

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	
Alternativno reševanje sporov - 2. stopnja				1/2	1/2	
Alternative Dispute Resolution – 2nd degree				1/2	1/2	
Vrsta predmeta / Course type				Izbirni/ Elective		
Univerzitetna koda predmeta / University course code:						
Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
25	0	0	0	0	125	6
Nosilec predmeta / Lecturer:				prof. dr. Barney Jordaan		
Jeziki / Languages:		Predavanja / Lectures: Slovenski jezik / Slovenian				
		Vaje / Tutorial: /				
Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:				Prerequisites:		
Vpis v prvi ali drugi letnik. Vsaj 80% prisotnost na predavanjih.				Enrollment in the first or second year of study. At least 80% attendance at lectures.		

Vsebina:	Content (Syllabus outline):
<ol style="list-style-type: none"> 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. Kreiranje 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. 	<ol style="list-style-type: none"> 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 literatura:

- 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)

Priporočena literatura:

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

Cilji in kompetence:

Pri predmetu se zasledujejo naslednji cilji:

- 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.

Objectives and competences:

The subject pursue the following objectives:

- 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:
- študent-ka pridobi osnovno znanje o konceptu, teoretičnih izhodiščih in temeljnih načelih pogajanj
- 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 večino ohranjanja profesionalne in osebne avtonomije v medsebojnih odnosih.

Intended learning outcomes:

Students will:

- get basic knowledge about concept, theoretical perspectives and fundamental principles of the negotiations
- 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:

Učne oblike:

- frontalna oblika poučevanja

Učne metode:

- diskusije
- vaje z igro vlog – vodenje procesa pogajanj
- vaje z igro vlog – biti pogajalec
- snemanje s kamero in analiza

Learning and teaching methods:

Teaching forms:

- frontal instructions

Teaching methods:

- discussion
- role-playing (managing a mediation process)
- role-playing (process of negotiation)
- videotaping a process of mediation, analysis of a process

Načini ocenjevanja:	Delež (v %) / Weight (in %)	Assessment:
Način:		Type:
Pisni izpit		Written exam
Ustni del v obliki igre vlog vodenja pogajanj in veščine biti dober pogajalec	50 50	Oral exam (role play: managing negotiation)

Reference nosilca / Lecturer's references:

Barney Jordaan is currently professor of management practice at Vlerick Bussines School. He holds a doctorate in law from Stellenbosch University, where he was professor of law until 1997 teaching employment, contract and intellectual property law. He thereafter taught negotiation at Stellenbosch University Business School and the Graduate School of Business, University of Cape Town and European Faculty of Law. Aside from his academic involvement, he was co-founder and director of a consulting firm in South Africa specialising in negotiation, mediation and conflict resolution. His first serious encounter with negotiation was in the 1980's in the tough field of collective bargaining. Since then he has been involved in assisting clients in both commercial and workplace negotiation for more than 30 years, working with blue chip South african as well as global organisations in the shipping, tobacco, consumer goods, retail, manufacturing and financial sectors. His many years of involvement in the teaching and practice of mediation has also given him particular insight into the mindsets, strategies and behaviours of negotiators, which he brings into his negotiation teaching and training. Internationally, he has worked with the World Bank Group, including the IFC. He is a certified mediator with the International Mediation Institute (The Hague) and accredited by both CEDR (UK) and the ADR Group (UK).

Experience in dispute resolution

- Trained as Independent Mediation Services of SA mediator 1987 and as arbitrator in 1989 and practicing as mediator and arbitrator ever since
- Part-time senior commissioner at the Commission for Conciliation Mediation and Arbitrator (CCMA) and several industry bargaining councils between 1996 and 1999. I co-trained the first commissioners of the CCMA in 1995
- Trained as civil and commercial mediator in 2008 by ADR Group (UK)
- IMI certification achieved in 2010 on basis of experience and user feedback
- At the ACDS, I co-train on the mediation programme with overseas partners, leading to international accreditation of successful trainees.
- Founding member of the Association of Universities for the promotion of mediation as an academic discipline (AUPMAD) based in Utrecht, Netherlands
- Board member of the African Mediation Association (AfMA)
- External consultant to the World Bank Group's Office for Mediation Services,

responsible for Southern Africa

Books:

- Nel P. Kirsten M. Swanepoel B. Erasmus B. [Jordaan B.](#) 2016. South African employment relations : theory and practice. Pretoria. ^[L]_[SEP]
- [Jordaan B.](#) Stander U. 2016. Effective Workplace Solutions: Employment Law from a Business Perspective. Siber Ink. ^[L]_[SEP]
- Schonewille M. Schonewille F. [Jordaan B.](#) 2014. The variegated landscape of mediation regulation. A comparative study of mediation regulation and practices in Europe and the world.

Book chapters:

- Jordaan B. Cillie G. 2016. Building a collaborative workplace culture: a South African perspective. In: Euwema M. Munduate L. Elgobar P. Eds. Building Trust and Constructive Conflict Management in Organizations (pp. 151-168). Springer. ^[L]_[SEP]
- Jordaan B. De Wulf G. 2016. Towards an integrated workplace mediation system: reflections on the South African experience. In: Bollen K. Euwema M. Munduate L. Eds. Advancing workplace mediation through integration of theory and practice Springer. ^[L]_[SEP]
- Jordaan B. 2016. Power imbalances in mediation: how far should a mediator go?. In: Frerks G. Breukelaar M. Jongbloed A. Eds. Mediation en Macht ^[L]_[SEP]
- Jordaan B. 2014. South Africa. In: Schonewille M. Schonewille F. Eds. The variegated landscape of mediation regulation. A comparative study of mediation regulation and practices in Europe and the world Eleven International Publishing. ^[L]_[SEP]
- Jordaan B. 2014. Employment realities in emerging markets. In: Van Eeden D. Ed. The role of Chief Human Resources Officer in emerging markets ^[L]_[SEP]
- Jordaan B. 2014. Negotiation Ethics. In: Ogunyemi K. Ed. Teaching Business Ethics Across the Management Curriculum - A Handbook for International Faculty Business Expert Press.