

School / Faculty: Federation Business School

Course Title: FUNDAMENTALS OF DISPUTE RESOLUTION

Course ID: BUGEN2010

Credit Points: 15.00

Prerequisite(s): (At least 45 credit points from ANY subject-area at 1000-1999 level)

Co-requisite(s): Nil

Exclusion(s): Nil

ASCED Code: 11111

Grading Scheme: Graded (HD, D, C, etc.)

Program Level:

AQF Level of Program						
	5	6	7	8	9	10
Level						
Introductory	■	■	■	■	■	■
Intermediate	■	■	✓	■	■	■
Advanced	■	■	■	■	■	■

Learning Outcomes:

Knowledge:

- K1.** Identify dispute management and options and how and when it is appropriate in a business context.
- K2.** Describe elements of negotiation, mediation, arbitration and adjudication.
- K3.** Differentiate between styles and techniques of negotiation in domestic and international contexts.
- K4.** Analyse types of dispute resolution utilised within the Australian legal system.
- K5.** Evaluate ethics, sustainability and social responsibility as it relates to alternative dispute resolution.

Skills:

- S1.** Identify, analyse and act on information gathered through independent research
- S2.** Work cooperatively and creatively to identify issues, interests and options for resolving disputes and solving problems
- S3.** Explore alternative dispute resolution processes using written and/or oral communication skills
- S4.** Reflect on ones own work and collaborative work through evaluating the relative success of the mediation process

Application of knowledge and skills:

Course Outline (Higher Education)

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- A1.** Assess conflicts and disputes in order to formulate and apply dispute resolution options in various scenario analyses.
- A2.** Apply critical thinking in scenario analysis.
- A3.** Integrate social, environmental and economic perspectives in dispute resolution context and into business practice.

Course Content:

Topics may include:

- Topic A: Dispute Management and options
 - Choosing a dispute resolution process
 - Managing a dispute
- Topic B: Negotiation
 - Elements of negotiation
 - Problem solving
 - Styles
 - Techniques
 - Ethical issues
 - Settlement procedures
 - The art of negotiation and dealing with difficult people
- Topic C: Mediation, Arbitration & Adjudication
 - Mediation
 - Arbitration
 - Adjudication
 - Dealing with contractors claims
- Topic D: Legal systems
 - Federal and State Parliaments
 - Federal and State Governments
 - Courts and tribunals
 - Ombudsman's office
 - Statutory interpretation

Course Outline (Higher Education)

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Values and Graduate Attributes:

Values:

- V1.** Develop an attitude to learning that views reading, reflection and group discussion as essential
- V2.** Appreciate creative and innovative ways of thinking and working
- V3.** Appreciate the law's interconnections with alternative dispute resolution processes.
- V4.** Develop a better understanding of individual strengths and weaknesses.

Graduate Attributes:

FedUni graduate attributes statement. To have graduates with knowledge, skills and competence that enable them to stand out as critical, creative and enquiring learners who are capable, flexible and work ready, and responsible, ethical and engaged citizens.

Attribute	Brief Description	Focus
Knowledge, skills and competence	Students will acquire skills to continuously progress in the refining of dispute resolution techniques	High
Critical, creative and enquiring learners	Student-centred learning approach through independent research and writing	High
Capable, flexible and work ready	Students will learn social and cultural issues relating to conflict and dispute resolution	Medium
Responsible, ethical and engaged citizens	Students will learn ethical practices within dispute resolution processes	Medium

Learning Task and Assessment:

Learning Outcomes Assessed	Assessment Task	Assessment Type	Weighting
K3, K5, S1, S3 A2	Written Assignment	Essay	20 - 30%
K1, K3, K5 S1, S2, S3, S4 A1, A2, A3	Self-evaluation, reflection, application and explanation	Negotiation Case File/Journal	30 - 40%
K2, K3, K4, K5 S3 A1, A2, A3	Invigilated Examination	Written Exam	40 - 50%

Adopted Reference Style:

APA