

AECO 4450/5050

ARBITRATION

Spring 2009

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INFORMATION PRESENTED HERE IS SUBJECT TO MODIFICATION DURING THE SEMESTER. THIS SHOULD BE YOUR PRIMARY REFERENCE FOR THE SCHEDULE OF MEETING TIMES, GENERAL READING ASSIGNMENTS, AND COURSE REQUIREMENTS.

CHECK THIS SYLLABUS FREQUENTLY DURING THE SEMESTER.

Mandatory class meeting times: Noon – 5:50 p.m. on Friday, January 30 and Saturday, May 9, 2009, in Wooten Hall Room 110 on the UNT Denton campus.

Goal: Provide students with the concepts, information, resources, and skills needed to engage in arbitration as a user (claimant or respondent), arbitration advocate, or arbitrator.

Objectives: Upon completing this course, students will have the information and resources to assess the advantages and disadvantages of arbitration for different types of conflict and will be able to perform the following:

1. Articulate the essential characteristics and concepts of arbitration.
2. Distinguish the advantages and disadvantages of arbitration versus those of other forms of dispute resolution.
3. Explain the history of arbitration.
4. Perform the basic functions and duties of an arbitrator or arbitration advocate.
5. Communicate and apply arbitration's ethical guidelines to various matters in conflict.
6. Interpret and apply standards of contract interpretation.
7. Understand and distinguish between arbitration practices in various industries, sectors, and settings.
8. Demonstrate the critical thinking and emotional abilities necessary to resolve difficult issues and challenges associated with arbitration.

Required Texts:

Bennett, Steven C. *Arbitration: Essential Concepts* (New York: ALM Publishing, 2002.)

Goodman, Allan H. *Basic Skills for the New Arbitrator* (Rockville, MD: Solomon Publications, 2004.)

Other readings, both required and optional, will be posted or announced during the semester.

Class Schedule and Required Reading:

Please note that “lesson” means web-based reading materials available in the Course Contents folder, while “chapter” refers, by author, to the two course (hardback) texts. “Assignments” and “discussions” may be graded exercises. Depending on the circumstances, handouts may or may not be provided.

<u>Week</u>	<u>Topic</u>	<u>Readings</u>
1/20	Preface and Requirements	Preface and Requirements Lesson 01
1/26	Arbitration Concepts and Processes	Lessons 01 & 02 Goodman pp. 7-36 Bennett Chap. 1
2/2	History of Arbitration	Lessons 01 & 02
2/9	Legal Framework of Arbitration	Lesson 03 Bennett Chaps. 2 & 4
2/16	Functions and Duties of the Arbitrator	Lessons 01, 02, & 03 Goodman - rest of book Bennett Chap. 6
2/23	Arbitration Ethics	Lesson 03 Bennett Chap. 10
3/2	Integrating Ethics into Practice	Handouts and Prior Readings
3/9	Contract Interpretation	Handouts and Prior Readings
3/16	Spring Break	
3/23	Labor and Employment Arbitration	Handouts and Prior Readings

<u>Week</u>	<u>Topic</u>	<u>Readings</u>
3/30	Consumer, Securities & Construction Arbitration	Handouts and Prior Readings Bennett pp. 153-161
4/6	International Arbitration	Handouts and Prior Readings Bennett pp. 161-169
4/13	Principles of Award Writing; Remedy Power of the Arbitrator	Handouts and Prior Readings
4/20	Arbitration Advocacy	Handouts and Prior Readings
4/27	Are You Cut Out to be an Arbitrator?	Lesson 04 Handouts and Prior Readings Bennett pp. 131-149
5/4	Review	All Prior Readings
5/12	Conclusion and Final	All Handouts and Prior Readings

Assignments and Discussions:

1. Unless an alternative deadline is established for a particular exercise, discussion assignments will require you to participate during the week - not just on weekends. Many written assignments will be due at 11:00 p.m. central time on Sunday nights, but other assignments may be due during the week..
2. New study assignments discussions, and exercises will be posted each week, usually on Tuesday. Check in every Monday-Tuesday for weekly assignments. You will receive at least three days to complete assignments and discussions. Quizzes will be announced in advance but available for only a few hours.
3. Make-up opportunities are allowed only for UNT official class absences (see the UNT Catalog). You will have a bonus point opportunity that will provide enough points to make up at least one assignment or substitute for a low grade. Do not miss the opportunity!

Anticipated Grading Scale (subject to modification):

Exams/Quizzes	45%
Weekly Assignments/Discussions	50%
Jan. 30 Meeting	5%

Important Notes on Requirements and Grading:

1. There will be 100 points possible for the course, (with the traditional grading scale applied, unless otherwise notified), plus an additional 10 BONUS POINTS (total) that will be announced in conjunction with certain assignments. Pay attention to the points possible. Each 10 points you miss will lower your course grade by one letter, except if you have bonus points.
2. You must complete each graded event before the stated deadline. Blackboard Vista will not allow late submissions. The only exceptions require documented attempts to submit an assignment that did not go through. To be safe, prepare your written assignments (except for quizzes and general class discussions) in MS Word, save them in a secure format, and paste them in your Blackboard Vista submissions. Save all assignment submissions to your computer drive or other memory device.
3. Make-ups are not available for weekly assignments, quizzes, exams, exercises, discussions, etc., unless you have properly processed an official UNT class absence form for an official UNT absence. No make-ups for the bonus opportunity will be made available, so take advantage of the bonus opportunity when it is available. You may find that you need those points later.
4. "Points possible" on assignments, quizzes, exams, exercises, discussions, etc. reflect the maximum points (except for stated bonus opportunities) to be awarded on a particular graded event. As a general rule, assignments and discussions will be graded and posted within two weeks of the due dates. Blackboard Vista allows you to track your accumulated points as you progress through the semester. Keep notes on how many points are available on each activity, as that information may not be able to be viewed after the deadline expires.
5. This is a conflict resolution class. All communications must adhere to the standards of principled (or integrative) negotiation. (See Fisher and Ury, *Getting to Yes*.) In all communications with class members and instructors, you are required to follow these standards.