DEPARTMENT OF
MANAGEMENT AND BUSINESS SYSTEMS
COURSE SYLLABUS
SPRING SEMESTER 2011

COURSE NUMBER:    MGNT 4630
COURSE TITLE:     Dispute Resolution in Contemporary Organizations
INSTRUCTOR:     Dr. Mary-Kathryn Zachary
OFFICE:         Room 2219, Richards College of Business
                Office Phone: 678-839-4832
                E-Mail Address: mzachary@westga.edu
                Fax: 678-839-5041
OFFICE HOURS:    T, Th: 10:45 a.m. to 2:00 p.m.; 3:15 p.m. to 7:00 p.m.; and by
                appointment
REQUIRED TEXTS:  Alternative Dispute Resolution in Business, Ponte, Lucille N,
                Ponte, and Cavenagh, Thomas D., 2nd ed. (available from
                publisher, 1-800-354-9706)

                Business Dispute Resolution, Cavenagh, Thomas D.,
                (available from publisher, 1-800-354-9706)

                Getting to Yes, Fisher, Roger, and Ury, William

                Additional assigned readings throughout the semester.

COURSE DESCRIPTION:
Analysis of the causes and consequences of conflicts in and among organizations with strategies and
processes for their effective resolution. The course will cover the sources of organizational conflicts,
strategies for conflict avoidance, approaches for conflict resolution, and traditional and alternative dispute
resolution methods.

LEARNING OUTCOMES:
Students will recognize the nature of conflict and the ways people tend to respond to it.

Students will identify and describe the sources of organizational conflicts, strategies for conflict avoidance,
and approaches for conflict resolution.

Students will recognize the ethical, legal, and policy considerations accompanying dispute management.

Students will recognize the impact of international and diversity issues on dispute management.

Students will recognize and describe the practical aspects of institutionalizing dispute resolution processes
in public and private sector organizations.

Students will describe the nature and processes of traditional dispute resolution methods such as litigation
and negotiation and alternative dispute resolution methods such as arbitration, mediation, and mini-trials,
and assess their comparative advantages and disadvantages.
Students will identify and demonstrate the communication skills and techniques that are the basis not only of consensual dispute resolution processes such as mediation, but also of litigation and negotiation.

Students will identify and assess given situations and effectively and appropriately apply the skills and techniques of various methods of conflict resolution to those situations.

Students will analyze and assess a particular work setting in the context of conflict resolution issues, and, applying knowledge of alternative dispute resolution mechanisms, design a conflict resolution system for that business.

PREREQUISITES:
Junior or Senior Status

METHOD OF INSTRUCTION:
A variety of approaches will be used in this course. These include: lecture and mini-lecture, teacher-directed discussion, student-directed discussion, readings, small group activities, presentations, individual projects, role playing, videos and films, and guest lectures. Written and oral assignments and unannounced quizzes will be part of the learning process. All participants are responsible for contributing to the learning environment. Unannounced quizzes may be part of the learning process.

COMMUNICATION:
Communication between student and instructor will be through office hours, and CourseDen. Students are required to check their CourseDen at least daily. The instructor will respond to e-mails during office hours.

COLLEGE, DEPARTMENT, AND COURSE POLICIES:
The use of recording devices is not permitted in the classroom. Cell phones, pagers, mp3 players (and iPods), computers, and all other electronic devices must be rendered silent during class times, and shall not be used during class times. No food and drink are allowed in the classroom. This is an RCOb policy. Do not engage in private discussions with others while someone else is speaking. Do not ask your instructor for legal advice. Please read this syllabus carefully. Your instructor is available, during class and during posted office hours, to answer any questions you may have regarding the meaning of any part of this syllabus. Consequently, excuses for failure to fulfill course requirements, based upon non-understanding or misunderstanding of this syllabus, will not be heard. The instructor reserves the right to make appropriate amendments to this syllabus. With the exception of minor changes to the tentative course schedule, or emergency situations, all such amendments will be announced sufficiently in advance of the effectiveness of the amendment and published in CourseDen. If you lose your copy of this syllabus, it is available on the Management Department’s website. If you have a disability and wish to request an accommodation, please contact Disability Services in the Student Development Center, located in Parker Hall, and follow their procedures. Existing letters should be presented to the instructor during the first week of class.

EVALUATION:

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<td>Journal, including chapter analyses and Getting to Yes analysis</td>
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<td>Mediation Exercise</td>
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Timeliness. Assignments are to be completed in a timely manner. Work turned in late may not be accepted or may be assessed a 10 percent per day penalty unless explicit arrangements have been made in advance of the due date for an extension. Extensions will be granted on a case by case basis for exigent circumstances only.

TEXTBOOK QUIZZES. Individual quizzes will be given on the substance of each chapter in your main textbook in order to provide for meaningful class discussion on the chapter. These quizzes will be short, multiple choice quizzes, which will provide in sum a total of 40 points. All students are expected
to take the quizzes at the announced time. Generally, make-up quizzes will not be given. However, alternate quiz times may be scheduled when a student will be absent during a regularly scheduled time, when all three of the following conditions are met: (1) the absence is a University-authorized or instructor-authorized absence, (2) arrangements are made in advance of the absence, or, if impossible, due to the circumstances, at the earliest possible opportunity; and (3) the student provides genuine documentation, to the instructor, from the appropriate University employee or official, physician, or other relevant individual, of the date(s), time(s), and purpose(s) for the absence. The instructor will authorize absences only in cases where the student’s attendance is made impossible by circumstances beyond the student’s control. Failure to comply with these requirements will result in a zero for that quiz grade. The alternate quiz time, as described above, is on the date and time of the final, and there will be no exceptions to this date and time. No part of any quiz may be removed from the classroom at any time. Failure to abide by the foregoing will result in a zero for that quiz grade. Quiz grades will be posted on-line.

ATTENDANCE AND PARTICIPATION. This class is highly interactive, discussion-intense, and experiential. Your absence will not only reduce the impact of the material on you, your absence (justified or not) will necessarily adversely impact other members of the class. Therefore, attendance is mandatory and is considered as part of your participation grade. Students will be assigned a designated place on a seating chart. Any preferences for seating must be made on the first day of class. Roll will be called each class period. Students are expected to attend each class and are expected to be on time for class. Students arriving late for class will not be allowed to enter the classroom unless prior arrangements are made. A student will be considered late if a sign is posted on the front door of the classroom stating that class is in session. To be counted present for a class session, you must be in the classroom ready to begin when class commences. Students are to be prepared for each class, having read the assigned materials and completed any assignments prior to class. Students are also expected to be engaged in class discussions and activities without dominating the class. Participation includes not only the quantity, but the quality of participation. Any student who is obviously unprepared will be counted absent for that class session. Students who are caught sleeping, using electronic devices, or are otherwise not being attentive will forfeit attendance credit for the session. Students who leave during class will not be allowed to return during the same class and will be counted as absent for the class. If you find it absolutely unavoidable that you miss a class, for one of the reasons discussed in the textbook quizzes section, you have the responsibility to contact the instructor at the earliest opportunity to discuss your absence, including providing the instructor with documentation for the missed class and a plan for making up the missed class (such as making a class presentation). Additionally, students are personally responsible for all material covered, distributed, and/or assigned in this course. The instructor is certain that students will make every effort to attend each session of this course. However, in the event that you do miss class, it is your responsibility to obtain lecture notes from a classmate and to be prepared for the next session. Although the instructor is more than willing to explain unclear material, she cannot review all material presented during class on an individual basis. If there is a guest speaker, active student involvement is expected and questions asked that demonstrate that you have read the material and are involved in the topic.

Your participation is critical in this course. The course will provide you with an opportunity to focus on what creates conflict, how negotiation skills can assist in resolving conflicts, and what methods of conflict resolution exist. The course is intensively oriented to you and how you deal with others. This self-focus element will be at the center of your experiences in this course. Thoughtful reflection on the exercises, class discussions, reading material, and your personal involvement will play a major role in creating a positive learning environment. Enhancement of your awareness, focusing on your reactions and those of your classmates, will be at the heart of what this course is designed to achieve. Your attendance and active participation are essential to the successful attainment of the course objectives.

Your participation includes class attendance, performance on unannounced quizzes, preparation for class, meaningful discussion in class, active involvement in classroom exercises, attitude, and completion of in and out of class assignments. Unannounced quizzes may be given at the beginning of classes to evaluate preparation and understanding.

Participation points are not awarded for merely attending class. They are, instead, conferred for prepared, reflective engagement in the classroom dialogue and exercises on a regular, though not necessarily constant, basis. A brief statement on the number of participation points you believe you have earned for the course, and the justification therefor, should be turned in by Tuesday, April 19.
JOURNAL. In order to combine your active participation with the course objectives of self-awareness and knowledge-building, you will be required to maintain an extensive personal journal. This, in essence, can be in the form of an ongoing diary. The journal is intended to keep a record of your learning in this class. However, this journal is not meant simply to be a record of what occurred. Your entries should include your careful reflections on and analysis of the various aspects of this course. Every activity you are involved with in this course should be studied and your thoughts recorded. Specifically, your journal entries should include at a minimum the following items in an integration of notes and thoughts:

- Your views on the class discussions, lecture materials, guest speakers, videos and films
- Your observations from the assigned class readings
- Your preparations for negotiations, mediations, or other class exercises
- Your reflections on the negotiations and mediations used in class, as well as other class exercises
- Your notes and reflections from guest lectures
- Your notes and reflections from class tasks
- Your efforts to prepare for the exercises
- Your evaluation of your own and your classmates' efforts in each exercise
- Your thoughts on the lessons learned from the experiential components of this class
- Your observations on conflicts in the world and in your life
- Your negotiations and conflicts
- Your responses to questions I pose or that are presented in the news
- The ADR approaches illustrated by the companies in your Business Dispute Resolution textbook
- All other moments of importance, whether in class or outside of class, that relate to how negotiations and conflict impact your life

The journal is about happens in class, your preparations for class, and your reflections on the content of this course in the context of your life. The journal should encourage you to reflect and to analyze the material and processes we use to record your learning in an experiential setting. The journal will provide me with an individual record of your progress, and your strengths and weaknesses as a negotiator and conflict manager. Your task when making entries is to describe your reactions, perceptions, impressions, or significant insights gained from study, participation in, or reflection about class events. You may discuss yourself, or the behaviors of other people. You should use your journal to explore your feelings about conflict and the various processes we consider in this course. You should put information acquired to use in your personal life during the semester and note when you have and your reflections about it.

While the better journals will include personal reflections that you may not want shared with others, you should know that I will be reviewing your entries. My review is not intended to discourage you from recording your thoughtful and honest reflections. Indeed, this review will be limited to my eyes only. The journal is a confidential communication between you and me. Anything you write will be kept in confidence unless you agree to its release. Your journal will be submitted to me once a week through Course-Den. This is to keep you on schedule for your journal, not necessarily for my review. Your journal will be evaluated for grading purposes at the end of the course, because a critical part of it is my determination of your evolution and development over the semester. It is very important that you keep your journal on a frequent basis. Trying to "catch-up" will be obvious. Being dedicated to timely journal entries will enhance your experiences to a significant degree.

To start, include a list of the reasons you enrolled in this course and your learning objectives for this course. Include your summary of a conflict and negotiation in which you recently participated. You should attempt to determine your negotiation and conflict resolution style based on this conflict and negotiation. This entry should serve as a reference point for your reactions and reflections throughout this course.

Other mandatory entries should include your responses to the ADR approaches illustrated by the companies in your Business Dispute Resolution textbook. To avoid a last-minute time crunch, you should have as a goal evaluating one chapter a week in this book.

Your last entry might be a summary of what you think you have or have not learned.
Your journal grade will be based on how well you follow the above instructions. Journals are graded on the basis of effort, completeness, intelligent application of the readings, mini-lectures, tasks, and exercises, and personal frankness and reflection. In essence, if your journal indicates your serious reflection and analysis, your grade will not be a matter of concern.

An "A" is earned for really outstanding effort, including all of the above plus a consistent attempt to describe and reflect on real conflict experiences both past and present that bring the course materials to life for you.

A "B" is earned for entries that are largely complete which address most identified items. The application of the readings and lectures should be made in an intelligent manner, and you should display an honest attempt to be reflective and self-critical.

A "C" is awarded for entries on most required items addressing what they are and what you have learned.

Ds and Fs connote lack of care, understanding, and/or sufficient effort.

BUSINESS ADR PLAN. Based on the types of conflicts the company you work for most commonly experiences, the prototypes discussed in the Business Dispute Resolution text, and other information you have gleaned over the semester, devise the best dispute resolution system for the company. Prepare a written report describing the system you have selected and why you selected it. Incorporate the examples in the Business Dispute Resolution text. An entry at least weekly should be included in your journal for each chapter in this text.

MEDIATION EXERCISES. We will be doing three in-class mediation exercises. The students in the class are part of each of the three mediations. They plan and play-act all the parts of the mediation melodramas. As in an actual mediation, the mediator makes introductions, allows all parties an opportunity to speak, facilitates the process, and lastly, encourages the parties to sign a binding agreement.

The academic objectives of the exercises are multi-fold:
1. To learn to appreciate the mediation process as a means to resolve legal disputes.
2. To begin to understand the basics of listening skills, negotiations, and compromise.
3. To further develop oral, argumentative skills in a group session.
4. To improve written skills.

Handouts will provide the background information related to the mediation exercises. Roles will be assigned for each of the three exercises. The participants will meet with the instructor and will be given their specific roles and detailed guidelines for performing them. The mediators will be evaluated on their ability to facilitate, keep the peace, and bring the parties to agreement within the time frame. The parties will be evaluated on their ability to persuade, meet their goals, and skillfully play their character. The observers are evaluated on their written critiques of the mediations.

FINAL GRADE. The following is the grade scale for this course:
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A & = 360-400 \\
B & = 320-359.9 \\
C & = 280-319.9 \\
D & = 240-279.9 \\
F & = \text{below 240}
\end{align*}
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ACADEMIC HONESTY:
Receiving or giving help on exams or papers can result in failure in this course and dismissal from the University. For the purposes of this class, the following statements contained in the student handbook will be applied.
1. No student shall give or receive, or otherwise furnish or procure assistance not authorized in the preparation of an essay, report, examination, or other assignment in an academic course or in the fulfillment of program or degree requirements such as standardized examinations.
2. No student shall take, attempt to take, or otherwise obtain, gain access to, or alter in an unauthorized manner any material pertaining to the conduct of a class or to the completion of any program or degree requirement, including but not limited to tests, examinations, laboratory equipment, roll books, academic records, or electronically stored data.

3. Plagiarism is prohibited. Themes, essays, term papers, tests, and other similar requirements must be the work of the student submitting them. Direct quotations must be indicated and ideas of another must be appropriately acknowledged.

It will be considered a violation of the Academic Honesty policy to discuss the content of written assignments with anyone else until after the due date of the assignments.

Note that violations of the academic honesty policy may result in expulsion from the University.

CLASSROOM BEHAVIOR:
Any student who engages in disruptive behavior during any meeting of this course is subject to administrative disenrollment from this course. Disruptive behavior includes, but is not limited to, disrespectful or threatening words or actions toward classmates or the instructor, moving about the classroom during the class session (including entering and exiting the classroom), sleeping in class, using electronic devices in class, engaging in conversations with other class members during class, and the like. Students are advised that this course deals at times with controversial material. Students will treat each other and the professor with the utmost respect and professionalism at all times. The instructor is available during office hours and is happy to hear any concerns you may have concerning the class.

STATEMENT OF ETHICAL EXPECTATIONS:
Richards College of Business community members are committed to: honesty and integrity in interactions and undertakings; respect for rights, differences, and dignity of others; accountability for personal behavior.

OUTLINE SYLLABUS
IMPORTANT DATES

This is a course with a variety of class activities planned and outside speakers invited. A precise schedule is not feasible. Course coverage and pace will vary depending on the topic and the students. Actual coverage is confirmed at the end of each class for the next class session. However, students will normally be informed of assignments and class activities well in advance. The following are important dates that have been scheduled.

Monday, January 10—Introductory e-mail due. Send an introductory e-mail to me through CourseDen in which you let me know who you are—major, hometown, job, interests, goals, phone numbers, and any information that might be useful for me to know (ex., medical conditions, work constraints, course conflicts, etc.)

Weekly – Journals subject to checks
Monday through Friday, March 7-11 – Spring Break
Thursday, March 17 – Business ADR Plan due
March 29 through April 14 class periods – Mediations
Tuesday, April 19 – Participation Points due
Thursday, April 21—Last Journal entry and Journals
Tuesday, April 26 – Last Class; Performance Analysis; Evaluations
Thursday, May 5 - Conferences, 8:00-10:00 p.m.