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TEACHING MATERIALS ON PRIVATE HEALTHCARE NEGOTIATION

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ABSTRACT

The present paper examines a negotiating process between a buyer from a cosmetics firm and a private healthcare service provider in Brazil. The present research is centered on a case analysis of a private healthcare negotiation in Brazil. The main objective of this curriculum is to augment the negotiating abilities of corporate negotiators, scholars, and professionals. This discovery is attained via a role-play simulation encompassing two opposing factions and several subject matters. The study's main conclusions underscored the need to enhance integrative approaches, which include comprehending the opposing party's underlying interests and generating value to attain mutually beneficial agreements. According to the study's findings, the outcomes hold promise for prospective replication in many corporate contexts, particularly those characterized by power disparities. The current study concludes with an extensive discussion and recommendations for further research.

KEYWORDS

Negotiation; cosmetics company; private health care service provider; teaching materials Information Technology, buyer-seller negotiation, integrative, Type II Negotiation



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INTRODUCTION: -

This article examines a Type II negotiation (Dias, 2020) through the lens of a single case study. The negotiation involved a buyer representing a cosmetics company and a private healthcare service provider; actual names have been omitted to maintain ethical standards and protect the individuals' confidentiality. Negotiation has attracted scholars' attention over the past decade (Dias & Duzert, 2017; Duzert and Zerunyan, 2015; Cohen, 1980; Sebenius, 1992; Dias & Lopes, 2019; Dias & Teles, 2018; Dias & Navarro, 2017; Dias, M. et al., 2020; Dias, M., 2018, 2020, 2019; Dias, M. et al., 2021; Susskind & Cruikshank, 1987; Raiffa, 1982; Ury, 2015; Fisher Ury and Patton, 1981; Salacuse, 2008; Dias, 2020, 2020b, 2019; Moore, 2003; Susskind and Field, 1996).

Negotiation is defined as “an exchange between people for the purpose of fulfilling their needs.” (Schatzki & Coffey (1981, p.18). Negotiation is also “a process of potentially opportunistic interaction by which two or more parties, with some apparent conflict, seek to do better through jointly decided action than they could otherwise.” (Lax and Sebenius, 1986, p.11)

In this study, the taxonomy known as the Four Type Negotiation Matrix (Dias, 2020) was used to categorize the negotiation process, as seen in Figure 1.



Figure 1: The Four-Type Negotiation Matrix. Source: Dias, 2020. Reprinted under permission

According to Figure 1, the current instance pertains to a Type II negotiation scenario, whereby two parties negotiate various topics. In the following part, we will now proceed to expound upon the research methodologies used and acknowledge the study's inherent limits.

RESEARCH LIMITATIONS AND METHODS:-

An interpretative approach was used, using an inductive rationale. The unit of analysis in this study is the private healthcare plan acquisition (Yin, 1988). Furthermore, we have collected various research approaches, including direct observation, direct involvement, and case studies. The issue at hand is further substantiated by including the dramaturgical theory, as posited by Goffman (1959, 1961). The

scope of this case study is limited to the buyer-seller negotiations between two parties in Brazil, including a range of themes. Conducting independent inquiries is paramount in exploring any misconceptions arising from the negotiating styles and practices used by different countries.

THE NEGOTIATION FOR THE ACQUISITION OF THE PRIVATE HEALTHCARE PLAN:-

The representative of CosméticosCapixaba (buyer), headquartered in the city of Vitória-Espírito Santo, southeastern Brazil, is an active and integral part of the framework of Brazilian municipalities, counting today with 68,694 active companies, in addition to a population of 369,534 inhabitants. His company has 100 employees and has an outpatient plan of the union with the health company Samp, which is part of Athena Saúde, operating for 30 years in the cities of Vitória, Vila Velha, Serra, Cariacica, and Cachoeiro de Itapemirim, having more than 267 thousand beneficiaries and having its exclusive units for care.

However, his board, which has ten directors, tasked him with negotiating a new health plan for CosméticosCapixaba. Preferably, a plan of better quality for the company and with the same or lower cost, if possible.

LESSONS LEARNED:-

Regrettably, the contracted company's history of outstanding performance was remarkable, and unforeseen situations, such as the ongoing epidemic, were beyond our ability to anticipate. Therefore, it is recommended to modify the future notification by including information on a domestically sold commodity. This adjustment will enhance competitiveness among enterprises operating in the private healthcare market.

IMPLICATIONS AND DISCUSSION: -

(i)The buyer-seller negotiation is configured as a Type II Negotiation (Dias, 2020). The case has implications in the following fields of study, such as (i) Military buyer-seller negotiations (Dias et. Al, 2022); (ii) negotiations with agents (Araujo, C.; Dias, M., 2022; Correa, Teles, Dias, M., 2022; Dias & Navarro, 2018); (iii) NGOs negotiations (Paradela, V.; Dias, M.; Assis; Oliveira, J.; Fonseca, R. (2019); (iv) generational interactions negotiations (Aylmer & Dias, M., 2018); (v) Brewery industry (Dias, M. and Falconi, 2018; Dias, M., 2018); (vi) business mediation (Dias, M., 2018); (vii) civil aviation industry (Dias, M., Teles, and Duzert, 2018; Dias, M. and Duzert, 2018); (viii) buyer-seller, retail business (Dias, M. et al., 2015; Dias, M. et al., 2015, 2014, 2012); (ix) carmaker industry (Dias, M., Navarro and Valle, 2013, Dias, M. , et al., 2014; Dias, M. , et al., 2013); (x) streaming video industry (Dias, M., & Navarro, 2018); (xi) mining industry (Dias, M., & Davila, 2018); (xii) two-party debt collection negotiations (Dias, M., 2019, 2019b; Dias, M. and Albergarias, 2019); (xiii) civil construction negotiations (Dias, M., 2016); (xiv) internal negotiations (Dias, M., Pereira, L; Vieira, P., Pan, J., 2022); (xv) interbank negotiations (Dias, M.; Pereira, L; Vieira, P., 2022); (xvi) corporate business negotiations (Silva. G.B., Dias, M., 2022; Silva. G.B., Melo, R.C, Dias, M., 2022); (xvi) Vieira, P., Dias, M., 2022; Vieira, S.; Dias, M.; Silva, G.B.; Dias, L., 2022), for example.

FUTURE RESEARCH

For future research, we encourage the investigation of negotiations Types I, III, and IV. We also recommend the study of other types of negotiations in other countries, such as private negotiations, for instance.

REFERENCES

- Araujo, C.; Dias, M. (2022). The Influence of Stock Exchange Companies on the Quality of Brazilian Higher Education. *British Journal of Education*, 10(9), 16-50 doi: 10.37745/bje.2013/vo10.n9pp1650
- Correa, Teles, Dias, M. (2022) A Evolução da Privatização no Brasil. *IJDR*, 12(7), 57426-35, doi: 10.37118/ijdr.24868.07.2022
- Cruz, B.S.; Dias, M. (2020). COVID-19: from Outbreak to Pandemic. *Global Scientific Journals*, 8(3), 22302238. doi: 10.37118/ijdr.24868.07.2022
- Cruz, B.S.; Dias, M. (2020). Crashed Boeing 737-MAX: Fatalities or Malpractice? *Global Scientific Journals*, 8(1), 26152624. doi: 10.11216/gsj.2020.01.34917
- Cruz, B.S.; Dias, M. (2020). Does Digital Privacy Really Exist? When the Consumer Is the Product. *Saudi Journal of Engineering and Technology*, 5(2), 0-4. doi: 10.36348/sjet.2020.v05i02.00X
- Dias, M. & Navarro, R. (2018). Teaching Materials: Role Play Simulation on Brazilian Government and NonMarket Forces Negotiation. *European Journal of Training and Development Studies*, 5(4), 45-56. doi: 10.6084/m9.figshare.7834415
- Dias, M. & Navarro, R. (2018). Teaching Materials: Role Play Simulation on Brazilian Government and NonMarket Forces Negotiation. *European Journal of Training and Development Studies*, 5(4), 45-56. doi: 10.6084/m9.figshare.7834415
- Dias, M.; Almeida, F.; Silva; Russo, J.; Machado, V.; Costa, J.; Barbosa, M.; Jornada, F.; Filho, C. (2022) Role-Play Simulation on Vehicle Acquisition: Buyer-Seller Negotiation. *GSJ* (10)8, 1817-28; doi: 10.11216/gsj.2022.08.77291
- Dias, M. (2012). Two Case Studies on how to Deal Effectively with Fixed plus Variable Costs Contracts. *International Journal of Business and Management Studies*, 1(3), 505-515. doi: 10.6084/m9.figshare.7832288
- Dias, M. (2018) Evolution of Cooperative Societies in Brazil. *International Journal of Community and Cooperative Studies*, 6(4), 1-11. doi: 10.6084/m9.figshare.7834688
- Dias, M. (2018). Heineken Brewing Industry in Brazil. *International Journal of Management, Technology and Engineering*, 8(9), 1304-1310. doi:16.10089/IJMTE2156
- Dias, M. (2018). Light Vehicle Vehicle in Rio de Janeiro: Alternative to Public Transportation in Brazil? *Australian Journal of Science and Technology*.2(4), 187-193. doi: 10.6084/m9.figshare.7833362
- Dias, M. (2018). O agente público e a confiança circunstancial: validação do modelo de escala. *International Contemporary Management Review*, 1(2), 1-17. doi: 10.6084/m9.figshare.7834697
- Dias, M. (2018). Theoretical Approaches on Trust in Business Negotiations. *Saudi Journal of Business and Management Studies*,3(11), 1228-1234. doi: 10.21276/sjbms.2018.3.11.5
- Dias, M. (2019). Air Passenger Transportation in Brazil. *Global Scientific Journals*. 7(10), 310-317. doi: 10.13140/RG.2.2.26800.71688
- Dias, M. (2019). Air transportation in Brazil: Guarulhos International Airport. *South Asian Research Journal of Business and Management*, 1(4), 182-187. doi: 10.36346/sarjbm. 2019.v01i04.004
- Dias, M. (2019). Brasilia International Airport and the Evolution of Civil Aviation in Brazil. *East African Scholars Journal of Economics, Business and Management*, 2(12), 734-737. doi: 10.36349/EASJEBM.2019.v02i12.038
- Dias, M. (2019). Brazilian Legislation on Executive Power: Provisory or Permanent Measures? *Scholars International journal of Law, Crime and Justice*,2(10), 336-341. doi: 10.36348/SIJLCJ.2019.v02i10.007
- Dias, M. (2019). Current Facts on Brazilian Cooperative Societies. *Global Scientific Journals*, 7(9), 624-633. doi: 10.13140/RG.2.2.26553.72808

- Dias, M. (2019). Is it Worth Competing at the Bargaining Table? *Global Scientific Journals*, 7(9), 1-14. doi:
- Dias, M. (2019). New Structure on Cooperative Societies in Brazil: *International Journal of Management, Technology and Engineering*, 9(8), 202-214. doi:16.10089/IJMTE.2019.V9I8.19.29123
- Dias, M. (2019). People, Process, and Substance: Current Definitions on Negotiation. *International Journal of Commerce and Economics*, 1 (3), 1-9. doi: 10.13140/RG.2.2.15836.95360
- Dias, M. (2019). Santos Dumont Airport: Civil Aviation in Rio de Janeiro, Brazil. *Saudi Journal of Engineering and Technology*, 4(10), 418-421. doi: 10.36348/SJEAT.2019.v04i10.004
- Dias, M. (2019). Teaching Materials on Brazilian Dairy Producer Negotiation. *Global Scientific Journals*, 7(8), 1052-1064. doi: 10.13140/RG.2.2.36690.50881
- Dias, M. (2019). Teaching Materials: Role Play Simulation On Individual Business Debt Collection In Brazil. *Global Scientific Journals*, 7(8), 844-859. doi: 10.11216/gsj.2019.08.26134
- Dias, M. (2020) The Four-Type Negotiation Matrix: A Model for Assessing Negotiation Processes. *British Journal of Education*, 8(5), 26-42. doi: 10.6084/m9.figshare.12389627
- Dias, M. (2020). Air Transportation in Brazil: São Paulo Congonhas Airport. *Global Scientific Journals*, 8(2), 3244-3252. doi: 10.11216/gsj.2020.02.35259
- Dias, M. (2020). Case on Domestic Air Passenger Transport Market in Brazil. *The Journal of Middle East and North Africa Sciences*, 6(4), 5-9. doi: 10.13140/RG.2.2.12166.73280
- Dias, M. (2020). Fatality, Malpractice, or Sabotage? Case on Craft Beer Poisoning in Minas Gerais, Brazil. *East African Scholars Multidisciplinary Bulletin*, 3(1), 26-31. doi: 10.36349/EASJMB.2020.v03i01.04
- Dias, M. et al. (2014). Dudalina S/A: Case Study on How to Overcome Succession Barriers on a Brazilian Family Business. *Business and Management Review*, 3(12), 217-229. doi: 10.6084/m9.figshare.7834748
- Dias, M. et al. (2015). Brazilian Fashion Business Dudalina S/A: Case Revisited. *International Journal of Business and Management Studies*, 4(1), 11-24. doi: 10.6084/m9.figshare.7834730
- Dias, M. et. al. (2014). Domestic Workers' Rights in Brazil: Improvement of Labor Regulation. *Humanities and Social Sciences Review*, 3(2), 9-21. doi: 10.6084/m9.figshare.7834745
- Dias, M. et. al. (2014). FIAT and Chrysler in Brazil: Anatomy of an Alliance. *International Journal of Business and Management Studies*, 3(1), 1-13. doi: 10.6084/m9.figshare.7834739
- Dias, M., (2016). São Francisco River Transposition Civil Work: Challenges to the Brazilian Economy. *The International Journal of Business & Management*. 4(12), 65-70. doi: 10.6084/m9.figshare.7834724
- Dias, M., and Aylmer, R. (2018) Are the generational interactions in the Brazilian workplace different from other countries? *Global Journal of Human Resource Management*, 6(1), 9-25. doi: 10.6084/m9.figshare.7834634
- Dias, M., Duzert, Y. (2016). Fiat Chrysler Automobiles in Brazil: Alliance Consolidated. *The International Journal Of Business & Management*, 4(2), 160-166. doi: 10.6084/m9.figshare.7834733
- Dias, M., Falconi, Davi. (2018), The Evolution of Craft Beer Industry in Brazil. *Journal of Economics and Business*, 1(4), 618626. doi: 10.31014/aior.1992.01.04.55
- Dias, M., Lopes, R. (2019). Rail Transportation in Brazil: Challenges and Opportunities. *Arabian Journal of Business and Management Review (Kuwait Chapter)*, 8(4), 40-49. doi: 10.13140/RG.2.2.27687.70568
- Dias, M., Lopes, R. (2020) Will the COVID-19 Pandemic Reshape our Society? *EAS Journal of Humanities and Cultural Studies (EAS J Humanit Cult Stud)*. 2(2), 93-97. doi: 10.36349/EASJHCS.2020.V02I02.013

- Dias, M., Lopes, R. (2020). Air Cargo Transportation in Brazil. *Global Scientific Journals*. 8(2), 41804190.doi:10.13140/RG.2.2.30820.32648
- Dias, M., Lopes, R. (2020). Case on fatal Ship Failure Services: Onboard. *Arabian Journal of Business and Management Review (Kuwait Chapter)*, 9(1), 10-19 doi: 10.13140/RG.2.2.14280.26887
- Dias, M., Lopes, R. (2020). Case on Leading Commercial Aircraft in the Brazilian Domestic Aviation Market. *International Journal of Academic Research in Accounting, Finance and Management Sciences*,10(1), 165-171. doi:
- Dias, M., Lopes, R., Teles, A. (2020) Could Boeing 737 MAX Crashes be Avoided? Factors that Undermined Project Safety. *Global Scientific Journals*, 8(4), 187-196. doi: 10.11216/gsj.2020.04.38187
- Dias, M., Lopes, R., Teles, A. (2020) Will Virtual Replace Classroom Teaching? Lessons from Virtual Classes via Zoom in the
- Dias, M., Lopes, R., Teles, A., Castro, A., Pereira, A. (2020) Teaching Materials on Extrajudicial Settlement Negotiation. *Global Scientific Journals*, 8(5), 1529-1539. doi: 10.11216/gsj.2020.05.39996
- Dias, M., Navarro, R. (2017). O Fator Confiança em Relações Governamentais e sua importância para o futuro da atividade. *Revista Brasileira de Relações Institucionais e Governamentais*, 1(3), 38-41. doi: 10.6084/m9.figshare.7834697
- Dias, M., Navarro, R. (2018). Is Netflix Dominating Brazil? *International Journal of Business and Management Review*. 6, No.1, 19-32, January 2018. ISSN: 2052-6407. doi: 10.6084/m9.figshare.7834643
- Dias, M., Navarro, R.; Valle, A. (2013). BMW and Brazilian Federal Government: Enhancing the Automotive Industry Regulatory Environment. *International Journal of Arts and Sciences*, 6(2), 551-567. doi: 10.6084/m9.figshare.7834742
- Dias, M., Pereira, L; Vieira, P., Pan, Juliana (2022) From Plato to e-Leaders: The Evolution of Leadership Theories and Styles. *Economics and Business Quarterly Reviews*, 5 (2), 133-146, doi: 10.31014/aior.1992.05.02.420
- Dias, M., Teles, A. Duzert, Y. (2018) Did Embraer Succeed In Adopting The International Financial Reporting Standards (IFRS) In Brazil? *European Journal of Accounting, Auditing and Finance Research*, 6(2), 51-62. doi:
- Dias, M., Teles, A., Duzert, Y. (2018) Will Boeing Succeed with the Embraer Acquisition Operation, Despite the Brazilian Federal Government Golden Share Veto? *International Journal of Business and Management Review*, 6(2), 55-64. doi:10.6084/m9.figshare.7834718
- Dias, M.; (2018). Seven supportive Theories on Negotiation. *Global Journal of Research Analysis*, 7(11), 493-494. doi:10.15373/22778160. doi: 10.6084/m9.figshare.7834349
- Dias, M.; Alves, H.; Pezzella, M. (2016) São Francisco Valley: Vitiviniculture Activities in the Brazilian Unthinkable Semiarid Climate and its Challenges. *International Journal of Business and Management Review* 4(10), 1-13. doi: 10.6084/m9.figshare.7834727
- Dias, M.; Andrade, S.; Silva, M. R.; Teles, G.; Mello, B.; Moura, R.; Salazar, A.; Sotoriva, L.M.; Mariotti, A; Filho, C. (2021) Role-play Simulation on Buyer-Seller Knowledge Transfer. *GSI*, 9(8), 2340-52.doi: 10.11216/gsj.2021.08.53672
- Dias, M.; Aylmer, R. (2018) Is the Brazilian Civil Service reform about to succeed? *Global Journal of Political Science and Administration*, 6(2), 13-25. doi: 10.6084/m9.figshare.7834694
- Dias, M.; Aylmer, R. (2019) Behavioral Event Interview: Sound Method for In-depth Interviews. *Arabian Journal of Business and Management Review (Oman Chapter)*,8(1), 1-6. doi:10.13140/RG.2.2.18327.62881

- Dias, M.; Craveiro, F. M. (2019). Brazilian Agriculture Cooperative: Vinícola Aurora Case. *International Journal of Management, Technology and Engineering*, 9(3), 2551-2561. doi: 16.10089/IJMTE/2019.V9I3.19.27743
- Dias, M.; Davila Jr., E. (2018) Overcoming Succession Conflicts in a Limestone Family Business In Brazil. *International Journal of Business and Management Review*, 6(7), 58-73. doi: 10.6084/m9.figshare.7834703
- Dias, M.; Duzert, Y. (2017). Teaching Materials: Role Play Simulation on E-Business Negotiation. *European Journal of Training and Development Studies*, 4(3), 1-15. doi: 10.6084/m9.figshare.7834655
- Dias, M.; Duzert, Y. (2017). Teaching Materials: Role Play Simulation on E-Business Negotiation. *European Journal of Training and Development Studies*, 4(3), 1-15. doi: 10.6084/m9.figshare.7834655
- Dias, M.; Duzert, Y. (2019). Teaching Materials: Role Play Simulation on Romantic Involvement In The Workplace. *International Journal of Management, Technology and Engineering*, 9(1), 124-133. doi:16.10089/IJMTE. 2019.V9I01.18.27418
- Dias, M.; Duzert, Y. (2019). Teaching Materials: Role Play Simulation on Romantic Involvement In The Workplace. *International Journal of Management, Technology and Engineering*, 9(1), 124-133. doi:16.10089/IJMTE. 2019.V9I01.18.27418
- Dias, M.; Duzert, Y., Teles, A. (2018). Boeing, Brazilian Federal Government, And Embraer: Golden Share Veto and The Anatomy of a Joint Venture. *International Journal of Business and Management Studies*, 7(2), 71–80. doi: 10.13140/RG.2.2.14972.18563
- Dias, M.; Krein, J.; Streh, E.; Vilhena, J. B. (2018) Agriculture Cooperatives in Brazil: Cotribá Case. *International Journal of Management, Technology and Engineering*, 8(12).doi:16.10089/IJMTE.2018.V8I12.17.2243
- Dias, M.; Lopes, R. (2019). Role Play Simulation on Farm Debt: Brazilian Case. *SSRG International Journal of Humanities and Social Science*, 6(4), 84-93doi:10.112/gsj.2019.08.26384
- Dias, M.; Lopes, R. (2019). Teaching Materials: Role Play Simulation on Small Business Debt Collection In Brazil. *International Journal of Management, Technology and Engineering*, 9(8), 237-249. doi:16.10089/IJMTE.2019.V9I8.19.29127
- Dias, M.; Lopes, R. (2019). The Evolution of Civil Aviation in Brazil: Rio De Janeiro International Airport Galeão/Tom Jobim. *JResLitJournal of Science and technology*, 1(2), 1-6. doi: 10.13140/RG.2.2.15920.10242
- Dias, M.; Lopes, R.; Teles, A. (2020). Air Passenger Transportation: Hartsfield-Jackson Atlanta International Airport. *Journal of Xidian University*, 14(3), 78-84. doi: 10.13140/RG.2.2.32181.42726
- Dias, M.; Lopes, Raphael (2019). Role Play Simulation on Farm Debt: Brazilian Case. *SSRG International Journal of Humanities and Social Science*, 6(4), 84-93doi:10.112/gsj.2019.08.26384
- Dias, M.; Lopes, Raphael (2019). Teaching Materials: Role Play Simulation on Small Business Debt Collection In Brazil. *In-*
- Dias, M.; Pereira, L; Vieira, P.(2022) Are the Russian Banks Threatened with Removal from SWIFT? A Multiple CaseStudy on Interbank Financial Messaging Systems. *IJSRM*, 10 (3), 3137-44; doi: 10.18535/ijsrm/v10i3.em1
- Dias, M.; Ramos, M. (2018). Credit Cooperatives in Brazil. *International Journal of Science and Research (IJSR)*, 7(10), 598603. doi: 10.21275/ART20191901
- Dias, M.; Ribeiro, Ana Paula; Lopes, Raphael (2019). When customers do not pay: A Winning Negotiation Case in Brazil. *Journal of Economics and Business*, 2(2), 431-447. doi: 31014/aior.1992.02.02.99

- Dias, M.; Teles, A. (2018). Teaching Materials: Three-Party Role Play Simulation on Brazilian Social Mediation Case. *European Journal of Training and Development Studies*, 5(4), 10-25. doi: 10.6084/m9.figshare.7834700
- Dias, M.; Teles, A. (2018). Teaching Materials: Three-Party Role Play Simulation on Brazilian Social Mediation Case. *European Journal of Training and Development Studies*, 5(4), 10-25. doi: 10.6084/m9.figshare.7834700
- Dias, M.; Teles, Andre (2018). From Animal Traction to LRV: Public Rail Transportation in Rio de Janeiro. *International*
- Dias, M.; Teles, Andre (2018). General Elections 2018 in Brazil: is Democracy Restored? *International Journal of Advanced Research*, 6(10), 1253-1264. doi:10.21474/IJAR01/7932
- Dias, M.; Teles, Andre (2019). [Facts and Perspectives on Craft Brewing Industry in Brazil](#). *International Journal of Management, Technology and Engineering*, 9(2), 1020-1028. doi:16.10089/IJMTE.2019.V9I21.18.28020 doi:16.10089/IJMTE.2019.V9I8.19.29127
- Fisher, R. Ury, W. and Patton, B (Editor). (1981). *Getting to Yes: Negotiating an Agreement without Giving in*. US: Random House. *Journal of Science and Research*, 7(11), 765-770. doi: 10.21275/ART20192818
- Lax, D.A., & Sebenius, J.K. (1986). *The Manager as Negotiator: Bargaining for Cooperation and Competitive Gain*.
- Lax, David. (1985) Optimal Search in Negotiation Analysis. *The Journal of Conflict Resolution*, 29(3), 456-472.
- Moore, C.W. (2003). *The Mediation Process: Practical Strategies for Resolving Conflict*. San Francisco (California) and London: Jossey-Bass.
- Pruitt, D.G. & Rubin, J.Z. (1986). *Social conflict: Escalation, Stalemate, and Settlement*. New York: McGraw- Hill.
- Pruitt, D.G. (1981). *Negotiation Behavior*. New York: Academic press.
- Raiffa, Howard. (1982). *The Art and the Science of Negotiation: How to Resolve Conflicts and get the Best out of Bargaining*. Cambridge, MA: Harvard University Press.
- Rinehart, L. and Page, T. (1992) The Development and Test of a Model of Transaction Negotiation. *Journal of Marketing*, 56(4), 18-32.
- Rubin, K. H., & Brown, I. D. (1975). A life-span look at person perception and its relationship to communicative interaction. *Journal of Gerontology*, 30(4), 461-468.
- Salacuse, J. (2008). *Seven Secrets for Negotiating with Government: How to Deal with Local, State, National, Or Foreign Governments – And Come Out Ahead*. New York: Amacom.
- Schatzki, M.; Coffey; W. (1981). *Negotiation: The Art of Getting What You Want*. NY: Signet
- Sebenius, J. (1992). Negotiation Analysis: A Characterization and Review. *Management Science*, 38(1), 1838.
- Silva. G.B., Dias, M. (2022) How do The Governments Promote the Internationalization of Companies? A Multiple Case Study. *Social Sciences and Humanities Research*, 5(4), 1-10;doi: 10.13140/RG.2.2.24005.93922
- Silva. G.B., Melo, R.C, Dias, M. (2022) Corporate Entrepreneurship in a Brazilian Public Institution: A Multiple Case Study. *IJDR*, 12(2), 53955-61; doi: 10.37118/ijdr.23979.02.2022
- Susskind, L. and P. Field (1996), *Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes*. New York: Free Press.
- Susskind, Lawrence; Cruikshank, Jeffrey (2006) *Breaking Roberts Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*. New York: Oxford Press.
- Susskind, Lawrence; Cruikshank, Jeffrey. (1987). *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York, NY: Basic Books. *International Journal of Management, Technology and Engineering*, 9(8), 237- 249.

- Times of COVID-19. *Journal of Advances in Education and Philosophy*, 4(5), 208-213. doi:
Ury, W. (2015). *Getting to Yes with Yourself and Other Worthy Opponents*. MA: Harper Collins.
- Vieira, P.S.; Dias, M. (2022) A Cultura da Segurança da Informação na Petrobras. *IJDR*, 12(2), 53881-86; doi:10.37118/ijdr.23992.02.2022
- Vieira, P.S.; Dias, M.; Silva, G.B.; Dias, Leonardo. (2022). Brazilian Organizational Culture on Information Security: A Literature Review. *GPH - International Journal of Business Management (IJBM)*, 5(01), 5667; doi: 10.13140/RG.2.2.27914.34240
- Yin, R. (1988) *Case Study Research: Design and Methods*. Newbury Park, CA: Sage Publications.

APPENDIX I

Teaching notes

The presented scenario exemplifies the challenges the involved parties encountered in their efforts to prevent the termination of a software contract, resulting in potential financial losses. When examining foreign nations, it is essential to consider their unique legal frameworks and specific concerns, including variations in negotiating procedures.

In the context of negotiations, it is recommended that the involved parties allocate 30 minutes to 1 hour to review the case and adequately prepare themselves thoroughly. Negotiation mapping is highly recommended as an extra tool to aid in the preparation of negotiations. It is suggested that a negotiation session of 30 minutes to 1 hour be conducted, followed by a debriefing session of 30 minutes to one hour. The workout requires a total time commitment ranging from one and a half to three hours.

Key Lessons: The primary lessons include transitioning from distributive negotiations to integrative negotiations, identifying and prioritizing underlying interests, demonstrating empathy towards one another, and efficiently generating mutual value for future distribution.

This exercise's primary aim is to analyze legal professionals' involvement in a distributive negotiation of Type I. Negotiation is not seen as an intrusive endeavor aimed at fostering disruption but rather as a means to facilitate consensus-building between two distinct groups. One significant aim is to control of processes.

MAIN FEATURES	
Time required	1 hour – 2 hours
Number of participants	2 parties, buyer and seller
Groups involved	No
Agent present	No
Third party present	No

PART 1
CONFIDENTIAL INFORMATION FOR THE
◆◆ BUYER◆◆

You are the Representative of CosméticosCapixaba, headquartered in the city of Vitória – ES, you are an active and integral part of the framework of Brazilian municipalities, counting today with 68,694 active companies, in addition to a population of 369,534 inhabitants. His company has 100 employees and has an outpatient plan of the union with the health company Samp, which is part of Athena Saúde, operating for 30 years in the cities of Vitória, Vila Velha, Serra, Cariacica and Cachoeiro de Itapemirim, having more than 267 thousand beneficiaries and has its own exclusive units for care.

Meanwhile, his board, which has 10 directors, tasked him with negotiating a new health plan for the Cosmetics Capixaba. Preferably, a plan of better quality for the company and with the same or lower cost, if possible. The current situation of the health plan of CosméticosCapixaba is shown in Table 1, as follows:

Table1 – Values practiced by Samp

Cosmetics Capixaba	Lives	Unit price	Total monthly amount (R\$)	Total annual value (R\$)
Employees	90	100,00	9.000,00	108.000,00
board of directors	10	1.000,00	10.000,00	120.000,00
TOTAL	100		19.000,00	228.000,00

You has heard many complaints about the lack of coverage of the plan, with deficient network of medical care points, network coverage, availability of doctors, in short, a dissatisfaction with the existing plan. You know that the contract with Samp will expire in 2 (two) months and you see the moment as an opportunity for changes, as long as they are feasible and satisfactory.

Among all the existing alternatives in Vitória, you know that the one that has the best coverage is Unimed, but you are afraid that the price and negotiated conditions are above your budget, because quality is expensive. Aware of this fact, the board approved a budget increase of the order of 05 (five) percent to contemplate an improvement of health plans, since the board came to the conclusion that the benefits policy needs to be the best possible for several factors, including better productivity and employee satisfaction. Therefore, its ZOPA would be between R\$ 19,000.00 and R\$ 20,000.00 per month (equivalent to the range between R\$ 228,000.00 and R\$ 240,000.00 per year). You have the autonomy to close the deal on those bases.

However, you have an additional problem: the directors, who have a different plan, are very dissatisfied with the coverage of the Samp and would like to get a solution for the board that raises the standard of care for the same, including maintaining the quality of the outpatient plan for their employees, at the same cost. Its coverage today is regional. You are willing to accept suggestions for improving the plan to your directors, an essential part of the negotiation. You fear that a new contract will not be approved by the board if there are no noticeable improvements to the current plan.

Therefore, you need to negotiate a new contract with the Unimed representative, who came to you three months ago and whose contact had recently resumed. To complicate matters, you have been at CosméticosCapixaba for less than three months and need to show service!

Get ready to negotiate with Unimed's sales representative.



PART 2
CONFIDENTIAL INFORMATION FOR THE
◆◆ SELLER◆◆

You are the Commercial Representative of Unimed Vitória, who sought three months ago the representative of CosméticosCapixaba, when he learned that the company's health plan was coming to an end.

The CosméticosCapixaba, headquartered in the city of Vitória – ES, is an active and integral part of the Brazilian municipalities, counting today with 68,694 active companies, in addition to a population of 369,534 inhabitants. CosméticosCapixaba has 100 employees and administers an outpatient plan of the union with the health company Samp, which is part of Athena Saúde, operating for 30 years in the cities of Vitória, Vila Velha, Serra, Cariacica and Cachoeiro de Itapemirim, having more than 267 thousand beneficiaries and has its own exclusive units for care.

The current situation of the health plan of CosméticosCapixaba is displayed in Table 1, as follows:

Table2 – Values practiced by Samp

Cosmetics Capixaba	Lives	Unit price	Total amount (R\$)	monthly Total annual value (R\$)
Employees	90	100,00	9.000,00	108.000,00
board of directors	10	1.000,00	10.000,00	120.000,00
TOTAL	100		19.000,00	228.000,00

You learned from several sources of this company, known to you, that there are many complaints about the lack of coverage of the plan, with deficient network of points of medical care, network coverage, availability of doctors, in short, a dissatisfaction with the existing plan. You know that the contract with the Samp will expire in 2 (two) months and sees the moment as an opportunity for change, as long as they are feasible and satisfactory. You also learned that the directors are not satisfied with their health plan, which is differentiated and, according to the opinion of one of the directors, should be better than the current one.

You want this contract and are willing to listen to what the representative of the Cosmetics Capixaba wants. Based on Table 1, practiced by Samp, you took the case to your superiors, who authorized you to maintain the current conditions as a last resort, so as not to lose the sale, granting a national coverage plan to the board, but that ideally, it would be interesting for Unimed, an increase of the order of five percent on top of the prevailing values. Therefore, its ZOPA would be between R\$ 19,000.00 and R\$ 20,000.00 per month (equivalent to the range between R\$ 228,000.00 and R\$ 240,000.00 per year). You have the autonomy to close the deal on those bases, improving the board's health plan.

You have been with the company for a year and see an excellent opportunity to leverage your career within Unimed. Therefore, you need to negotiate a new contract with the representative of Cosmetics Capixaba, whose contact had recently resumed.

Get ready to negotiate with the commercial representative of CosméticosCapixaba.

