Negotiation

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Course Description

Whether you are forging an agreement with suppliers, trying to seal the deal with potential customers, raising money from investors, managing a conflict inside the firm, or even facing a dispute at home that is about to affect your work, professional (and personal) success crucially requires the ability to negotiate effectively. This course will enable you to become a more effective negotiator by learning how to:

- Design and execute deals that create maximum value on a sustainable basis;
- Capture your fair share of the value that is created;
- Think strategically in competitive contexts and execute deals that others might overlook;
- Avoid common mistakes made by negotiators;
- Achieve superior results in a vast array of competitive environments, including those that entail uncertainty, conflict, complex issues, intense pressure from competitors, negotiating from a position of weakness, negotiating in multi-party environments, and negotiating under threat;
- Identify, understand, manage, and use your emotions and those of others to achieve desired outcomes;
- Identify, understand, manage, and use your cognitive biases and those of others at the negotiation table;
- Work with people whose cultural backgrounds, expectations, and values differ from your own.

Objectives

At its core, the course is designed to help you examine and refine your negotiation skills, and to provide an opportunity for you to develop a negotiator’s lens for achieving the best results at the bargaining table and beyond.

Methodology

In addition to traditional case analyses, you will engage in a large number of (increasingly complex) negotiation simulations, receive feedback on your strategies and performance, debate alternative approaches, and work with classmates to discover new insights. The course will allow you to test your analytic ability and your tactical skills, and to experiment with new ideas. This approach allows us to:

1. Introduce a negotiation framework that will help you analyze, prepare for, and execute negotiations more systematically—and hence, more effectively—in a wide variety of contexts.
2. Build a negotiation toolkit that consists of strategies and tactics for creating and capturing value in negotiation, and which can be put to use as soon as you walk out the door.
3. Create an environment that helps diagnose your individual needs, and allows you to identify techniques for mitigating your weaknesses and leveraging your strengths.

The course will be structured in three modules:

1) Module I: Negotiation Fundamentals

In Module I we introduce the negotiation framework and start building the toolkit. There is a strong emphasis on simulations. Module I is the most critical segment of the course. If you were to never sit through another session on negotiation, but made it a habit to reflect on the content, analyses, and experiences of Module I, you would have what you need to become an effective negotiator.

2) Module II: Irrational Negotiators, Complex Negotiations

Sometimes your counterparts seem irrational, uninterested in working together, creating value, or even maximizing their own self-interest. Here we will examine a series of situations in which negotiators are confronting issues of distrust, problematic emotions, seeming irrationality, and the possibility of costly escalation in conflict. Drawing on the latest research, we will examine strategies of influences and ask ourselves whether our framework and toolkit from Module I are still relevant—and if not, what additional tools and insights we need when things have gotten ugly. We will also analyze and strategize across a host of complex, multi-party environments.

3) Module III: Putting It All Together

The real world does not seem to care that our courses have a modular structure: your success in future negotiations will depend, in part, on how well you synthesize the key insights from Modules I and II in your approach. We will end the course with a series of sessions that allow us to practice what we want to perform—to see the world, naturally, through a negotiator’s lens.

**Evaluation criteria**

The final grade will include the following components:

- Negotiation Cases and Participation – 40%
- Preparation Memos – 30%
- Final Paper – 30%

As with all courses taught at the UPF Barcelona School of Management, students who fail the course during regular evaluation will be allowed ONE re-take of the examination/evaluation. If the course is again failed after the re-take, students may have to register again for the course the following year. Because the in-class participation and preparation memos components of the grade cannot be changed, the re-take exam will take the form of a series of assignments and a more extensive version of the final paper.
1) Negotiation Cases, Participation, Feedback, and Negotiation Challenges (40%)

**Negotiation Cases.** You will negotiate several role-plays that will allow you to develop negotiation skills experientially. Preparation, attendance, and participation in negotiation exercises are essential for your learning. Instructions and role assignments will be sent to you by e-mail a couple of days before the negotiation is to be played. In the exercises, you will receive general instructions for the exercises as well as confidential instructions. **Never show the confidential instructions to others.** Do not meet with others in preparing for the negotiation exercises unless you are explicitly asked to do so. You will find more information on Policies regarding negotiation cases below (See Policies, Procedures and Recommendations).

It is crucial for your learning that you spend adequate time preparing for the negotiations. You will be paired with one or more participants for your in-class case negotiations. Any absence is likely to cause substantial inconvenience and loss of opportunity to others. Your classmates expect you to be fully prepared for each negotiation case. Students are required to attend **all the in-class negotiation sessions** and 80% of classes in general. Failing to do so without justified reason can have important consequences in your final grade.

It should be understood that everyone is trying to achieve as good outcome as they can, consistent with their particular instructions. Your skill will improve if you are matched with excellent opponents. Someone who takes it easy on you does you no favor. To encourage you to experiment with various different negotiation styles in a “safe” environment, your negotiated outcomes will only count for 10% of your total grade and you can achieve a top grade even if you don’t systematically obtain good negotiation outcomes. However, if they are consistently poor and it is clear you are not putting in your best effort, your participation grade will suffer. Note also that your negotiated outcomes will be publicly posted so that the class can analyze the relationship between different negotiation strategies and outcomes and learn from everyone’s experience.

**Participation.** When evaluating your participation in class discussion, I give less weight to quantity. I am more concerned with the quality of discussion. Here, my expectation is that it generally will be high. In a sense, the course is a laboratory in which you will be both experimenter and subject. You will be encouraged to articulate general principles and extract prescriptions from your personal experience in the negotiation exercises. Merely relating who offered what in a particular simulation will be of little value to the rest of the class. The challenge will be to identify the underlying dynamics of a situation, and extract lessons that everyone will find useful.

Sometimes the most important learning comes from apparent “failure.” After all, if you have gotten a good deal, it may be hard to know whether you have been smart or simply lucky. By contrast, if you were deadlocked or got a poor outcome, it is often possible to identify what happened – and to see how to avoid getting in the same position in the future. As a consequence, I hope to create a classroom atmosphere that encourages self-reflection and candor. In this process of discovery, good questions will be valued at least as much as good answers. There will be cold calling, mainly for those who are perceived to participate less, even so the right to pass will be respected. Your participation in class discussion will count for 10% of your total grade.

**Feedback Forms.** This class gives you a unique opportunity to learn about yourself and the impression you make on others when you negotiate. Do you come across as trustworthy? Gullible? Greedy? How happy are other people when they negotiate with you? In order to...
provide you with this feedback, I will ask you to complete a short online “Feedback Form” after each negotiation. At the end of the semester, we will use these forms to contrast your own perception (i.e., how well you think you do) with the perceptions of your negotiation partners. Therefore, it is very important that you complete your negotiation Feedback Form as soon as you are done with a given negotiation exercise (and no more than 24 hours after the class!). To do so, simply go to (URL to be announced later). Timely and thorough completion of Feedback Forms counts for 10% of your final grade.

**Negotiation Challenges.** In addition to in-class negotiations, you will be asked to complete a series of **Negotiation Challenges** outside of class. These challenges are designed to transfer the negotiation skills you learn in class to negotiations in your everyday life. They will help you overcome your potential inhibitions and fear of negotiating to unlock your negotiator potential. The Negotiation Challenges are therefore very important and I expect you to complete them as best as you can. Keep track of your Negotiation Challenges, as you will be asked to present the outcomes and main personal learning points in front of the class on Session 18 (2-3 min presentation). This presentation will count for 10% of your final grade.

2) **Preparation memos (30%)**

To help you prepare fully for the role you will play in each negotiation, you are required to submit a preparation memo before the beginning of each class (with the exception of the first one).

You or your team (if you are negotiating in a team) should submit your planning document online before class at (URL to be announced later). If you are negotiating as a team, each team member needs to submit his or her own copy of the planning document. Students often find it useful to print a personal copy of the preparation memo and use it as a reference during their negotiations.

**Three of your preparation memos will be chosen at random to grade**, and this will be 30% of your final grade. In general, grades on planning documents are based on the extent to which an intelligent 3rd party who knows something about negotiations (but not the particular exercise) could take only your planning document into the negotiation and receive a favorable outcome for you. Your grades are based on the extent to which you have thought your strategy out in advance.

The URL (URL to be announced later) provides a standard preparation memo template. However, you are free to complete as much or as little of this template as you see fit. You can submit your own document by attaching it as a pdf if the template does not meet your specific needs. Memos submitted after the beginning of the class will not be accepted.

3. **Final Paper (30%)**

The purpose of the final paper is to provide you an opportunity to synthesize your learning and to assist in fixing the lessons and experiences in long-term memory. It should include critical reflection on your negotiation experience overall since the beginning of class. The paper should focus on key learning points across in-class negotiations, as well as personal negotiations you conducted outside of class.
A good reflection paper provides only brief details of the negotiations themselves to illustrate main learning insights and to link them into specific concepts and principles learned from class and readings. Please note that explaining the content of the roles in the cases negotiated in class is not necessary since both you and your professor already know what those roles were. Moreover, rather than going through each negotiated case sequentially, a better negotiation paper makes overarching conclusions regarding one’s personal tendencies, behavior, strengths, points of improvement, and general negotiation strategies. Specific examples from in-class and out-of-class negotiations are then used to illustrate these conclusions.

To maximize your learning derived from writing the paper, I encourage you to focus on both outcome of your negotiations as well as process data, i.e., what specifically happened during the negotiation, how it affected the rest of the negotiation, how it was or was not aligned with what you expected, what was your personal reaction to it, what are possible alternatives to this reaction, what general lessons you can derive from this episode, etc.

Potential questions to consider for the paper include:

- What have I learned about my strengths and weaknesses as a negotiator?
- What works well for me?
- What should I try to do differently / improve?
- In the specific negotiations I am using as examples, what surprised me? What surprised my counter-party?
- What are the potential risks and rewards of certain behaviors of mine? How can I mitigate these risks?

Independently of the format used, it is very important that the paper communicates very precisely. So instead of just saying: “I communicated well!” it is preferred to say: “Communication was efficient because I focused on making open ended questions and then used active listening to learn their interests and concerns.” Giving direct examples of what was said and then commenting on them will enrich your reflection paper.

The length for the final paper is 3 pages (1.5 spacing, Times New Roman 12). Please make your paper readable. Do not use just “bullet points.” Give your paper some narrative structure. The final paper should be submitted through Aula Global. The deadline will be announced in class.

Plagiarism – Plagiarism is to use of another’s work and to present it as one’s own without attributing the sources in the correct way. All essays, reports or projects handed in by a student must be original work completed by the student. By enrolling at a Barcelona School of Management Master of Science and signing the “Honor Code,” students acknowledge that they understand the Barcelona School of Management’s policy on plagiarism and certify that all course assignments will be their own work, except where indicated by correct referencing. Failing to do so may result in automatic expulsion from the program.

Late submissions – If you require an extension for submission of your reflection paper, you need my permission and your paper grade will drop by 3 points (out of 10). No submission is accepted 24hrs past the deadline. Emergency situations (health and deaths) will be dealt with on an individual basis.
Policies, Procedures and Recommendations

- **Confidential instructions** – You will be given confidential instructions. **Please do NOT share them with anyone else before, during, or after the negotiations.** Showing this information would compromise the negotiation experience for all concerned. **Never assume material is identical** even if a classmate is playing the same role, unless you are told that you can share information and strategize together. Please refrain from commenting the exercises to those outside the course to keep their learning opportunity open for the future. By contrast, when you are actually negotiating with your assigned party, you may discuss as much or as little of your information as you think is appropriate.

- **Lying** – In the simulations, you only know the information provided to you. To the extent that you convey facts that you do not know to be true, you are lying. Please note, I am not guaranteeing that the other side will not deceive you. Unfortunately, deception exists in the world, and it may exist in your simulation. I am simply clarifying that if you make up case facts, you are lying, not “editing the case.”

- **Absence from class or negotiation simulation**
  - Your learning in this class depends heavily on your attendance and participation in each and every class. In addition, since you will be paired with one or more participants for your case negotiations, any absence is likely to cause substantial inconvenience and loss of opportunity to others. Therefore, any absence will be penalized in terms of grading.
  - If you must be absent or late due to sickness or a family emergency, it is important that you inform me as soon as possible.

- **Lateness** – In this course, **all classes will start exactly on time.** Classes start with negotiation cases where your participation is essential. Experience has also shown that timely presence of all participants minimizes interruption, repetition and disruption while it greatly increases the efficiency, focus, and participation which together lead to a better quality class for all. With this in mind, a strict **no-late rule** will be applied, after which the participant will not be allowed to enter the class independently of the reason for the late arrival.

- **Privacy** – Openness and trust among participants will increase our ability to share with and learn from one another, and create a safe place to try out new styles of negotiating and new ways of thinking. Therefore, I ask that you exercise higher than normal discretion in talking about the experiences, behaviors, or comments of others. This is particularly important when speaking to those outside the course.

- **Research** – The results of the simulations and related polls provide rich material for class discussion, but may also be useful for research. Analysis of data from prior courses has contributed to the curriculum I use today. Only aggregate, statistical information, if any, would be used; complete anonymity would be guaranteed. If you are uncomfortable with this possibility, please send me an email, and I will ensure that your data is always removed from any archived results that might subsequently be used for research. Students who make such a request will not be penalized in any way.

- **Contact** – I welcome the opportunity to get to know you better over the period and to assist you in your learning and growth. Please do not hesitate to contact me to schedule an individual meeting.
## Calendar and Contents

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The sequence, content, and readings may change to accommodate special circumstances and opportunities.

Bio of Professor

Gaël Le Mens is a Full Professor in the Department of Economics and Business at UPF. His research focuses on learning by individuals and organizations. Several his papers explain how individuals might develop and maintain inaccurate beliefs because they rely on the biased samples of information they obtain from their experiences. In related projects on the dynamics of social processes, he has examined the development of technological trajectories, the evolution of cultural tastes and their consequences for organizational viability, the evolution of organizational inertia and dynamics of organizational failure.

Gaël's research has been published in top scientific journals such as Psychological Review, the Proceedings of the National Academy of Science of the USA (PNAS), Cognition, Behavioral and Brain Sciences, Organization Science and Administrative Science Quarterly. Popular accounts have appeared in the New York Times, the Times (London), WSJ.com, FT.com, USA Today, ABCNews.com, Focus and other in-print and online periodicals. He has taught graduate courses at UPF, INSEAD, London Business School and the University of Lugano in Switzerland.