# GSM 470A Negotiation and Conflict Management
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## Course Description and Learning Objectives

Negotiation and conflict resolution are becoming more important in organizations today. In the past, you probably would use negotiation and conflict resolution skills only if your job entailed formal dealings with unions, suppliers, and customers or as a financial deal maker. In other words, negotiation was a skill needed only by people who did it for a living. All that has changed in most organizations today If you analyze an organization through a political lens, all interactions are basically negotiations. That means that as a leader at whatever level, you are frequently operating in a situation where your responsibility exceeds your authority. You will need to negotiate with a range of internal and external stakeholders in order to get your job done. In network and team structures, you are but one voice among many. To get your agenda accomplished, you will need to negotiate to build coalitions among different stakeholders and constituencies. As organizations become more diverse demographically and culturally, the potential for conflict increases, requiring even more attention to ways of dealing with it.

And for women, skill in negotiations is even more critical. Even if her job carries with it formal power and authority, gender relations in organizations can make it difficult for women to exercise that authority. People may expect her to negotiate and consult rather than dictate to them. As a member of a team, she may not be seen as influential and so have to negotiate for her point of view or agenda. And for many women a more consultative leadership style, where decisions are negotiated, fits with their everyday theories about how best to get work done. They favor participation and believe it leads to better results. They will have to claim value for that kind or relational work that might otherwise be invisible. But there are other reasons as well. Women are often pushing at the boundaries of organizational practice and policy. They may need to negotiate for more flexible work schedules so they can better integrate their work and personal lives but they do so in the context of perceptions of 'ideal workers' who should devote themselves fully to their work. They may need to convince people that they are qualified for a position even though their previous experiences do not fit the precise job requirements. And then of course, everyone needs to negotiate effectively to get the job responsibilities and salaries they think they merit. *A major objective of the course is to recognize the multiple opportunities* *there are to negotiate at work and to see the connection between taking advantage of these opportunities and your career success.*

For many years, I have been teaching negotiation courses here at Simmons, at other colleges and universities, and to groups in industry. Influenced by scholars and colleagues in the field, I have structured these courses in what might be called the *analytic* tradition. Based on the work of Thomas Schelling (*A Strategy of Conflict),* Howard Raiffa (*The Art and Science of Negotiation)*, and Richard Walton and Robert McKersie (*A Behavioral Theory of Labor Negotiations),* negotiations are divided into two basic models -- distributive (zero-sum) and integrative (mutual gains). These two models rely on different tactics and strategies, yet both are typically involved in any negotiation. Negotiation courses generally follow these two models, beginning with the distributive model (as when you buy a car) and building to a more integrative approach (the creation of package deals) and the involvement of more parties in team based negotiations. The first part of the course will follow a similar format. Mastering the fundamentals of distributive and integrative negotiations is best done experientially through role plays and so there will be ample opportunity to work on these deal making skills. *An objective of this course is to be able to distinguish among these models and assess their utility in different work contexts. The course will help you to enhance your skills at creating value in negotiations and garnering your share of that value.*

The analytics of dealmaking are important but they do not capture many of the social complexities in negotiation. Based on my experiences at the SOM, and the research that I have done on gender in negotiations, it has become clear to me that the analytic tradition is necessary, but not sufficient to help women (and men) become more effective negotiators. Findings from this research lead to new thinking about the social or interpersonal dimensions of negotiation. At the same time as you are negotiating over the issues and considering the kinds of deals that you can make, another negotiation is taking place in tandem. It is where people negotiate about how they will negotiate even though they don't talk about it directly. That is what we call the *shadow negotiation*, described in book I co-authored with Judith Williams, *The Shadow Negotiation: How Women Can Master the Hidden Agendas that Determine Bargaining Success*. (The paperback version has a different title *Everyday Negotiation: Navigating the Hidden Agendas of Bargaining* and includes stories from men as well as women*).* We discovered the shadow negotiation from our interviews and observations of women. When women told us that they had difficulty pushing for what they wanted or when they did, they were accused of being pushy, that they put others needs before their own and that other negotiators expected that of them, that they gave in too quickly to avoid conflict, that they wanted deals that left everybody happy, but feared they would be exploited if they did, that other negotiators pushed them into defensive positions, we recognized that something more than what ingredients make a good deal was at stake. If we wanted to help women become better negotiators, we had to deal with these relational dimensions of negotiation because that's where women have trouble; it is where gender issues come in. But it is also the place that many women have considerable skill. We learned from studying women about aspects of negotiation that had been hidden; these insights are useful for all negotiators. In the course, we will analyze the various dimensions of the shadow negotiation as it helps or hinders the discussions about the substantive issues. In so doing, you will develop a deeper understanding of how gender, diversity and power issues play out in negotiation and how you can manage them to become more effective negotiators. The book develops these ideas and we will explore them in the course through cases, short vignettes, and videos. *A final objective of the course is to help you understand the dynamics of the shadow negotiation and to give you practice in skills so that you can take more control in negotiations and structure the process in ways that suit the task, your preferred style, and enlist others to work with you.* These skills are also critical to negotiating conditions that will make you successful as a leader. In my more recent book, *Her Place at the Table: A Woman's Guide to Negotiating Five Key Challenges to Leadership Success,* my co-authors and I show how successful women leaders recognize that the transition to leadership roles involves negotiations that position them to succeed.

## Course Mechanics

The course/workshop is a blend of pedagogical techniques and learning milieus and we move pretty quickly. Although we will use cases to analyze and discuss some features of negotiation and conflict resolution, the primary vehicle for acquiring and improving negotiation skills is through role plays, short vignettes, and exercises. This structure is based on the widely held belief that negotiation principles are best learned via hands-on experiences and through in-depth discussions of the experience, using the conceptual material to analyze and inform. Self assessment of these experiences will help you continually take stock of your learnings and areas of potential development in negotiation. To supplement learning in the classroom about negotiation and conflict resolution, students are encouraged to continually apply what they learn in class to experiences in the workplace and community. As part of the requirements for the course, students will participate in an Applications Group (A-Team). Discussions in the A-Team and the discipline of self assessment and reflection will help you track your progress as a negotiator.

## Course Materials

### ***Required Texts***

- Deborah Kolb and Judith Williams, Everyday Negotiation: Navigating the Hidden Agendas of Bargaining.
  *This book, the paperback edition of The Shadow Negotiation, describes the two major requirements of the shadow negotiation – advocacy and connection. Advocacy means positioning oneself to promote your interests effectively and connection involves creating space for the other party to participate with you in working out differences.*
- Roger Fisher, William Ury and Bruce Patton. Getting To Yes.
  *This now classic book develops the major elements of "Principled Negotiation"-- **Separate the people from the problem, Focus on interests not***

*positions, Invent options for mutual gain, Use objective criteria, and Develop your BATNA.*

### *Coursepack*

The coursepack includes cases, readings, and the general instructions for some of the negotiation role plays. For role plays, specific roles will be handed out in class. I use PowerPoint slides for many of the sessions. These will be posted prior to the relevant class. When class discussions cover complex analyses, a follow up set will be posted immediately after the class to reflect the analysis and discussion that occurred in the class session. Thus, it is useful to check the web site prior to class and download the slides and then supplement these after certain class sessions. In addition, there are two Self Assessment forms in the coursepack that you can use at different points in the course.

Assigned readings generally focus on the conceptual issues we will cover in class that day. The readings are intended as background for you and, I do not, as a rule, discuss them in class unless specific questions are raised. Optional readings cover new areas or extend ideas in class; most are available on-line. Recently, a new resource became available—*The Negotiation Newsletter*—a joint venture of the Program on Negotiation at Harvard Law School and Harvard Business School. These cover a wide range of issues; a link to the *Newsletter* is on the resource page for the course. When you come across interesting articles, feel free to post them as well. I have attached a bibliography to the syllabus, which will also be posted on the web site. The Program on Negotiation at Harvard Law School is a web site those of you interested in negotiation might want to visit. (http://www.pon.harvard.edu/)

### *Materials for the Negotiation Role Plays*

Some of the information/instructions for the role plays will be handed out in class, others will be in your coursepacks. Generally, *background information* is in the coursepack and the *roles* are handed out in the class prior to the one where it takes place. In a negotiation role play, each party has confidential information that she would not want to share with her counterpart. A seller, for example, knows more about her situation and what price she will accept while the buyer knows more about what she will be prepared to pay. This mirrors negotiation in the real world where you would not have complete access to the information your negotiating counterpart has nor to what she values as important. In preparing for class, pay careful attention to what role you have been assigned. When you prepare, you can do so with others who have the same role, but not with a person who has a different role. The names of the roles are indicated on the syllabus.

We do the actual negotiations in class. It is important to come to class having prepared your role. The workshop structure should facilitate this. It slows down the class if somebody in a negotiating dyad or group is not prepared to negotiate. Preparation means that you have read the role and mapped out a strategy for the negotiation. As the course progresses, you will learn more about what constitutes good preparation and so your out-of-class preparation will become more sophisticated. Use the study questions appended to this syllabus as a guide to preparation. When you negotiate, do not show your confidential instructions to the other party. Obviously, during the course of the negotiation, you may choose to reveal or discuss some or all of the contents of your confidential information. That is up to you.

## Course Requirements

1. **Classes**. Class participation is important in this course. Students are expected to attend all classes fully prepared to participate in a simulation or role play and/or analyze the assigned case. For the role plays and cases, use the assigned study questions as a guide.

Role plays require good preparation. Typically we start the class with the role play and then use the experience to develop the major principles for the class. If you have not done the preparation or you are late, your partner will have to wait for you, and class will be delayed, a problem as our class time is short. The negotiation sessions are highly interactive. While the debriefing of a role play starts with a description of what happened in several of them, we move quickly to analysis. To participate effectively requires that you think critically about your participation and be prepared to analyze your major learnings with the class. It should be noted that certain kinds of participation detract from learning: being unprepared and continually trying to speak.

Class participation counts for **30 %** of your grade. I am not looking for quantity of participation, but rather quality. In judging quality, I am looking for the following:

- participation that draws on experiences to develop more general principles
- participation that includes feelings, but goes beyond them to include evidence to support a position taken
- participation that builds on other comments
- participation that involves discussion and debate with others in the class
- participation that contributes to the learning of others (including me)

Given the importance of class participation, you should make every possible effort to attend class and to be on time. If you miss more than 20% of the classes and/or are late for them, your grade will be negatively affected. Lack of preparation will also affect class participation grades.

2. **Self-Assessment: Strengths and Opportunities for Development.** A hands-on course like negotiations offers you a unique opportunity to track your skill development. There are two opportunities during the course to complete a self assessment, roughly connected to analytic and shadow negotiations parts of the course.

The assessment forms are in the coursepacks. I encourage you to complete these self-assessment forms at the appropriate times. If time permits in class, I will give you time to complete them and discuss them with the person(s) you negotiated with. These are for your own use to help you track your development as a negotiator with one exception. You will need to include a few of the assessment questions as part of the midterm—*Pacific Sentinels (see below).* The assessments may also be something you want to discuss in your A- teams.

3. **A-Team.** If the self assessment forms track your individual learning, the A-Team promotes collective learning, especially as it takes lessons in class and applies them to current or past work experiences. One of the challenges in the negotiation course is translating lessons from the class sessions to one's life. I have found in the past that the Application Group (A-Team) provides a structure and process that can assist this learning process. You are required to join an A-Team for the purposes of discussing the connections between what you learn in class and your current and past work situations. It is up to you to create your own A-Team. It should be no more than 3-5 members to facilitate discussion. The A-Team can meet virtually and/or face to face. I will try to give the team times to meet during workshop session. Over lunch might also be a good time to meet.

How does the A-Team work? It is pretty open ended. An A-Team collectively reviews its experiences in class and reflects on the lessons learned. The next task is to connect these reflections to your own past or current experiences and share these with each other as a group. A good way to start in your first meeting is to discuss negotiation experiences that you have had and the challenges these have presented. You can use these experiences to create learning goals for the A-Team. Each member should have a goal and the A teams should have goals that they will review at the conclusion. The A-team can then serve as a sounding board for your individual and collective work on these issues.

Teams should plan everyday during the workshop to discuss their learnings, how the topics covered in the class sessions apply to situations at work and/or other negotiations you are involved with. Virtual meetings are fine—use the Chat Rooms in eLearning for your meetings.

Likely a group will begin by looking at the individual experiences of members in a case or role play. Your self assessments might be useful in these discussions.

- What each person learned about negotiation from the case or role play.
- What surprised you about yourself or others?
- What would you do differently the next time around?

From these individual experiences, the group should move to more general principles.

- What are the implications of these experiences for negotiations generally?

- ♦ What is the group learning about negotiation as a leadership skill in the workplace?
- ♦ What prescriptive advice would the group offer to continually improve their effectiveness as negotiators?

In many cases, the A-team becomes a behind-the-scenes strategy group as people negotiate internships, jobs, and group projects.

Make sure that your A-Team meets at least 4 times during the week, again either face-to-face or virtually. In addition, each A-Team needs to submit a **2-page, single spaced paper** at the end of the course that summarizes the learnings from **each of the 4** meetings the team held. You can organize the paper by meeting and can either write the learning out in text or use bullets or outline form. But the focus of the paper should be on learnings around application, not descriptions of what the team did. This paper counts **15%** of the grade for each A-Team Member. When you submit the paper, make sure you indicate the members in your A-Team.

**4. Written Requirements**

**A. Negotiation Analysis of *Pacific Sentinel* Role Play.** The mid-term for this workshop is an analysis of a real time negotiation—*Pacific Sentinel*— a multiple issue, scoreable, organizational negotiation. On Tuesday, January 8 at the conclusion of class, I will distribute the roles—either Chris Coleman or Alex Martinez. On Wednesday morning, January 9, I will randomly assign you to a negotiating partner and will give you some time to prepare further either individually, with a partner, or in a group. You will have two hours to negotiate an agreement. At the conclusion of the negotiation, you will complete and hand in the *Pacific Sentinel Agreement Form* (to be handed out in class) indicating the elements of the package you have agreed on. Half of the grade for the midterm will be based on the degree to which you and your counterpart were able to create joint gain. The agreement forms need to be handed in by 12:00 on January 9. By the end of the day we will email the class to let you know how your deal compared to other negotiating dyads in the class. The other half of your grade will be based on a **1-1.5 single spaced** analysis of the negotiation. Use Self Assessment A to help you analyze your performance in the negotiation and make sure that you include the self ratings on claiming and creating value (see below). Your paper is due at 9:00 AM on January 10.

The analysis should consist of the following elements:

1. An overview of your preparation. This should include your aspirations for the agreement—what price you wanted to pay/get; your preferences regarding financing and runs. Going into the negotiation, where were you prepared to compromise?
2. Given what you wanted from the deal, what was your strategy for how to get it? How would you evaluate your strategy? Where was it successful? Where not?

Grade yourself on how well you did in claiming value for yourself on the scale of 1-3, where 1 is poor and 3 is very well. Explain why you graded yourself that way.

3. Assess how successful you and your counterpart were at creating joint gain. Again grade how you think the two of you did on the scale of 1-3, where 1 is poor and 3 is very well and explain the grade. Where were you successful and where not?
4. Conclude by identifying what you will do differently the next time you negotiate.

This paper, plus your relative score on your *Pacific Sentinel* agreement, count **20%** of your final grade.

B. **Final Paper.** The purpose of the final paper is to help you consolidate your learnings and translate what you have learned in class--the *major concepts*-- into practical insights that will guide you in your future negotiations. This translation is a critical part of the course. You have two choices for your final paper. You can either do a negotiation analysis of your own real world experience (one in the past, one that is currently occurring or one you anticipate coming up shortly) *or* translate a piece of empirical research into prescriptive terms using examples from your experiences. The paper should be **4-7 pages, single spaced,** and is due one week after the conclusion of the course (January 18).

**1) Negotiation Analysis Final Paper Option**. This paper is an evaluation and assessment of a negotiating experience or a preparation for one that will be coming up. The purpose of this paper is to capitalize on this, to help you recognize the opportunities for negotiation in your work, review the strategies and choices you have in carrying out a negotiation, and evaluate your skills. This is an opportunity to apply the lessons and use the concepts from the course about something that has meaning for you. In writing the paper, you might consider the following questions. (The questions are posed for a negotiation that has already occurred. If you are writing about a negotiation that is coming up, you will need to consider these questions in a more future oriented way.

- Describe the situation. Provide some background --Who were the parties? What were their relationships? What issues were on the table? How would you characterize this negotiation—was it more like a distributive negotiation or one where mutual gains were (are) possible? Is it a multiparty negotiation where coalitional principles apply?
- Describe your preparation. What are your interests? Theirs? Your BATNA, theirs? Did options for mutual gains exist? What were they? What options were you prepared to propose? What packages were proposed? Accepted? Given all this, what was your strategy?
- Consider your behavior in the shadow negotiations. Did you get in your own way? What did you do to *position* yourself? Did you have trouble getting the person to negotiate with you? What did you do about it?

- Analyze the relative bargaining positions of the parties. Who had a better BATNA? Who was more in control? Who was in a more reactive or defensive position? Were you in a position to turn moves that made you defensive? What turns did you use?
- Analyze the other party. What were their issues and concerns? What were their interests? What were their good reasons for taking the positions they did? What appreciative moves did you use to connect to the other person? How difficult or easy was it to do? How successful were you at getting their buy in?
- What was the outcome? How do you account for what happened?
- Analyze your strengths in this negotiation. Your weaknesses.? Are there insights you have gained from this course that might have made a difference? In the process? In the outcome?
- Identify the one major lesson you will take away from this course that will help you negotiate more effectively in the future.

2) **Negotiation Research Translation.** The field of negotiation is one where theory and practice are intended to inform each other. Howard Raiffa framed the problem as *asymmetric description prescription.* What he meant was that research in the field *describes* something important that can then be turned into *prescriptive* advice—that is given to one party (hence the *asymmetric* part) so that they can be more effective negotiators. One of the problems with the aim of description/prescription is that much of the research (*description*) is so technical (and appears in journals that only scholars read) that it is not easy to translate into *prescriptions* that everyday managers can use. Indeed, one of the comments on the course has been that some of the readings are so technical that they are virtually unintelligible to the average MBA student. One of my colleagues has observed in a similar manner that a book like *Getting to YES* (1990) is 250 or so on Amazon whereas a book like *Barriers to Conflict Resolution* (1995) which contains some significant research on topics like reactive devaluation, loss aversion, and overconfidence, among other topics is 666,000! What we can infer from this is that much of the interesting *description* from research does not get translated into *prescriptions* that everyday negotiators can use. So here is a challenge for this paper option – take a new piece of empirical research and write an explanation that makes its findings accessible, relevant, and usable to the average GSM student. What that means generally is describing the concepts in everyday language and using <u>common examples from your own experience to ground them in practice</u>.

1) Select an article. The best journals for finding empirical work on negotiation are *The Journal of Personality and Social Psychology, Organization Behavior and Human Decision Processes* and a new journal, *Negotiation and Conflict Management Research (*NCMR). Information from the Library (see Kathy Berger - kathleen.berger@simmons.edu) about how to access these journals

online appears on the eLearning Resource page for the course. You do not have to confine yourselves to these three. These journals report primarily laboratory studies addressed to a scholarly audience. They should be available to you in the library as an on-line resource. What you want to do is select is an article that has an interesting concept that you think would be helpful to your classmates. If you have a question about the article you want to write about, consult me either in class or via e-mail.

2) Describe the key concepts and findings in accessible language. Imagine you are writing it for a journal like *Harvard Business Review, Business Week, Fortune* or *The Negotiation Newsletter.* Articles in these resources are accessible and make extensive use of examples to ground the ideas. You do not want to rehash the study, but rather discuss the implications for a negotiator.

   - What are the key concepts or ideas?
   - Why are the concepts and findings important?
   - What are the implications for you as a negotiator, i.e., what do you learn about effective practice from the study?
   - How would you recommend that negotiators make use of the study, i.e., what's the prescription(s)?
   - What is the connection of this work to other concepts and issues in negotiation, that is, how does it extend, confirm, rebut what you have learned in the course?
   - Use <u>examples</u> from your own experience. The more you can ground your discussion in specific examples, the easier it will be for the everyday negotiator to grasp the key ideas.

   Remember that this is a research translation, not just a description of the article. You need to <u>translate</u> it so that your classmates (and your professor) would find it useful. The more you can give examples either from your own experience of the class, the more likely it is that your classmates would find it useful.

In grading your papers on either of these options, I will look for evidence that you understand the major concepts in the course and that you can apply them to practice. This final paper counts **35%** of your grade.

## Summary of Written Requirements

1. Written analysis of *Pacific Sentinel* Negotiation. Hand in deal sheet on January 9th.
   **Length: 1 – 1.5 page single spaced**

Due: January 10th
% of Grade: 20%

2. Final Paper. This can be either an analysis of a negotiation where you were one of the parties or a translation of an empirical research study.
   Length: 4-6 single-spaced pages
   Due: January 18
   % of Grade: 35%

3. A-Team Papers. This is a group paper and should summarize the learnings of the A-Team.
   Length: 2 single spaced pages
   Due: January 18th
   % of Grade: 15%

## Grading Policy

Papers are due on the dates indicated. If you require an extension, you need my permission and your grade will drop by a full grade (i.e., 'A' to 'B') for every day it is late. Real emergency situations (health and deaths) will be dealt with on an individual basis. In grading individual assignments, I use the following scale that is then weighted for the final grade:

Outstanding performance (A)
Superior performance (A-)
Very good performance (B+)
Good performance (B)
Minimally acceptable performance (B-)
Marginal performance (C)
Unacceptable performance (F)

## Students Needing Special Accommodation

Reasonable accommodations will be provided for students with documented physical, sensory, systemic, cognitive, learning, and psychiatric disabilities. If you have a disability and anticipate that you will need a reasonable accommodation in this class, it is important that you contact the Center for Academic Achievement early in the semester. Call Ext. 2474, or stop by the center in the Palace Road building, Suite 304A. Students with disabilities receiving accommodations are also encouraged to contact their instructor within the first week or two of the semester to discuss their individual needs for accommodations.

## Honor Code

Ethical conduct is important in negotiating—your reputation follows you. In this course, I encourage you to prepare for class with people who have been assigned similar roles (when we do role plays) and to discuss the cases. You can also discuss written assignments with your A-team or other groups, however, what you ultimately turn in must be your own work. I expect you to adhere to the highest standards of honesty and integrity—in your dealings with me and with one another. Please read the sections on the honor system in the Simmons College Student Handbook and abide by them in this course.