

CONFLICT MANAGEMENT, NEGOTIATION AND CLIENT RELATIONS

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Competencies offered: H-2-X, H-3-D, L-7, F-X

COURSE DESCRIPTION:

At the individual, organizational and societal levels, we are all interconnected and interdependent. We can only meet our goals and address our problems at any of those levels if we work at them with one another. Therefore now, as never before, we need to learn how to communicate and learn together.

(Michael Skelley, Ph.D.)

What exactly are the elements of successful communication?

How can the idea of conflict be dismantled so that the elements of clear communication can be appropriately and productively applied?

Conflict is essential to, ineradicable from, and inevitable in human life; and the source, cause and process of conflict can be turned from life-destroying to life-building ends.

(Augsburger, David W. *Conflict Mediation Across Cultures*, p. 5)

How can conflict serve as a force for positive change rather than as an impediment to progress and a barrier to communication?

- This course will examine several aspects of **communication**. We will examine perception, assumption, language and sensitivity, applying strategies drawn from theory to actual situations *in the workplace and beyond* (such as the institutions of marriage and family to which we belong, and the political, religious and civic organizations with which we might be affiliated).

*An **institution** is any structure or mechanism of social order and cooperation governing the behavior of a set of individuals within a given community — may it be human or a specific animal one. Institutions are identified with a social purpose, transcending individuals and intentions by mediating the rules that govern cooperative living behavior.*

(The Stanford Encyclopaedia)

- Successful **collaboration** and teamwork are the result of clear interpersonal communication. Done well, collaborative problem solving stimulates new ideas and more sophisticated approaches. To this end, we will consider the issues of empathy and personal style *in the workplace and the institutions/organizations beyond*.

- The question of **conflict** will be examined from several angles, and defined in several practical ways. We will analyze the differences and similarities between (among others) status-based, ego-based and issue-based conflicts *in the workplace and the institutions/organizations beyond*, and apply the theory of **principled negotiation** to identify and resolve these conflicts.

COURSE COMPETENCES:

This course stresses the SNL core Competences/learning goals in specific and rigorous ways:

- **CRITICAL THINKING:** Conflict resolution requires a clear understanding and analysis of the specific *issues or problems* underlying certain types of communication and various situations. Students are required in all in-class exercises (as well as in their weekly writings) to think critically about (a) relationships, (b) situations and contexts, and (c) the desired outcomes of conflicted situations. Most importantly, students learn the skills of thinking critically—that is, unemotionally and without bias or defensiveness—about mutually beneficial outcomes in difficult situations.
- **INQUIRY:** Conflict resolution requires that the participants enter into negotiation in the true (and humble) spirit of inquiry. They must put aside their opinions and judgments and *actively seek* the information that will heighten their knowledge of (and illuminate their perspective on) particular situations. All readings and in-class exercises stress the importance of the inquiry and information-gathering aspect of communication and negotiation.
- **DECISION-MAKING:** This course emphasizes the importance of informed decision-making. In conflicted situations, decisions must be made on the bases of (a) a clear understanding of the relationship, the situation and the problem, and (b) a thorough investigation of all aspects of the issue at hand. Every reading, and every in-class exercise/discussion, is focused on the criteria (the relationship, communication within that relationship, the analysis of the problem, the understanding of both sides of the issue) which promote the making of a mutually beneficial decision.
- **COMMUNICATING:** This lies at the heart of this course. It is the first thing that the students are asked to analyze, and the final thing that the students are asked to analyze. In the context of negotiation and conflict resolution, communication is based on the desire to cause *constructive change* through empathy, respect and the critical analysis of the relationship, the situation and the problem.

H-2: Institutions and Organizations

Institutions and organizations are an important part of everyday life. Our participation in and interaction with institutions and organizations changes as they themselves change in the intensity and nature of their influence. This section emphasizes abilities that will help individuals understand and interact with the institutions and organizations which are most relevant to their lives.

H-2-X: Understands principles of effective communication and can apply them in a variety of organizational settings.*

H-2-X COMPETENCE CRITERIA (PROVIDED BY THE INSTRUCTOR):

1. Identifies dominant modes of communication used in particular social institutions or organizations.
2. Understands the essential principles and skills of effective communication.
3. Adapts the principles of interpersonal communication to the dominant mode of a particular organization or institution in order to interact successfully and achieve specific outcomes.

H-3: Individual Development

Knowledge of self is critical as one strives to function effectively in the world. Self-awareness is an important factor in personal growth and change, and is a prerequisite for understanding and interacting with other people. This section focuses on comprehension of the dynamics of individual behavior and development, independent of and in relationship to others.

H-3-D: Can employ the skills of negotiation, mediation, or interpersonal communication in the resolution of a problem.

H-3-D COMPETENCE CRITERIA (PROVIDED BY SNL):

1. Identifies the components of a specific interpersonal relationship and describes the problem that exists within that relationship.
2. Applies principles of mediation, negotiation, or interpersonal communication to resolve the problem.
3. Evaluates the effectiveness of the intervention and of the theoretical model underlying it.

Students demonstrate this competence by applying principles of negotiation, mediation, or interpersonal communication to an actual situation. Students need to articulate their reasons for employing a given approach and to evaluate the effectiveness of that approach.

L-7: Collaborative Learning

L-7: Can learn collaboratively and examine the skills, knowledge, and values that contribute to such learning.

L-7 COMPETENCE CRITERIA (PROVIDED BY SNL):

1. Participates in a learning project with others.
2. Applies collaborative learning skills, such as communication skills, skills of group dynamics, etc.
3. Reflects on one's ability to contribute to the collaborative learning process as characterized in at least one model or theory.

Students demonstrate this competence by working with others to develop common understandings around a shared agenda that leads to an assessable outcome. Collaborative learning is characterized by a willingness to explore the ideas and insights of others in an atmosphere of mutual respect, encouragement, and challenge. Essential to this competence is an understanding of the distinctions among collaboration, cooperation, and strategies of group dynamics.

F-X: Can understand systems and models of effective workplace interaction, and create a customized plan for a variety of situations.*

F-X COMPETENCE CRITERIA TO BE NEGOTIATED BETWEEN STUDENT AND INSTRUCTOR.

**These are rough drafts of these competence statements, to be refined and developed through discussion between student and instructor to meet the specific needs of the student.*

THE LEARNING EXPERIENCE:

a. Learning Strategies:

Significant examples of communication, conflict identification and problem-solving theory will be presented, but the emphasis of this course will be on applying these theories to the students' own situations (at home, in the workplace, and in the context of the institutions and organizations to which they belong and with which they are affiliated). Using small-group discussions, student presentations, role-playing exercises, situational improvisation and weekly journals, we will examine and refine the relationship between communication and conflict resolution skills.

b. Suggested Learning Tools

Required Text:

Fisher, Roger and William Ury. *Getting to Yes*. 3rd Edition. New York: Penguin Group USA, 2011.
(ISBN-13: 9780143118756)

Video:

“Collateral Damage.” *Flashpoint*, season 4, episode 8. Aired 1/4/2011. CBS.

Handouts (including, but not limited to, readings from the following texts):

Augsberger, David W. *Conflict Mediation Across Cultures: Pathways and Patterns*. Louisville: Westminster John Knox Press, 1992.

Cloke, Kenneth and Joan Goldsmith. *Resolving Personal and Organizational Conflict: Stories of Transformation and Forgiveness*. Indianapolis: John Wiley and Sons, 2001.

Edelman, Joel and Mary Beth Crain. *The Tao of Negotiation*. New York: Harper-Business, 1994.

Gladwell, Malcolm. *The Tipping Point*. New York: Back Bay Books, 2000.

Kegan, Robert and Lisa Laskew Lahey. *How the Way We Talk Can Change the Way We Work*. Indianapolis: John Wiley and Sons, 2002.

Kouzes, James M. and Barry Z. Posner. *Encouraging the Heart*. San Francisco: Jossey-Bass, 2003.

Ury, William. *The Power of a Positive No*. New York: Bantam Books, 2007.

c. Class Policies:

Attendance:

Student attendance is mandatory. See
snl.depaul.edu/current/policies.asp#Attending

In this class, 1 absence is allowed.

The 2nd absence will lower your grade one full grade (from A to B).

The 3rd absence will lower your grade another full grade (from B to C).

The 4th absence will result in a failing grade (F).

Homework:

In this class, all homework must be submitted in on time.

Failure to do so will lower your grade by one third of a grade (from A to A-).

Any journal more than 1 week late will not be accepted, and will be considered missing. This will lower your grade by one full grade (from A to B).

Incomplete grades:

These are for special circumstances. See DEPAUL UNIVERSITY INCOMPLETE POLICY below.

EXPECTED OUTCOMES:

Upon successful completion of the course, students will have

- A theoretical and practical knowledge of the elements of communication and conflict
- A deeper understanding of their own communicative processes
- An increased ability to facilitate clear communication and positive outcomes in conflicted situations
- A detailed knowledge of at least one model of negotiation and conflict resolution
- A knowledge of the skills, values and practices of negotiation and conflict resolution in a variety of settings, such as the workplace and other institutional/organizational settings
- An increased ability to apply these skills, values and practices in a variety of settings, such the workplace and other institutional/organizational settings

EVIDENCE STUDENTS WILL SUBMIT:

Students are required, in addition to participating in in-class discussions and presentations, to submit the following:

- A 7-part, competence-specific Reflective Learning Journal

Each weekly entry should be a minimum of 450 words (30 lines; 15 words per line).

The most successful journal entries have demonstrated an understanding of the required reading material, and contained ideas for applying its principles to actual situations.

This is a suggested (though not required) format for journal entries:

Reflect on (a) the classroom exercises and activities and (b) the “writing prompt” extract from the weekly reading. Apply them to your own experience of conflict identification, management and resolution in or out of the workplace. How, if at all, does this information inform your approach to conflicted situations? Thinking back on previous conflicts and negotiations, how, if at all, would you change your approach? How, if at all, will your future negotiations be informed by the information you are gathering? Use examples.

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| <p><i>You MUST use the appropriate weekly writing prompt as a starting point for each Journal entry.</i></p> |
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Please understand that these Journal entries are very important in demonstrating your understanding of the relationship between the readings and the Competences for which you are taking this class.

Each Journal entry MUST end with a short summary of how it applies to the Competences (as expressed in the Competence Statements) for which you are taking the class.

- A competence-specific Final Paper

You may write 1 paper to address 2 Competences. If you are writing the paper for 1 Competence, a minimum of 2, 400 words is required. For 2 Competences, a minimum of 3,600 words is required. Papers must be formatted according to MLA specifications.

You are expected to cite a minimum of 6 authors. These may, in part, be the authors whose works are discussed in class (Augsbeger, Drucker, Edelman, Fisher, Ury).

Note: Plagiarism will result in a failing grade.

The DePaul Student Handbook defines plagiarism as follows: Plagiarism includes but is not limited to the following: (a) The direct copying of any source, such as written and verbal material, computer files, audio disks, video programs or musical scores, whether published or unpublished, in whole or in part, without proper acknowledgement that it is someone else's. (b) Copying of any source in whole or in part with only minor changes in wording or syntax even with acknowledgement. (c) Submitting as one's own work a report, examination paper, computer file, lab report or other assignment which has been prepared by someone else. This includes research papers purchased from any other person or agency. (d) The paraphrasing of another's work or ideas without proper acknowledgement.

For correct citing of sources, consult the MLA Handbook.

- A competence-specific Final Presentation

This is a 5 to 8 minute oral presentation to the class about your final paper.

These assignments will be discussed at regular intervals throughout the course.

COURSE OUTLINE:

Week 1: Introduction

Introduction to the topic

A detailed explanation of the Competences

Explanation of the assignments (Journal, Final Paper, Final Presentation)

Defining “the workplace and beyond”: understanding institutions and organizations

Premise: all communication is relational
Defining “communication”
Defining “relational”

Premise: conflict is caused by the desire for greater intimacy
Defining “conflict”
Defining “intimacy”

Homework:

Read Edelman, *The Tao of Negotiation*, 234-258 (handout)

Journal writing prompt: “Once you’ve defined, as closely as possible, the nature of your relationship, you can then decide what to do about it.”

Week 2: Communication

Discussion of Edelman, 234-258

Small-group discussions and exercises in
Giving and getting criticism
Empathic/reflective listening and congruent talking

Journal (1) due

Homework:

Read Drucker, *Managing Oneself*, Harvard Business Review, 100-109 (handout)

Read Fisher, *Getting to Yes*, 3-39

Journal writing prompt: “Failing to deal with others sensitively as human beings prone to human reactions can be disastrous for a negotiation.”

Week 3: Communication

Positional bargaining
Separating the relationship from the problem

Small-group discussions of Fisher, 3-39

Journal (2) due

Final Paper/Presentation check-in

Conflict Management/9

Homework:

Read Augsburg, *Conflict Mediation Across Cultures*, 42-72 (handout)

Read Fisher, *Getting to Yes*, 40-80

Journal writing prompt: “In most negotiations there are four major obstacles that inhibit the inventing of an abundance of options: (1) premature judgment; (2) searching for the

single answer; (3) the assumption of a fixed pie; and (4) thinking the ‘solving their problem is their problem.’” OR “Rather than make things difficult for the other side, you want to confront them with a choice that is as painless as possible.”

Week 4: Exploring Conflict

Communication, conflict and the desire for positive change
Defining and analyzing conflict, intention and action
Linguistic strategies

“Options for mutual gain”: small-group discussions of Fisher, 40-80

“Creative dynamics”: small-group discussions of Augsberger, 42-72

Journal (3) due

Homework:

Read Fisher, *Getting to Yes*, 81-106

Journal writing prompt: “It is the combination of openness to reason with insistence on a solution based on objective criteria that makes principled negotiation so persuasive and so effective at getting the other side to play.”

Week 5: Exploring Conflict

The creative aspects of conflict resolution
Small-group creativity and brainstorming exercises and presentations

Tom Wujic: Got a Wicked Problem? First, Tell Me How You Make Toast.

http://www.ted.com/talks/tom_wujec_got_a_wicked_problem_first_tell_me_how_you_make_toast#t-475806

Journal (4) due

Homework:

Journal writing prompt: “...the relative negotiating power of two parties depends primarily upon how attractive to each is the option of not reaching agreement.”

Week 6: Conflict, Compromise and Creativity

“Collateral Damage”: a screening of *Flashpoint*, season 4, episode 8, 2011 (CBS)

Seeking objective criteria: small-group discussions of Fisher, 81-94

The importance of the BATNA: small-group discussions of Fisher, 97-106

Journal (5) due

Final Paper/Presentation check-in

Homework:

Read Fisher, *Getting to Yes*, 107-143

Read Augsberger, *Conflict Mediation Across Cultures*, 229-258 (handout)

Journal writing prompts: "...you can usually get the other side to play the game of principled negotiation with you, even if at first they appear unwilling." AND/OR "Don't be a victim."

Week 7: Troubleshooting

"Negotiation jujitsu" and "Taming the hard bargainer"

Small-group discussions of Fisher, 107-143

Journal (6) due

Homework:

Read Fisher, *Getting to Yes*, 147-187

Read Ury, *The Power of a Positive No*, 27-49 (handout)

BEGIN FINAL PROJECT

Journal writing prompt: "Our behavior should be designed to model and encourage the behavior we would prefer and to avoid any reward for the behavior we dislike, both without compromising our substantive interests."

Week 8: Ten questions about Principled Negotiation

Negotiate/debate/argue/quarrel

Discussion of Fisher, 147-187

Journal (7) due

Homework:

WORK ON FINAL PROJECT AND PRESENTATION

Week 9: Student final presentations

Homework:

WORK ON FINAL PROJECT

Weeks 10 & 11: Wrap-up and review of reading materials

CRITERIA FOR ASSESSMENT:

Assessment of student competence will be based on

- Attendance and intelligent, informed classroom participation 30%
- Journal 30%
- Final Presentation 10%
- Final Paper 30%

Written work will be evaluated as follows:

A Work of high quality; reflects thorough and comprehensive understanding of the issues at hand; reflects a clearly identifiable thesis and argument that demonstrates cogent and creative development and support of ideas.

B Work of good quality; reflects clearly organized and comprehensive understanding of issues at hand; presents substantive thesis and argument with evident development and support of ideas.

C Work that minimally meets requirements set forward in assignment; reflects some organization and development of ideas but develops argument in superficial or simplistic manner; may only address part of the assignment or be otherwise incomplete.

D Work of poor quality that does not meet minimum requirements set forth in the assignment; demonstrates poor organization of ideas, grammar, and spelling; treatment of material is superficial/simplistic; may indicate that student has not read assignments thoroughly.

Writing will be assessed according to the SNL writing rubric. Consult the SNL writing guide <http://www.snل.depaul.edu/writing/Rubric.html> or see WRITING HELP below.

DEPAUL UNIVERSITY ACADEMIC INTEGRITY POLICY:

DePaul University is a learning community that fosters the pursuit of knowledge and the transmission of ideas within a context that emphasizes a sense of responsibility for oneself, for others, and for society at large. Violations of academic integrity, in any of their forms, are, therefore, detrimental to the values of DePaul, to the students' own development as responsible members of society, and to the pursuit of knowledge and the transmission of ideas. Violations include but are not limited to the following categories: cheating; plagiarism; fabrication; falsification or sabotage of research data; destruction or misuse of the university's academic resources; alteration or falsification of academic records; and academic misconduct. Conduct that is punishable under the Academic Integrity Policy could result in additional disciplinary actions by other university officials and possible civil or criminal actions. Please refer to your Student Handbook for further details.

DEPAUL UNIVERSITY INCOMPLETE POLICY:

Undergraduate and graduate students will have up to two quarters to complete an incomplete. At the end of the second quarter (excluding summer) following the term in which the incomplete grade was assigned, remaining incompletes will automatically convert to "F" grades. In the case of the Law School incompletes must be completed by the end of the semester following the one in which the incomplete was assigned. Ordinarily no incomplete grade may be completed after the grace period has expired. Instructors may not change incomplete grades after the end of the grace period without the permission of a college-based Exceptions Committee. This policy applies to undergraduate, graduate and professional programs. NOTE: In the case of a student who has applied for graduation and who has been approved for an Incomplete in his or her final term, the incomplete must be resolved within the four week grace period before final degree certification.

The SNL student who wishes to receive the grade of IN must formally request in writing that the instructor issue this grade. This request must be made before the end of the quarter in which the student is enrolled in a course.

PROTECTION OF HUMAN RESEARCH PARTICIPANTS:

[For courses with a student research component only.] This course may involve research activities intended solely for classroom learning outcomes. Collecting data from human beings for such activities do not require institutional review if there is no intent to generalize, publish, or otherwise disseminate the findings. However, students must still abide by federally-mandated guidelines for the protection of human beings who may be the sources of such data. These include, but are not limited to, keeping persons' identifiable characteristics confidential and taking care to minimize or entirely remove the possibility of mental, social, financial, or physical harm. If findings from your research activities may be disseminated beyond classroom discussion, your activities carry risk of harm to the participants, or the identities of the participants are ascertainable, students must obtain approval from the SNL Local Review Board and DePaul Institutional Review Board. Please consult with the course instructor and visit the website of the Office of Research Protections at DePaul University (<http://research.depaul.edu>) for additional information and guidance.

FOR STUDENTS WHO NEED ACCOMMODATION BASED ON THE IMPACT OF A DISABILITY:

Students who feel they may need an accommodation based on the impact of a disability should contact the instructor privately to discuss their specific needs. All discussions will remain confidential.

To ensure that you receive the most appropriate accommodation based on your needs, contact the instructor as early as possible in the quarter, preferably within the first week of class, and make sure you have contacted:

- PLS Program (for LD, AD/HD) at 773-325-4239 in the Schmidt Academic Center, room 220 or;
- The Office for Students with Disabilities (for all other disabilities) at 773-325-7290, DePaul University Student Center, room 307.

WRITING HELP:

For help with organizing your ideas, grammar, citing sources, avoiding plagiarism, sample SNL assignments and much more, see the [Writing Guide for SNL Students](http://snl.depaul.edu/writing/index.html) at <http://snl.depaul.edu/writing/index.html>. For on-campus and online tutoring, see the [DePaul University Writing Centers](http://condor.depaul.edu/~writing/) at <http://condor.depaul.edu/~writing/>.