

**School of Continuing Studies  
York University**

**Certificate in Dispute Resolution**

**Course:**

**Advanced Negotiation and Mediation**

**Type:**

**Elective**

**Pre-Requisite:**

**None**

## Description

This course offers students the opportunity to enhance their understanding of the theory and practice of negotiation and mediation. Students will consider specific aspects of these processes as identified by respected scholars and practitioners in the literature. The objective is to expand their understanding beyond the basic elements learned in Core I and Core II. Students will develop an appreciation of the complexities of dispute resolution processes in practice. They will acquire skills with which to respond to more challenging and difficult problems. Learning activities will include literature review, small and large group discussions, role-plays, and reflective practice.

## Course Objectives

In this course participants will:

- Develop their negotiation skills as value creators and problem solvers
- Facilitate difficult conversations
- Deal with differences in cross-gender and cross-cultural negotiations
- Acquire competence as mediators through reflective practice
- Learn alternative mediation models
- Adapt negotiation skills to team and multi-party settings

## Course Texts/Readings

Students are encouraged to source texts from the York University Bookstore located at York Lanes on the Keele Campus (call to confirm availability and delivery times). The Bookstore can be reached at 416-736-5024 ext. 40747 or at [www.bookstore.yorku.ca](http://www.bookstore.yorku.ca). Where texts may not be readily available through the bookstore, you may wish to use other sources, e.g. Publisher, Internet, etc. Students purchasing books on-line must be cautioned that there may be delays in delivery.

## Sample Recommended Texts

1. Bush, R. A. B., & Folger, J. P. (2005). *The promise of mediation: The transformative approach to conflict*. San Francisco: Jossey-Bass.
2. Constantino, C.A., & Merchant, C.S. (1996), *Designing Conflict Management Systems*, San Francisco: Jossey-Bass.
3. Fisher, R., & Shapiro, D. (2005). *Beyond reason: Using emotions as you negotiate*. New York: Viking.
4. Friedman, G., & Himmelstein, J. (2008). *Challenging conflict: Mediation through understanding*. Chicago: American Bar Association.
5. Kolb, D. M., & Williams, J. (2003). *Everyday negotiation: Navigating the hidden agendas in bargaining*. San Francisco: Jossey-Bass.
6. Kuretzky, B. & MacKenzie, J. (2013). *Mediating Employment Disputes*. Toronto: Carswell.
7. Lang, M. D., & Taylor, A. (2000). *The Making of a Mediator: Developing artistry in practice*. San Francisco: Jossey-Bass.
8. LeBaron, M., and Pillay, V. (2006). *Conflict Across Cultures: A Unique Experience of Bridging Differences*. Boston: Intercultural Press.

## Group Presentation

In groups of two or three students will select their preferred first and second choice of text, and prepare a class presentation (book report) to be delivered to the class (see list of recommended texts above). Your presentation should 1) inform your colleagues of salient points within your chosen text, 2) demonstrate critical thought and opinion(s), 3) indicate how your reading and discussions within your group contributed to your knowledge and skills as negotiators and/or mediators, 4) stimulate class discussion, and 5) indicate whether or not you would recommend your selected text to others.

The selection of your preferred text and topic, and preparation for your presentation will, for the most part, take place before the course begins. The in-class component will consist of the presentation of your book report and related activities to inform your colleagues, in an engaging fashion, what you have learned from your selected topic/text. Keep in mind that preparation for this course will overlap with Core II. Given the presentation format of this course, it is therefore necessary to select, source, and read your selected text, and begin preparing your group presentation well in advance of your first class (see Course Outline below). Group presentations, including ice-breakers, exercises, and discussion are typically 120 - 150 minutes in duration.

Sample Course Outline	
Class	Topics and Texts
One	Managing Difficult Conversations
Two	Working with Strong Emotions and Topic: Effective Negotiation
Three	Balancing Substantive and Relationship Issues and Becoming a Reflective Practitioner
Four	Coaching Session – Role-play - TBA
Five	Settlement and the Practice of Law and Integrating Mediation in the Traditional Practice of Litigation
Six	Coaching Session – Role-play - TBA
Seven	Culture Related Conflict and Transformative Mediation
Eight	Coaching Session – Role-play - TBA
Nine	Conflict Management in the Workplace and Narrative Mediation
Ten	Conflict Management Systems in the Workplace and Understanding-based Mediation

## Evaluation

Class Participation (including punctuality) –

20% Role-play Performance - 30%

Class Presentation - 50%

## Grading, Assignment Submission and Missed Tests

### Grading for Certificate Programs

Students registered in Certificate Programs will be evaluated using the following categories of achievement:

Grade	%	Description
A+ A	90 - 100% 80 - 89%	Thorough knowledge of concepts and/or techniques and exceptional skill or great originality in the use of those concepts, techniques in satisfying the requirements of an assignment or course.
B+ B	75 - 79% 70 - 74%	Thorough knowledge of concepts and/or techniques with a fairly high degree of skill in the use of those concepts, techniques in satisfying the requirements of an assignment or course.
C+ C D+ D	65 - 69% 60 - 64% 55 - 59% 50 - 54%	Good level of knowledge of concepts and/or techniques together with considerable skill in using them to satisfy the requirements of an assignment or course.
F	Below 50%	Insufficient knowledge of concepts and/or techniques needed to satisfy the requirements of an assignment or course.
PASS		Pass is awarded as a grade only to Courses that have an experiential component. A student that has received a Pass has met the requirements of the Course.
FAIL		Fail is awarded as a grade only to Courses that have an experiential component. A student that has received a Fail has not met the requirements of the Course.
EXEMPT		Exempt is awarded to those that have completed a comparable Course elsewhere and have met all of the SCS requirements for completion of that Course.
DNA		<b>Did Not Attend</b> - The student did not attend, did not withdraw, and did not submit course work.
DNC		<b>Did Not Complete</b> - The student did not complete the course.

**Assignment Submission (if applicable):** Proper academic performance depends on students doing their work not only well, but on time. Accordingly, assignments for this course must be received on the due date specified for the assignment. Assignments are to be handed in as per the instructions provided to you by the instructor of this course. Students are required to keep a copy of all assignments and examinations submitted to the instructors and coaches.

Examinations and other assignments must be completed at the times and dates identified in the Course Outline. There will be penalties for failing to complete exams and assignments on-time.

If you are unlikely to complete an assignment on time either for medical, personal or work related reasons, please discuss directly with the Course Instructor, who has marking responsibility for that specific assignment, as soon as possible, and before the noted deadline.

Assignments and examinations once submitted become the property of York University. You can make an appointment with the SCS Office to review your assignments or examinations. Copies of these papers are available for a fee of \$15.00.

**Missed Tests:** Students with a documented reason for missing a test, such as illness, compassionate grounds, etc., which is confirmed by supporting documentation (e.g., doctor's letter) may request accommodation from the Course Instructor. The Course Instructor will notify the School of Continuing Studies regarding the missed test. The School of Continuing Studies will arrange a second sitting of the test. The second sitting of the test will only be scheduled once.

**Attendance:** In order to be eligible to receive the Certificate, full attendance and full participation are required. In the event that you are unable to attend a class, contact the SCS Office directly by phone at 416.736.5616 or by email at [continue@yorku.ca](mailto:continue@yorku.ca) and also inform your instructor. Please see the student information letter for a more detailed policy regarding attendance.

**Course Evaluations:** Course evaluation forms will be distributed at the end of the course. The evaluation forms will provide you with the opportunity to give us specific quantitative and qualitative feedback on the instructor and the course content. In addition to this written feedback, we also welcome verbal feedback. If you have particular comments, concerns or suggestions on the Program, please feel free to contact the SCS Office directly at 416.736.5616.

## **IMPORTANT COURSE INFORMATION FOR STUDENTS**

All students are expected to familiarize themselves with the following information, available on the Senate Committee on Curriculum & Academic Standards webpage (see Reports, Initiatives, Documents) -

[http://www.yorku.ca/secretariat/senate\\_cte\\_main\\_pages/ccas.htm](http://www.yorku.ca/secretariat/senate_cte_main_pages/ccas.htm)

- York's Academic Honesty Policy and Procedures/Academic Integrity Website
- Ethics Review Process for research involving human participants
- Course requirement accommodation for students with disabilities, including physical, medical, systemic, learning and psychiatric disabilities
- Student Conduct Standards
- Religious Observance Accommodation

**University Closures/Class Cancellations: (416.736.5600 OR [www.yorku.ca](http://www.yorku.ca) )**

While this is rare, weather and/or other emergencies do occur that require us to suspend our operations. While every effort will be made to contact students, this is not always possible. If you are unsure of whether the Course is running, please call the University's weather/emergency information line at: 416.736.5600. Weather rule: If the University is OPEN then classes will be running. If the University is CLOSED, then classes will not be running. Any missed classes will be rescheduled in consultation with the students.