Unit Outline*

IREL2270

Negotiation: Theory and Practice

Semester 1, 2011
Crawley Campus

Unit Coordinator – Dr Michael Gillan

Business School
www.business.uwa.edu.au

* This Unit Outline should be read in conjunction with the Business School Unit Outline Supplement available on the Current Students web site http://www.business.uwa.edu.au/students
UNIT DESCRIPTION

Introduction

Welcome to Negotiation: Theory and Practice

Although many of us are only infrequently involved in ‘formal’ negotiations, if negotiation is considered to be a debate or dialogue between opposing interests or wishes and, in part, is related to the distribution and exercise of ‘power’- we are all constantly involved in negotiation and dispute resolution in our everyday life. As with other unavoidable aspects of life (death and taxes!) this means that there is a vast literature on the subject and a wide variety of points of view. Consider, for example, the following statements that reflect pragmatic and idealistic ideas of negotiation, bargaining and conflict:

*Make your bargain before beginning to plough.*  
Arab Proverb

*Necessity never made a good bargain.*  
Benjamin Franklin (1706 - 1790)

A threat is basically a means for establishing a bargaining position by inducing fear in the subject. When a threat is used, it should always be implied that the subject himself is to blame by using words such as "You leave me no other choice but to..."

*CIA Manual*

Any business arrangement that is not profitable to the other person will in the end prove unprofitable for you. The bargain that yields mutual satisfaction is the only one that is apt to be repeated.  
B. C. Forbes

*Friendship is constant in all other things*  
Save in the office and affairs of love:  
Therefore all hearts in love use their own tongues;  
Let every eye negotiate for itself  
And trust no agent.  
William Shakespeare (1564 - 1616), "Much Ado about Nothing", Act 2 scene 1

*COMPROMISE, n.* Such an adjustment of conflicting interests as gives each adversary the satisfaction of thinking he has got what he ought not to have, and is deprived of nothing except what was justly his due.  
Ambrose Bierce (1842 - 1914), The Devil’s Dictionary

*Honest differences are often a healthy sign of progress.*  
Mahatma Gandhi (1869 - 1948)

*Michael Gillan* is a lecturer in employment relations at the UWA Business School, where he teaches units on negotiation and dispute resolution and international employment relations. His current research interests include globalisation and industry restructuring, regulation of collective bargaining processes, and the political economy of economic liberalisation and labour in India. He has published in a wide range of national and international journals including Economic Geography, Economic and Political Weekly, Asian Studies Review, South Asia, and the Journal of Industrial Relations. He is the co-editor of the book *Trade, Labour and Transformation of Community in Asia*, published in 2009 by Palgrave Macmillan.
Unit content
This course has two major approaches to the subject of negotiation. First, we will consider theoretical approaches to negotiation in relation to a range of social and workplace contexts. You will be asked to consider the relevance of concepts such as distributive bargaining, interest based negotiation, the planning and process of negotiation, mediation, cultural difference, and ethics. Second, we will aim to ‘learn by doing’ through completing a number of negotiation case studies, role-plays, and simulations in order to develop and improve negotiation techniques.

Learning outcomes
On completion of this unit, you should be able to:

• develop a familiarity and a critical understanding of core concepts in the scholarly literature on negotiation strategies and styles, behaviours, processes, and methods of dispute resolution
• develop an informed understanding of the significance of negotiation in the workplace and the changing character of negotiation in Australian industrial relations.
• develop and improve applied negotiation skills through a series of class based simulations and role play exercises
• learn to reflect on your own practice of negotiation, and, in doing so, to improve your knowledge of negotiation theory and your own confidence and skills as a negotiator
• further develop research, essay and report writing, and verbal presentation skills.
• learn to work in teams in order to develop an original case study and then to apply and test relevant concepts from the academic literature on negotiation.

OUTCOMES AND ASSESSMENT

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Assessment Item</th>
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<tbody>
<tr>
<td>1</td>
<td>Individual Essay, Tutorial Participation, Team Case Study, Examination</td>
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<tr>
<td>2</td>
<td>Individual Essay, Tutorial Participation, Team Case Study, Examination</td>
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<tr>
<td>3</td>
<td>Tutorial Participation</td>
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<td>4</td>
<td>Tutorial Participation</td>
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<tr>
<td>5</td>
<td>Individual Essay, Team Case Study</td>
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<td>6</td>
<td>Team Case Study</td>
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</tbody>
</table>

Educational principles and graduate attributes
In this unit, you will be encouraged and facilitated to develop the ability and desire to:

• Critically evaluate scholarly perspectives on negotiation processes and apply these to the analysis of your own experience as a negotiator or case studies of negotiation and dispute resolution
• Develop more effective communication skills through a class presentation on your team project and through general discussion in each tutorial
• Develop competencies to work more effectively in teams through the completion of team based project (written report and verbal presentation)
• Demonstrate self-management and independent learning skills through the completion of a major research essay on negotiation and through completion of assigned readings
• Develop ethical and cultural awareness in an international context through engagement with relevant lecture content, discussions in tutorials, and assigned readings which relate to the ethical and international aspects of negotiation processes.

TEACHING AND LEARNING RESPONSIBILITIES

Teaching and learning strategies
The unit utilises a variety of teaching and learning strategies (individual written work and schedule of readings; lectures; audio-visual materials; team presentation and projects etc.) but has a special emphasis upon interactive simulations designed to provide practical experience of negotiation and an opportunity to engage in structured and critical reflection upon these experiences.

Teaching and learning evaluation
You may be asked to complete two evaluations during this unit. The Student Perception of Teaching (SPOT) and the Students’ Unit Reflective Feedback (SURF). The SPOT is optional and is an evaluation of the lecturer and the unit. The SURF is completed online and is a university wide survey and deals only with the unit. You will receive an email from the SURF office inviting you to complete the SURF when it is activated. We encourage you to complete the forms as your feedback is extremely important and can be used to make changes to the unit or lecturing style when appropriate.

Attendance
Participation in class, whether it be listening to a lecture or getting involved in other activities, is an important part of the learning process, therefore it is important that you attend classes. More formally, the University regulations state that ‘to complete a course or unit students shall attend prescribed classes, lectures, seminars and tutorials’.

Please note that if you miss more than two tutorials without a valid reason (illness supported by medical certificate) you will receive a mark of zero for your participation mark (see assessment structure).

CONTACT DETAILS

We strongly advise students to regularly access their student email accounts. Important information regarding the unit is often communicated by email and will not be automatically forwarded to private email addresses.

<table>
<thead>
<tr>
<th>Unit coordinator/lecturer</th>
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</thead>
<tbody>
<tr>
<td>Name: Dr Michael Gillan</td>
</tr>
<tr>
<td>Email: <a href="mailto:Michael.gillan@uwa.edu.au">Michael.gillan@uwa.edu.au</a></td>
</tr>
<tr>
<td>Phone: 6488 7101</td>
</tr>
<tr>
<td>Consultation hours: By appointment</td>
</tr>
<tr>
<td>Lecture times: Wednesday 2-2:45 and Friday 10-10.45</td>
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<tr>
<td>Lecture venue: BUSN: Ernst &amp; Young LT</td>
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<tr>
<td>Tutor</td>
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<td>Consultation hours:</td>
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<td>Tutorial times:</td>
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<td>Tutorial venue:</td>
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**TEXTBOOKS AND RESOURCES**

**Unit website**

http://www.webct.uwa.edu.au

**Recommended/required texts**


**Additional resources and reading material**


302.3 2006 NEG


158.5 1991 GET


**Useful Journals**

- *Negotiation Journal* (available on line via library catalogue)
- *International Negotiation* (available on line via library catalogue)
- *Group decision and negotiation* (available on line via library catalogue)
- *The International journal of conflict management* (available on line via library catalogue)
- *The Journal of conflict resolution* (available on line via library catalogue)
- *Industrial and Labor Relations Review* (available on line via library catalogue)
- *British journal of industrial relations* (available on line via library catalogue)
- *Industrial Relations* (available on line via library catalogue)
- *Labour and Industry*
- *The Journal of industrial relations*
- *Industrial Relations Journal* (available on line via library catalogue)
- *Relations Industrielles* (available on line via library catalogue)
### UNIT SCHEDULE – LECTURES

<table>
<thead>
<tr>
<th>Lecture</th>
<th>Topic</th>
<th>Readings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Introduction to negotiation</strong>- why, when and where do we need to negotiate?</td>
<td>Chapter 1, Fells (2010)</td>
</tr>
</tbody>
</table>
Chapter 2, Fells (2010) |
| 3       | **Preparing for Negotiation**- can we ever adequately prepare for negotiation? What recommendations can we draw on from negotiation theory? | Chapter 3 and Appendices 1-3, Fells (2010)                                                    |
| 4/5     | **The process of Negotiation**- are models (strategic choice, phases in negotiation etc.) of negotiation as a process useful? On process, can we only ‘learn by doing’? | Chapter 4 and Appendix 4, Fells (2010)                                                      
| 6/7     | **Approaches to negotiation**- understanding and managing distributive bargaining | Chapter 5 and 8 and Appendices 6 and 8, Fells (2010)                                    
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<thead>
<tr>
<th>Lecture</th>
<th>Topic</th>
<th>Readings</th>
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</table>
| 8-10 | Approaches to negotiation - understanding and managing interest based negotiation | Chapter 6 and 7, Fells (2010)  
| 11/12 | Constituencies and Audiences in Negotiation | Chapter 9, Fells (2010)  

Please note: 13 April PROSH day and 22 April Good Friday (no lecture)

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<thead>
<tr>
<th>Lecture</th>
<th>Topic</th>
<th>Readings</th>
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<tbody>
<tr>
<td>Mid-Semester Break</td>
<td></td>
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<tr>
<td>17/18</td>
<td>Negotiation, Dispute Resolution, and employment relations</td>
<td>Appendix 7, Fells (2010)</td>
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<tr>
<td>Lecture</td>
<td>Topic</td>
<td>Readings</td>
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<tr>
<td>21</td>
<td><strong>The context of negotiation</strong>- how do various structural factors (ethnicity, class, gender, power etc.) shape negotiation?</td>
<td>Watson, C. 1994, ‘Gender versus power as a predictor of negotiation behaviour and outcomes’ <em>(electronic resource)</em> in <em>Negotiation Journal</em>, 10:2, pp. 117-127</td>
</tr>
</tbody>
</table>
| 22/23   | **International and Intercultural Negotiation** | Chapter 10 and Appendix 9, Fells (2010)  
<p>| 24      | <strong>Best Practice in Negotiation and Exam Preparation</strong> | |</p>
<table>
<thead>
<tr>
<th>Week #</th>
<th>Topic</th>
<th>Activities</th>
<th>Independent activity (e.g. readings)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approaches to negotiation 1</td>
<td>Introduction and organisation.</td>
<td>TechnoGen versus the United Nations</td>
</tr>
<tr>
<td>2</td>
<td>Approaches to negotiation 2</td>
<td>The BestBooks Negotiation</td>
<td>Finalise Teams for Case Study Project</td>
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<tr>
<td>3</td>
<td>Planning for negotiation</td>
<td>EuroTechnologies</td>
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<tr>
<td>4</td>
<td>Practising Integrative Negotiation/</td>
<td>EuroTechnologies (negotiation and initial report back)</td>
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<td></td>
<td>Distributive Bargaining</td>
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<tr>
<td>5</td>
<td>Theorising and Reflecting Upon Negotiation</td>
<td>Return to your groups from the EuroTechnologies exercise and reflect upon your actual practice of negotiation by answering the questions for tutorial 5 (see below)</td>
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<tr>
<td>6</td>
<td>Preparing the Team Project</td>
<td>Note: It is essential that you attend this tutorial You will use the class time to work in your groups towards the completion of the Team Negotiation case study exercise. In order to gain valuable feedback, you will also be required to make a short presentation to your tutor of your selected case. Additional Task: Tutor will brief you on the final class negotiation simulation</td>
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<tr>
<td>Week #</td>
<td>Topic</td>
<td>Activities</td>
<td>Independent activity (e.g. readings)</td>
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<tr>
<td>7</td>
<td>Negotiation and changing employment relations</td>
<td>Activity: Negotiating a collective agreement (preparation and initiation)</td>
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<tr>
<td>8</td>
<td>Negotiation and changing employment relations</td>
<td>Activity: Negotiating a collective agreement (negotiation and debrief discussion)</td>
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<td>If time allows, consider the following discussion question:</td>
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<td></td>
<td></td>
<td>Imagine you have been appointed as a mediator- what approach and tactics would you have adopted in this negotiation?</td>
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<tr>
<td>9</td>
<td>Team based Case study Presentation</td>
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<tr>
<td>10</td>
<td>Team based Case study Presentation</td>
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</table>
**Tutorial 5 Questions**

What strategies and techniques did you use to arrive at a final settlement? What is the quality of the final settlement? Will it be durable and effective? If you were not able to reach an agreement why did an impasse occur?

Communication: Structure of Communication and communication behaviours- what helped or hindered ‘getting to yes’? Did non-verbal communication become significant?

Emotions: did strong emotions enter into the negotiation? Did the emotional environment facilitate or obstruct the negotiation process?

Relationships and attitudes to the other party- was this a significant factor in determining the style and outcomes of the negotiation? How would the process and outcome shape relationships between the parties in the future?

Distributive Bargaining: Did you encounter (or use) any of the “hardball” competitive tactics? Which distributive bargaining techniques would you be reluctant to use? How do you deal with such tactics?

Integrative negotiation: What kind of behaviours and skills are required for an integrative negotiation to be successful? Were they evident in your negotiation?
ASSESSMENT MECHANISM

The purpose of assessment

There are a number of reasons for having assessable tasks as part of an academic program. The assessable tasks are designed to encourage you to explore and understand the subject more fully. The fact that we grade your work provides you an indication of how much you have achieved. Providing feedback on your work also serves as part of the learning process.

Assessment mechanism summary

<table>
<thead>
<tr>
<th>Item</th>
<th>Weight</th>
<th>Due date</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Essay</td>
<td>20%</td>
<td>15 April</td>
<td>See note 4</td>
</tr>
<tr>
<td>Tutorial Participation</td>
<td>10%</td>
<td>Ongoing</td>
<td>See note 3</td>
</tr>
<tr>
<td>Team Project</td>
<td>20%</td>
<td>Presentation: Final 2</td>
<td>See note 3 and 4</td>
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<tr>
<td></td>
<td></td>
<td>tutorials</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Report: Monday 9 May</td>
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<tr>
<td>Final exam</td>
<td>50%</td>
<td>TBC</td>
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</table>

Note 1: Results may be subject to scaling and standardisation under faculty policy and are not necessarily the sum of the component parts.

Note 2: Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning outcomes as required for accreditation and audit purposes. The findings may be used to inform changes aimed at improving the quality of Business School programs. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the unit.

Note 3: Students failing to attend at least 8 tutorials during the semester will receive a grade of zero for this assessment item, unless they present adequate documentary evidence to justify their absence.

Note 4: Assignments that are not handed in by the due date will automatically lose 5% per day for each day (including Saturday and Sunday) overdue. Assignments that are more than two weeks late will be awarded a mark of zero. No extension of the due date will be granted other than in circumstances requiring special consideration (e.g., medical grounds with proof of illness provided). Equipment malfunction and work commitments are not acceptable as valid reasons for late work.

Assessment components

1. Essay

   1. Outcome: develop an informed and critical understanding of a key aspect or problem of negotiation.

   2. Task: To write a research essay on one of the topics outlined below.

      1. Assess the implications of the Fair Work Act for collective bargaining processes in Australia. Will the new industrial relations regime lead to more equitable negotiation processes and outcomes?
2. Collective bargaining processes are often described as ‘adversarial’. Can an ‘interest based’ approach work within this context or is distributive bargaining more appropriate?

3. What is the relationship between power and a negotiator’s ability to achieve a successful outcome from a negotiation process? Can power imbalances be overcome in negotiation?

4. “One major way that context affects negotiation is that people are in relationships that have a past, present, and future” (Lewicki et al., 2007, p.190). Discuss this statement and use examples to illustrate your analysis.

5. “People think of negotiating power as being determined by resources like wealth, political connections, physical strength, friends and military might. In fact, the relative negotiating power of two parties depends primarily upon how attractive to each is the option of not reaching agreement.” (Fisher, Ury and Patton, 1991: 106). Do you agree with this statement? Draw upon negotiation theory to substantiate your argument and use examples where appropriate.

6. “The search for common interests and mutually acceptable alternatives resembles solving a mystery in which there are multiple plausible solutions but wrong guesses reduce the likelihood of ever unraveling the case.” (Putnam, 1990: 25). Discuss this quotation with reference to ‘models’ of negotiation processes and illustrate your answer with examples of negotiation practice.

Length: 2000 words
Submission Date for Major essay: 4.00 p.m. Friday 15 April

2. **Tutorial Participation**

   - Outcomes: improved negotiation skills, knowledge of negotiation theory, and ability to reflect on the actual practice of negotiation.

   - Task: You are required to participate actively in the tutorials- especially in the interactive exercises run by your tutors that will deal with various aspects of negotiation ‘in practice’.

   - In order to participate in certain class exercises, you may be required to read selected case study material or complete various tasks in the week before a particular tutorial. You will also be assessed on evidence of your general preparation (keeping up with relevant readings and demonstrating knowledge of the ‘theory’ underlying a particular tutorial topic) and your ability to contribute to class discussion and analysis.

   - There will be no individual tutorial presentations, so it is essential that your attendance and participation is consistent throughout the semester.

   - You must be present in order to participate. It follows, therefore, that failure to attend classes without good reason will have a negative impact on your participation mark (see assessment summary above)

3. **Team Based Negotiation Case Study**

   - Outcomes
     - learn to work in teams in order to develop an original case study and then to apply and test relevant concepts from the academic literature on negotiation.
     - develop interactive and cooperative negotiation skills within your team
     - improve research skills
- develop effective presentation and report writing skills.

- Task: Working in a group of two to three, your team will develop a detailed case study scenario of one aspect of negotiation or mediation. You may choose to base your case study on a ‘real-life’ scenario and build up your case through utilising a wide range of resources (newspaper and magazines articles, government reports, official documents, correspondence, etc.). Alternately, you may wish to draw upon, and blend together, a wide range of sources to develop a fictional (yet credible) negotiation case study scenario.

*Developing a Case Study

Remember that a carefully developed case study allows for analytical insights into the actors, historical background, institutions, and the immediate and long-term interests that are involved in a particular negotiation or conflict. It should balance discussion of the actual details of a case scenario with analysis of how relevant theoretical insights can be applied to the case. In this sense, they allow us to consider how theory actually ‘plays out’ in practice and a good case study will consider both positive and negative outcomes of various strategies, as well as possible practical and sustainable

Your group will be working closely together to achieve two major sub-tasks related to the case study:

- A written report (no more than 2500 words) that will outline and analyse the details of the case study, ensuring that your exploration of the case links theory to practice. It should be Harvard referenced and include a list of essential information sources that have contributed to the final case study. The report will include:
  - Introduction to the case and the issue/aspect of theory to be explored
  - Background and details of the case
  - Theory: Exploration of scholarly literature and its relevance and implications for the case under discussion
  - Conclusion
  - References

- An in-class tutorial presentation that will present the details of your case study. You may also choose to include an interactive and participatory exercise that will illustrate the relevance of the case study as a means of understanding negotiation in theory and practice.

- Submission Date for the written component (2500 words) of the team-based exercise: 4.00 p.m. Monday 9 May.

- The final two tutorials will be devoted to the team presentations.

- Regardless of the week in which your group presentation occurs, you are encouraged to attend and participate at ALL of the presentations. Non-attendance (without a valid explanation) will be reflected in your final tutorial participation mark.

- The team-based case study is worth 20% of your total semester mark. In terms of sub-units of assessment, the written component is 10% and the presentation is a combined mark worth 10%.
4. Examination
• Outcomes: demonstrated understanding of core course concepts and ability to apply these concepts.
• Task: The examination will consist of two sections.
  - Short answer section. You will have to complete 2 out of 4 short answer questions
  - Assessment Value: 40% of total examination grade
• Short essay section. All students will have to complete 2 out of 4 short essay questions for this section of the exam.
• Assessment Value: 60% of total examination grade

Submission of assignments
• Electronic Submission ONLY
An electronic submission is required by the due date. Submit your assignment in an electronic format by going to the Uniprint web site www.uniprint.uwa.edu.au, then click on “Student Assignments” and follow the instructions.
You will also be required to submit a copy of your assignment on WebCT.
If you have been granted additional time to complete an assignment or have missed the deadline for submission, you can submit your assignment in hard copy to the Students Centre. Please remember to attach an Assignment Cover sheet to the front of your assignment. You can download the relevant Assignment Cover sheet from the Business School Current Students web page http://www.business.uwa.edu.au/students/assessments

FAILURE TO LODGE AN ASSIGNMENT THROUGH UNIPRINT BY THE DUE DATE WILL RESULT IN IT BEING JUDGED A LATE SUBMISSION AND CONSEQUENTLY BEING PENALISED. THERE ARE NO PAPER SUBMISSIONS FOR THIS UNIT.

Student Guild
Phone: (+61 8) 6488 2295
Facsimile: (+61 8) 6488 1041
E-mail: enquiries@guild.uwa.edu.au
Website: http://www.guild.uwa.edu.au

Charter of Student Rights and Responsibilities

Appeals against academic assessment
The University provides the opportunity for students to lodge an appeal against assessment results and/or progress status (refer http://www.secretariat.uwa.edu.au/home/policies/appeals).
ERROR: syntaxerror
OFFENDING COMMAND: --nostringval--

STACK:

/Title 
() 
/Subject 
(D:20110218093722+08'00') 
/ModDate 
() 
/Keywords 
(PDFCreator Version 0.9.5) 
/Creator 
(D:20110218093722+08'00') 
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(bdoran) 
/Author 
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