

NEGOTIATING & DISPUTE RESOLUTIONS



GENTEX[®]
TRAINING CENTER



Introduction

Every commercial relationship carries the risk of disagreement, and how that disagreement is handled decides whether value is protected or lost. The Negotiating & Dispute Resolutions Course gives professionals a structured approach to preparing negotiations, managing difficult conversations, and resolving conflict before it escalates. Participants learn how to read positions and interests, build leverage, draft settlement terms, and choose the right dispute mechanism for each situation. Furthermore, the course covers mediation, arbitration, and escalation routes alongside practical negotiation tactics. As a result, delegates leave able to secure better outcomes, preserve relationships, and reduce the cost and delay that disputes create.

Negotiating & Dispute Resolutions Course Objectives

- Apply the Harvard Principled Negotiation method (interest-based bargaining) in commercial settings.
- Prepare negotiation plans using BATNA, ZOPA, and reservation value analysis.
- Distinguish positions from interests and generate options for mutual gain.
- Use communication and persuasion techniques to manage difficult negotiators.
- Identify and respond to common hardball tactics and anchoring behaviour.
- Select the appropriate dispute resolution mechanism for each conflict.
- Manage mediation processes using structured facilitation and caucus techniques.
- Understand arbitration procedures under ICC, LCIA, and UNCITRAL rules.
- Draft enforceable settlement agreements and dispute resolution clauses.
- Manage escalation, negotiation escalation ladders, and relationship preservation.

Course Methodology

- Interactive workshops led by negotiation and dispute resolution specialists.

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- Simulated negotiations with scored outcomes and structured debriefs.
- Role-play of mediation sessions, arbitration scenarios, and deadlock situations.
- Case studies of commercial, contractual, and workplace disputes.
- Exercises using BATNA, ZOPA, and negotiation planning templates.
- Video review of negotiation behaviour and communication patterns.
- Capstone simulation: negotiating and settling a complex multi-party dispute.

Who Should Take This Course

- Contract, procurement, and commercial managers.
- Legal counsel and contracts administrators.
- Project managers handling supplier and client disputes.
- Human resources and employee relations professionals.
- Sales and business development negotiators.
- Operations leaders managing vendor relationships.

Negotiating & Dispute Resolutions Course Outlines

Day 1: Negotiation Fundamentals and Planning

- Distributive versus integrative negotiation approaches.
- The Harvard Principled Negotiation framework and its four principles.
- Identifying positions, interests, and underlying needs.
- Building a negotiation plan with clear objectives.
- Understanding BATNA, WIPAT, and reservation value.
- Mapping the zone of possible agreement (ZOPA).
- Exercise: preparing a full negotiation plan.





Day 2: Communication, Influence, and Difficult Tactics

- Active listening, questioning, and reframing techniques.
- Persuasion through framing, anchoring, and concession strategy.
- Managing emotions and staying composed under pressure.
- Recognising hardball tactics such as good cop/bad cop and nibbling.
- Handling aggressive, silent, and evasive negotiators.
- Cross-cultural considerations in negotiation style.
- Role-play: responding to a hardball counterpart.

Day 3: Mediation and Facilitated Settlement

- When mediation suits a dispute and when it does not.
- Stages of mediation: opening, exploration, negotiation, and agreement.
- Facilitative versus evaluative mediation styles.
- Using caucus sessions and shuttle diplomacy effectively.
- The mediator's role and neutrality principles.
- Drafting a mediated settlement agreement.
- Simulation: mediating a commercial contract dispute.

Day 4: Arbitration and Formal Dispute Mechanisms

- Comparing litigation, arbitration, adjudication, and expert determination.
- Arbitration procedures under ICC, LCIA, and UNCITRAL rules.
- Drafting effective dispute resolution and multi-tier clauses.
- Evidence, witness statements, and hearing preparation.
- Enforcement of arbitral awards under the New York Convention.

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- Cost, time, and risk considerations in each forum.
- Exercise: drafting an enforceable dispute resolution clause.

Day 5: Escalation, Settlement, and Relationship Management

- Building escalation ladders and governance for disputes.
- Negotiating under time pressure and limited authority.
- Structuring settlement packages and concessions.
- Preserving commercial relationships after conflict.
- Documentation, confidentiality, and without-prejudice communication.
- Learning from disputes to improve future contracts.
- Capstone simulation: settling a multi-party dispute.

Conclusion

By successfully completing Negotiating & Dispute Resolutions, participants will have acquired practical knowledge of interest-based negotiation, mediation, arbitration, and settlement structuring. They will understand how to prepare with BATNA and ZOPA analysis, manage difficult counterparts, and select the right dispute mechanism. In addition, they will gain confidence in drafting enforceable agreements and preserving commercial relationships. Gentex Training Center builds this programme around live simulation, so delegates return ready to resolve conflict earlier, faster, and at lower cost.

FAQs





Q1 What is the "Negotiating & Dispute Resolutions" course about?

It covers how to prepare and conduct negotiations and how to resolve commercial conflict when talks stall. Participants learn interest-based bargaining, mediation, arbitration, and settlement drafting. The course links negotiation skill directly to dispute avoidance and cost control.

Q2 What are the key benefits of the "Negotiating & Dispute Resolutions" course?

It improves negotiation outcomes and reduces the cost, delay, and damage that unresolved disputes cause. Participants gain a repeatable planning method, sharper communication under pressure, and the ability to choose the right resolution route. Organisations benefit from fewer escalations and better preserved relationships.

Q3 What skills will I gain from the "Negotiating & Dispute Resolutions" course?

Participants gain interest-based negotiation, conflict analysis and dispute resolution, mediation and arbitration management, and settlement drafting and relationship management.



Q4 What tools, methods, or standards are covered in the "Negotiating & Dispute Resolutions" course?

The course covers the Harvard Principled Negotiation method, BATNA, WIPAT, reservation value, ZOPA analysis, concession and anchoring strategies, mediation and caucus techniques, ICC, LCIA, and UNCITRAL arbitration rules, multi-tier dispute clauses, and enforcement under the New York Convention.

Q5 How is the "Negotiating & Dispute Resolutions" course applied in real-world practice?

Participants apply it by preparing negotiation plans before supplier and client meetings, managing deadlocks through structured options, and drafting dispute clauses into contracts. They also run or participate in mediation, prepare arbitration cases, and structure settlements that protect both commercial value and the relationship.