

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Prakse, tehnike in veščine reševanja sporov
Course title:	Practices, Techniques and Skills of Dispute Settlement

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Alternativno reševanje sporov - 2. stopnja		1	1
Alternative Dispute Resolution - 2nd degree		1	1

Vrsta predmeta / Course type

Obvezni Compulsory

Univerzitetna koda predmeta / University course code:

--

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
40	0	0	0	0	160	8

Nosilec predmeta / Lecturer:

Doc. dr. Nana Weber / Assist. Prof. Dr. Nana Weber
--

Jeziki/**Languages****Predavanja****Lectures:****Vaje / Tutorial:**

/ Slovenski jezik/Slovenian/Angleški jezik/English

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

Vpis v prvi letnik.

Vsaj 80% prisotnost na predavanjih.

Prerequisites:

Enrollment in first year.

At least 80% attendance at lectures.

Vsebina:**Content (Syllabus outline):**

<ul style="list-style-type: none"> - Kaj so tehnike in kaj veščine pri reševanju sporov (od dialoga do pogajanj) - Emocije v sporu (sovraštvo, jeza, kljubovanje, užaljenost, prezir, ponižanje, zavračanje) - Kako ravnati s svojimi čustvi in reagirati na močna čustva drugih - Dialog in aktivno poslušanje - Kako vzpostaviti dialog po dolgotrajnem konfliktu, kjer so bili mnogi ljudje prizadeti in so izgubili svoje - Vedenjski vzorci - ravnovesje moči (kakšne moči poznamo, kako se to kaže v sporih, kako zagotoviti ravnovesje moči in kaj storiti, če to ni mogoče) - Tehnike, ki so pomembne za reševanje vseh sporov: aktivno poslušanje, postavljanje pravih vprašanj, reframing, zabloda ničelne vsote - Tehnike, ko je več strank v sporu (priprave, določiti pravila pogovora, čas govora, kdo vodi pogovor, cilji pogovora, sklepno po sestanku) - Pogajanja (»ena na ena«) - Ločiti osebo od spora (razlika med being in doing) - Iskanje skupnih interesov - Objektivizacija pomembnih dejstev v sporu - Razlika med reševanjem spora brez nevtralne tretje osebe in s pomočjo nevtralne tretje osebe 	<ul style="list-style-type: none"> - Techniques and skills in dispute resolution (from dialogue to negotiation) - Emotions in conflicts (hatred, anger, defiance, piqued, contempt, humiliation, rejection) - How to deal with emotions and reacting to strong feelings of others - Dialogue and active listening - How to set up a dialogue after a long conflict, where many people have been affected and have lost loved ones - Behavioral patterns - Balance of power - Techniques that are important for the settlement of all disputes: active listening, asking the right questions, reframing, delusion, - Techniques, when more parties are involved in the dispute (preparation, to lay down the rules of conversation, who leads the conversation) - Negotiations ("one on one") - Separate the person from the dispute (difference between being and doing) - Search for common interests - Objectification the essential facts in the dispute - The difference between resolving the dispute without a neutral third party and with the help of a neutral third party
--	---

Temeljna literatura in viri / Readings:

Obvezna:

1. Ristin G., Hajtnik Z. in soavtorji (2021): (Mediacija v teoriji in praksi, DMS, Ljubljana.
2. Colatrella, M., T. (2012). A "Lawyer for All Seasons": The Lawyer as Conflict Manager. Pacific Mc George School of Law. [Pridobljeno na spletu, dne 11.1.2022: <https://scholarlycommons.pacific.edu/cgi/viewcontent.cgi?article=1114&context=facultyarticles>].
3. Kos. P. (2015). Alternativne metode reševanja sporov. Revija odvetnik, št. 4, (72), str. 69-71. [Pridobljeno na spletu, dne 11.1.2022: <http://www.odvzb.si/upload/revija/ODVETNIK%20st%2072.pdf>].

4. Možina, S. (2005). Konflikti v organizaciji. V: 6. znanstveno posvetovanje o Organizaciji: Konflikti v in med organizacijami, Univerza v Mariboru, Fakulteta za organizacijske vede Kranj.
5. Rahim, M., A. (2002). Toward a Theory of Managing Organizational Conflict. The International Journal of Conflict Management, vol. 13 (3), 206-235. [Pridobljeno na spletu, dne 24.5.2020: <https://www.international-arbitration-attorney.com/wp-content/uploads/arbitrationOrganizational-Conflict.pdf>].

Cilji in kompetence:

- Spoznati kaj je dialog, pravila reševanja sporov brez tretje osebe,
- Spoznati razliko med reševanjem sporov med posameznikoma, med več posamezniki in skupinami
- Spoznati tehnike reševanja sporov, ki veljajo za vse spore
- Spoznati nekaj osnovnih tehnik in veščin

Objectives and competences:

- What is dialogue, dispute settlement rules,
- the difference between a dispute of individuals and groups
- the techniques of dispute resolution applicable to all disputes
- some of the basic techniques and skills.

Predvideni študijski rezultati:

Znanje in razumevanje:

Študent (tka) bo razumel, kaj tehnike so in katere tehnike lahko vsak uporablja pri reševanju sporov.

Udeleženci bodo znali tudi praktično uporabiti tehnike in z vajo bodo občutili, kako se ljudje počutimo v sporu in ko ga skušamo sami reševati.

Razumeli bodo razliko med sporom med dvema osebama, med več osebami, med skupinami, med narodi in med državami.

Intended learning outcomes:

Knowledge and understanding:

Students will be able to use the techniques in role plays and will practice how people feel in the dispute. Students will understand how and when to apply techniques in real disputes, and will get the knowledge to manage disputes.

Students will understand the difference between disputes among two individuals, among groups and nations.

Metode poučevanja in učenja:

Oblike dela:

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- e-učenje
- drugo (vpišite)

Learning and teaching methods:

Types of learning/teaching:

- Frontal teaching
- Work in smaller groups or pair work
- Independent students work
- e-learning
- other _____

<p>Metode (načini) dela:</p> <input checked="" type="checkbox"/> Razlaga <input checked="" type="checkbox"/> Razgovor/ diskusija/debata <input checked="" type="checkbox"/> Delo z besedilom <input checked="" type="checkbox"/> Proučevanje primera <input type="checkbox"/> Igra vlog <input type="checkbox"/> Druge vrste nastopov študentov <input checked="" type="checkbox"/> Reševanje nalog <input type="checkbox"/> Študijski obiski podjetij ipd.) <input checked="" type="checkbox"/> Vključevanje gostov iz prakse <input checked="" type="checkbox"/> Udeležba na okrogli mizi, na konferenci	<p>Teaching methods:</p> <input checked="" type="checkbox"/> Explanation <input checked="" type="checkbox"/> Conversation/discussion/debate <input checked="" type="checkbox"/> Work with texts <input checked="" type="checkbox"/> Case studies <input type="checkbox"/> Role-play <input type="checkbox"/> Different presentation <input checked="" type="checkbox"/> Solving exercises <input type="checkbox"/> Field work (e.g. company visits) <input checked="" type="checkbox"/> Inviting guests from companies <input checked="" type="checkbox"/> Attending round table and conference
--	---

Načini ocenjevanja:	Delež (v %) / Weight (in %)	Assessment:
<p>Način (pisni izpit, ustno izpraševanje, naloge, projekt):</p> <p>- ustni izpit (del v obliki igre vlog vodenja mediacije)</p>	100%	<p>Type (examination, oral, coursework, project):</p> <p>- oral exam (part of it is a role playes)</p>

Reference nosilca / Lecturer's references:

Nana Weber je docentka za civilno in gospodarsko pravo na Evropski pravni fakulteti, docentka za delovno pravo na MLC Fakulteti za management in pravo Ljubljana in docentka za poslovne vede na B2 Visoki šoli za poslovne vede. Leta 2003 je diplomirala na Pravni fakulteti v Ljubljani. Tam je s podiplomskim študijem nadaljevala in leta 2010 magistrirala na področju civilnega in gospodarskega in leta 2013 doktorirala na področju civilnega prava. Leta 2010 je diplomirala še na Akademiji za glasbo. 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. Leta 2016 je začela samostojno pot in danes vodi Odvetniško družbo Weber. Ker si vedno prizadeva za mirno rešitev sporov, je mediatorica v Mediacijskem centru Ljubljana, pri Odvetniški zbornici Slovenije in 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 tudi članica državne izpitne komisije za pravniški državni izpit za področje civilnega materialnega in procesnega prava.

Na redni bazi piše strokovne in znanstvene članke iz različnih pravnih področij. Med drugim je ena od avtoric Družinskega zakonika (Uradni list, 2019), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), in avtorica zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera), v okviru katere sta doslej izšli knjigi Prenehanje pogodbe o zaposlitvi (2020), in Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela (2021)).

Nana Weber is assistant professor for civil and corporate law at the European Faculty of Law New University, assistant professor for labour law and assistant professor for bussines sciences at

Ljubljana School of Business. She graduated from the University of Ljubljana Faculty of Law, in 2003. She continued her postgraduate course in the same University and received a Master's degree of Science in 2010 (Civil and Commercial Law), and Doctor's degree of Science in 2013 (Civil Law). In 2010 she graduated in Music Pedagogy at the Musical Arts in 2010. Her professional legal career began at different levels of the court, then she worked at the State's Attorney Office, at lawyer and at Ministry of Public Administration. In the year 2016 she began her independent career and today she runs her own law firm – Odvetniška družba Weber. As a law professional she always strives for peaceful resolution of conflicts. She is a certified mediator at the Ljubljana Mediation Centre, the Bar Association of Slovenia and at the Ministry of Labour, Family, Social Affairs and Equal Opportunities and the provider of out-of-court settlement of consumer disputes at the Ministry of Economic Development and Technology. She is also a member of the state examination commission for the state legal examination in the field of civil substantive and procedural law.

On a regular basis she writes professional and scientific articles. Among other things, she is one of the authors of the Family Code (Uradni list 2019), the author of the introductory explanations of the Family Code (GV Založba, Lexpera, 2018) and author of professional collection Labour Law Questions and Answers (GV Založba, Lexpera), in which so far the book Termination of employment contract (2020) and the book When the worker is not at work (Annual leave, payment for annual leave, and other absences from work) (2021) were published.