UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	**Teorija in praksa pogajanj**
Course title:	**Theory and Practice of Negotiation**

Študijski program in stopnja **Study programme and level**	**Študijska smer** **Study field**	**Letnik** **Academic year**	**Semester** **Semester**
Pravo 2. stopnje		1	2
Law 2nd Degree		1	2

Vrsta predmeta / Course type:	obvezni modularni/mandatory modular
Koda predmeta /Course code:	

Predavanja **Lectures**	**Seminar** **Seminar**	**Vaje** **Tutorial**	**Druge oblike študija** **Other type study**	**Samost. delo** **Individual work**	**ECTS**
30	0	0	0	120	6

Nosilec predmeta / Lecturer:		izr. prof. dr. Nana Weber / Assoc. Prof. Nana Weber, PhD
Jeziki/Languages:	Predavanja / Lectures:	slovenski jezik/Slovenian
	Seminar / Seminar:	slovenski jezik/Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Zahteva se vsaj 80 % prisotnost na predavanjih.

Prerequisites:

At least 80% attendance at lectures is required.

Vsebina:

1. Anatomija pogajanj v današnji dobi.
2. Namen pogajanj.
3. Opredelitev in temeljna načela pogajanj.
4. Pogajalski okvir, interval in pogajalska moč.
5. Priprava na pogajanja.
6. Pogajalske strategije in tehnike.
7. Pogajalske taktike in metode.
8. Ločitev ljudi in odnosov od problema.
9. Usmerjenost na interese in ne na pozicije.
10. Kreairanje opcij, ki so v interesu vseh strani.
11. Uporaba objektivnih meril.
12. Komunikacija v pogajanjih.
13. Pogajalski proces in posamezne faze pogajanj.
14. Zaključek pogajanj.
15. Napake in zastoji v pogajanjih in kako jih preseči.
16. Kako ravnamo s čustvi v pogajanjih.
17. Posebnosti pogajanj z več strankami.
18. Biti dober pogajalec.
19. Kako reči »ne« in še vedno doseči »da«
20. Etika in poštenost pri pogajanjih.
21. Psihologija pogajanj.
22. Kultura in pogajanja.

Content (Syllabus outline):

1. Anatomy of the negotiations in today's age.
2. The purpose of the negotiations.
3. Definitions and basic principles of the negotiations.
4. The negotiating framework, interval and bargaining power.
5. Preparation for the negotiations.
6. Negotiating strategies and techniques.
7. Negotiating tactics and methods.
8. The separation of people and relationships from a problem.
9. Focus on interests and not positions.
10. Creation of options that are in the interests of all sides.
11. The use of objective criteria.
12. Communication in the negotiations.
13. The negotiating process and each stage of the negotiation process.
14. The conclusion of the negotiations.
15. Obstacles in the negotiations and how to overcome them.
16. How do we deal with emotions in negotiation.
17. The specifics of negotiations with several parties
18. How to be a good negotiator.
19. How to say "no" and still achieve a ' yes '
20. Ethics and fairness in the negotiations.
21. The psychology of negotiation.
22. Culture and negotiation.

Temeljna literatura in viri / Readings:

Obvezna:
- Betetto, N., in drugi. (2011). Mediacija v teoriji in praksi: veliki priročnik o mediaciji. Ljubljana: Društvo mediatorjev Slovenije. (izbrana poglavja)
- Ury, W. (1991). Getting to Yes. Negotiating Agreement Without Giving In. London: Penguin books. (izbrana poglavja)
- Ury, W. (2008). The power of a positive no: How to say no & still get ot yes. London: Mobius. (izbrana poglavja)
- Ury, W. (1992). Getting past no: Negotiating with difficult people. London: Random House Business Books. (izbrana poglavja)

Priporočena:
- Tavčar, R. (2007). Psihologija pogajanj. Kako doseči, kar želite, in ohraniti odnos. Ljubljana: Planet GV.

Cilji in kompetence:		**Objectives and competences:**
Študentje bodo razvili **splošne kompetence**: /		Students will develop the following **general competences**: /
Študentje bodo razvili **predmetno-specifične kompetence**: - razumevanje teoretičnega koncepta pogajanj kot metode upravljanja konfliktov in razreševanja sporov med uporabniki - prepoznavanje uporabnosti različnih zvrsti in pogajalskih strategij - temeljno poznavanje in vodenje pogajalskega procesa - temeljno poznavanje vloge pogajalca in veščine dobrega pogajalca - prepoznavanje napak in zastojev v pogajanjih ter načinov za njihovo preseganje. - prepoznavanje in posledično razvijanje novih veščin pogajanj v lastnem življenju.		Students will develop the following **course-specific competences:** - understanding the theoretical concept of the negotiations as a method of conflict management and resolution of disputes - recognition of the usefulness of different negotiating strategies - students will be able to manage the negotiating process - recognition of errors and delays in negotiations and ways to overcome them - identifying and developing new skills in his own life as a result of the negotiations. - placing negotiation in context -developing their negotiation skills set -demonstrating how assumptions affect strategy, behaviours and outcomes in negotiation -providing insight into and understanding of the neuroscience behind negotiation -instilling good negotiation tactics / behaviours creating awareness of the importance of negotiation planning and preparation

Predvideni študijski rezultati:
Znanje in razumevanje:

Intended learning outcomes:
Knowledge and understanding:

Študent bo:	**Students will:**
- pridobi osnovno znanje o konceptu, teoretičnih izhodiščih in temeljnih načelih pogajanj	- get basic knowledge about concept, theoretical perspectives and fundamental principles of the negotiations

- spozna, na katerih področjih se pogajanja lahko uporablja, in je sposoben prepoznati konkretne primere, kjer se lahko uporablja proces pogajanj - spozna in razume ter zna uporabljati proces pogajanj, tako kot vodja pogajanj, kot tudi kot pogajalec - študent-ka zna uporabiti pridobljena znanja in spretnosti pri neposrednem delu z uporabniki - študent-ka osvoji vodenje pogajanj v enostavnih zadevah - obvlada veščino ohranjanja profesionalne in osebne avtonomije v medsebojnih odnosih.	- be able to identify specific cases where it can be negotiation process used - be familiar with the process of the negotiations, as well as the leader of the negotiations, as well as the negotiator - be able to use acquired knowledge and skills in direct work with users - conduct negotiations to win in simple matters - master the skill of maintaining professional and personal autonomy in the relations.

Metode poučevanja in učenja:	**Learning and teaching methods:**
Oblike dela:	**Types of learning/teaching:**
☒ Frontalna oblika poučevanja	☒ Frontal teaching
☒ Delo v manjših skupinah oz. individualno	☒ Work in smaller groups or individual work
☒ Samostojno delo študentov	☒ Independent students work
☒ študij s pomočjo IKT tehnologije	☒ studies using ICT technology
☐ drugo (vpišite) _____	☐ other _____
Metode (načini) dela:	**Teaching methods:**
☒ Razlaga	☒ Explanation
☒ Razgovor/ diskusija/debata	☒ Conversation/discussion/debate
☒ Delo z besedilom	☒ Work with texts
☒ Proučevanje primerov raziskav	☒ Research case studies
☐ Igra vlog	☐ Role-play
☐ Druge vrste nastopov študentov	☐ Different presentation
☐ Reševanje nalog/vaje	☐ Solving exercises/study exercises
☐ Študijski obiski podjetij ipd.)	☐ Field work (e.g. company visits)
☐ Vključevanje gostov iz prakse	☐ Inviting guests from companies
☐ Udeležba na okrogli mizi, na konferenci	☐ Attending round table and conference

Načini ocenjevanja: **Način (pisni izpit, ustno izpraševanje, naloge, projekt)**	**Teža (v %) /** **Weight (in %)**	**Assessment:** **Type (examination, oral, coursework, project)**
Sprotno ustno (aktivno sodelovanje pri kontaktnih urah in pri raziskavah)		Oral verification and assessment of knowledge
Sprotno pisno preverjanje znanja (krajši pisni izdelki)		Written verification and assessment of knowledge (short written casework)
Daljši pisni izdelki (seminarska naloga, projektna naloga, raziskovalna poročila)		Longer written casework
Javni nastop in predstavitev lastnega raziskovalnega dela		Public presentation of one's research
Končni ustni izpit		Final examination (oral)
Končni pisni izpit	**100**	Final examination (written)
Drugo (vpišite)		Other:

Reference nosilca / Lecture's references:

Nana Weber, univerzitetna diplomirana pravnica, magistrica in doktorica pravnih znanosti ter profesorica glasbe, je izredna profesorica za civilno in gospodarsko pravo na Evropski pravni fakulteti in izredna profesorica za delovno pravo na MLC Fakulteti za management in pravo Ljubljana.
Poklicno pot v pravu je začela v sodstvu in na različnih stopnjah sodišč, nato je delala na državnem pravobranilstvu, v odvetniški pisarni in v kabinetu ministra za javno upravo. Po sedmih letih samostojnega odvetništva sedaj vodi družbo Weber N., pravna svetovanja, analize in mediacije, d.o.o.. Ker si vedno prizadeva za mirno rešitev sporov, je mediatorka na Okrožnem sodišču v Ljubljani, Okrajnem sodišču v Kranju, pri Ministrstvu za delo družino, socialne zadeve in enake možnosti, poleg tega pa je izvajalka izvensodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo.

Je članica državne izpitne komisije za pravniški državni izpit za področje civilnega materialnega in procesnega prava.
Piše strokovne in znanstvene članke z različnih pravnih področij. Med drugim je ena izmed avtoric komentarja Družinskega zakonika (Uradni list, 2019), soavtorica in urednica komentarja Družinskega zakonika (GV Založba, Lexpera, 2024), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), avtorica zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera), v okviru katere so doslej izšle knjige Prenehanje pogodbe o zaposlitvi (2020), Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela (2021)) in Prejemki iz delovnega razmerja (2023).
Je tudi avtorica uvodnih pojasnil k Zakonu o sodnih taksah (ZST-1); Odvetniška tarifa; Notarska tarifa: (neuradna prečiščena besedila) - Uradni list Republike Slovenije 2022, in avtorica Zakona o sodnih taksah (ZST-1) z uvodnimi pojasnili - Lexpera, GV Založba, 2023.

Nana Weber, a university graduate in law, holds a Master's and Doctorate in Legal Sciences and a professorship in music. She is an Associate Professor of Civil and Commercial Law at the European Faculty of Law and an Associate Professor of Labor Law at MLC Faculty of Management and Law in Ljubljana.
She began her legal career in the judiciary, serving in various levels of courts. Later, she worked at the State Attorney's Office, a law firm, and in the Office of the Minister of Public Administration. After seven years as an independent attorney, she now leads the company Weber N., Legal Consulting, Analysis, and Mediation, Ltd. With a strong commitment to peaceful dispute resolution, she serves as a mediator at the District Court in Ljubljana, the Local Court in Kranj, Ministry of Labor, Family, Social Affairs, and Equal Opportunities. Additionally, she provides out-of-court consumer dispute resolution for the Ministry of Economic Development and Technology.
She is a member of the national examination board for the Bar Examination, responsible for the fields of civil substantive and procedural law.
She writes professional and academic articles in various fields of law. Among her publications, she is one of the authors of the Commentary on the Family Code (Uradni list, 2019), a co-author and editor of the Commentary on the Family Code (GV Založba, Lexpera, 2024), the author of the Introductory Explanations of the Family Code (GV Založba, Lexpera, 2018), and the author of the Labor Law Questions and Answers series (GV Založba, Lexpera), which includes the books Termination of Employment Contract (2020), When the Worker is Absent from Work (Leave, Vacation, and Other Absences from Work) (2021), and Remuneration from Employment (2023).
She is also the author of the Introductory Explanations to the Court Fees Act (ZST-1); Attorney Tariff; Notary Tariff: (Unofficial Consolidated Text) – Uradni list, 2022, and the Court Fees Act (ZST-1) with Introductory Explanations – Lexpera, GV Založba, 2023.