

**UC IRVINE
PROVOST'S
LEADERSHIP ACADEMY**

**NEGOTIATION
& CONFLICT RESOLUTION**

CASE – ROLE PLAY
***RESOLVING CONFLICT WITH
SELF-INTERESTED FACULTY***

Professor Sue Padernacht
Professor Andy Policano
January 10, 2020

As Department Chair over the past 3 years, one of your major responsibilities has been to plan the faculty teaching schedule while balancing your own research, teaching load and...ugh...additional committee and administrative burdens. Planning for this upcoming academic year has become particularly challenging because two tenured faculty retired and one Assistant Professor was recruited to a tenured position at another university. The two tenured positions remain open to save on costs, while the third position was filled with a junior-level post-doc with limited teaching experience.

The urgent issue you need to resolve is the demand by some Ladder faculty to be assigned to teach only their requested classes, most of which are advanced undergraduate or elective graduate courses. They have refused to teach other crucial but more labor-intensive classes that many times have larger enrollments. Your experience with this group has been mixed; while some understand your role and are collaborative and willing to problem-solve, others have been consistently self-centered and are unsympathetic to broader department needs.

Over the past three years, you have hired several new Lecturers from neighboring Cal States, which provides some course coverage while saving on costs. These new Lecturers are grateful, loyal and supportive, but they have schedule limitations due to their home university teaching loads. While some of the more difficult Ladder faculty resent the presence of so many non-Ladder faculty, they insist that the crucial and time-consuming classes that they do not want to teach be assigned to these new Lecturers. The issue you face is that the overall quality and reputation of the program depends on participation of Ladder faculty in several key courses. These courses had been staffed previously by the three faculty who have now departed.

You would like to change this situation by asking several Ladder faculty to teach these courses, thereby creating a larger pool of individuals for future teaching assignments in this part of the curriculum.

So, this year you are facing several problems that have triggered overt conflict, behind-the-scenes politicking, and complaints, some of which have escalated to the Dean. One faculty member who is critical to the resolution of this situation is Professor Pat, who, in your opinion, has been the ringleader of the self-centered coalition. Professor Pat is internationally renowned for leading-edge, highly regarded, published research. In his opinion, research is the highest and only priority, while teaching is a burden to be shirked or at least minimized as much as possible. Professor Pat is also unabashedly vocal about his criticisms of other faculty, the Dean, central campus and of course...YOU! With regard to the current situation, he has had his heels dug in about not teaching classes he believes "those Adjuncts" should cover. In his opinion, why hire "all those" Adjuncts if they can't relieve Ladder faculty from teaching loads so they can focus on their research, which is what "really matters." A coalition of Ladder faculty who agree with Professor Pat have ridden his coattails on this issue, letting him fight the battles and burn political bridges he cares nothing about.

Your Assignment:

Use the "breakthrough negotiation process" from "Getting Past No" (William Ury) to resolve the class assignment issues with Professor Pat. You believe getting past an impasse with him will influence the rest of the Ladder faculty to resolve their issues as well, which will get the Dean off your back! Feel free to bring in other realistic information and resources that might be helpful to negotiate and resolve this conflict.

APPENDIX

THE FIVE STEPS OF BREAKTHROUGH NEGOTIATION

Excerpt from *Getting Past No: Negotiating in Difficult Situations* by William Ury

Whether you are negotiating with your boss, a hostage-taker, or your teenager, the basic principles remain the same. In summary, the five steps of breakthrough negotiation are:

1. *Go to the Balcony.* The first step is not to control the other person's behavior. It is to control your own. When the other person says no or launches an attack, you may be stunned into giving in or counterattacking. So suspend your reaction by naming the game. Then buy yourself time to think. Use the time to reflect about your interests and your BATNA. Throughout the negotiation, keep your eyes on the prize. Instead of getting mad or getting even, focus on getting what you want. **Don't react: Go to the balcony.**

2. *Step to Their Side.* Before you can negotiate, you need to create a favorable climate. You need to defuse the anger, fear, hostility, and suspicion on the other side. They expect you to attack or to resist. So do the opposite. Listen to them, acknowledge their points, and agree with them wherever you can. Acknowledge their authority and competence too. **Don't argue: Step to their side.**

3. *Reframe.* The next challenge is to change the game. When the other side takes a hardline position, you may be tempted to reject it, but this usually only leads them to dig in further. Instead direct their attention to the challenge of meeting each side's interests. Take whatever they say and reframe it as an attempt to deal with the problem. Ask problem-solving questions, such as "Why is it that you want that?" or "What would you do if you were in my shoes?" or "What if we were to...?" Rather than trying to teach the other side yourself, let the problem be their teacher. Reframe their tactics, too, by going around their stone walls, deflecting their attacks, and exposing their tricks. **Don't reject: Reframe.**

4. *Build Them a Golden Bridge.* At last you're ready to negotiate. The other side, however, may stall, not yet convinced of the benefits of agreement. You may be tempted to push and insist, but this will probably lead them to harden and resist. Instead, do the opposite—draw them in the direction you would like them to go. Think of yourself as a mediator whose job is to make it easy for them to say yes. Involve them in the process, incorporating their ideas. Try to identify and satisfy their unmet interests, particularly their basic human needs. Help them save face and make the outcome appear as a victory for them. Go slow to go fast. **Don't push: Build them a golden bridge.**

5. *Use Power to Educate.* If the other side still resists and thinks they can win without negotiating, you need to educate them to the contrary. You need to make it hard for them to say no. You could use threats and force, but these often backfire; if you push them into a corner, they will likely lash out, throwing even more resources into the fight against you. Instead, educate them about the costs of not agreeing. Ask reality-testing questions, warn rather than threaten, and demonstrate your BATNA. Use it only if necessary, and minimize their resistance by exercising restraint and reassuring them that your goal is mutual satisfaction, not victory. Make sure they know the golden bridge is always open. **Don't escalate: Use power to educate.**

Ury, William (2007-04-17). *Getting Past No: Negotiating in Difficult Situations*

APPENDIX (CONTINUED)

About William Ury...

William Ury is an American author, academic, anthropologist, and negotiation expert. He co-founded the Harvard Program on Negotiation. Additionally, he helped found the International Negotiation Network with former President Jimmy Carter.

Growing up during the Cold War years, in the shadow of a nuclear threat, William Ury couldn't understand why humans were prepared to risk everything for the sake of conflict. Since then, his passion has been conflict resolution and it's taken him to the Oval Office, to ethnic wars, to crippling coal mine strikes, and to boardrooms. Surprisingly, he thinks the world actually needs more conflict.

Conflict is in the nature of things, to deal with injustice. And so we need to surface the injustices. The question is not whether to have conflict or no conflict, the question is what kind of conflict.

William Ury shares details of some of his most difficult negotiations and what he's learnt about listening and constructive dialogue. The key to successful negotiation, he says, is the ability to step back.

Imagine that you're negotiating on the stage, and you go to a mental, emotional balcony above that stage. It's a place of perspective. It's a place of calm. A place of clarity.

<https://www.williamury.com/new-possibility/>