10/28	Ethics in negotiation/Nondisclosure fraud	<b>Complete by class on Thursday, Nov. 4:</b> Best Books Negotiation (this negotiation is to be completed outside of class time)
Tues., 11/2	Asynchronous class/No class meeting today	
Thurs., 11/4	Ethics in negotiation/lying  Debrief Best Books  The Inheritance Negotiation	<b>Read:</b> Difficult Conversations, Ch. 1-4  <b>Prepare for:</b> The Inheritance Negotiation
Tues., 11/9	Happy Contracts	<b>Read:</b> DuBrin, Ch. 8-9  <b>Turn in:</b> Reflection Journal #3: Island Cruise, Employee Exit Interview, and Best Books Negotiations; submit on Canvas by 11:59 p.m.

Thurs., 11/11	<b>NO CLASS; VETERAN'S DAY</b>	
Tues., 11/16	Negotiating Remotely/Difficult Personalities	<b>Read:</b> Difficult Conversations, Ch. 5-6 DuBrin, Ch. 10
Thurs., 11/18	Incivility	<b>Read:</b> Difficult Conversations, Ch. 7-9 DuBrin, Ch. 11
Tues., 11/23	Incivility/Difficult Conversations <b>CPA Exercise</b>	<b>Prepare for:</b> CPA Exercise
Thurs., 11/25	<b>NO CLASS; HAPPY THANKSGIVING!!</b>	
Tues., 11/30	Gender and Cultural Issues in Negotiation <b>Telemachus Exercise</b>	<b>Read:</b> Difficult Conversations, Ch. 10-12  <b>Prepare for:</b> Telemachus Exercise
Thurs., 12/2	Gender and Cultural Issues in Negotiation	<b>Read:</b> DuBrin, Ch. 6 <a href="https://www.essence.com/hair/respect-our-roots-brief-history-our-braids-cultural-appropriation/">https://www.essence.com/hair/respect-our-roots-brief-history-our-braids-cultural-appropriation/</a>
Tues., 12/7	Catch-up Day  <b>Asynchronous Class/No class meeting today</b>	<b>Turn in:</b> (1) Paper #2; (2) Reflection Journal #4: The Inheritance Negotiation, CPA Exercise and Telemachus Exercise; (3) Completed Reputation Index. Submit each of the above on Canvas by 11:59 p.m.
Thurs., 12/9	Alternate Dispute Resolution  <b>Asynchronous Class/No class meeting today</b>	<b>Read:</b> DuBrin, Ch. 12  <b>Watch the mediation demonstration at:</b> <a href="https://www.mediate.com/articles/MedDemonstrationUKvideo.cfm">https://www.mediate.com/articles/MedDemonstrationUKvideo.cfm</a>
Thurs., 12/16		<b>FINAL EXAM 12:45-2:45 p.m.</b>