



Australian Government

Department of Education, Employment and Workplace Relations

CUSGEN04B Participate in negotiations

Release: 1

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Modification History

Not applicable.

Unit Descriptor

This unit describes the skills and knowledge required to take part in negotiations either as an individual or as a member of a team. It includes effective negotiating techniques, and planning and preparation for the negotiation. Negotiations of this nature would generally be undertaken by experienced or senior personnel.

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Application of the Unit

Not applicable.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

Not applicable.

Elements and Performance Criteria Pre-Content

Not applicable.

Elements and Performance Criteria

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Element	Performance Criteria
1 Plan the negotiation	<ul style="list-style-type: none">1.1 Clarify the purpose of the negotiation, including content and desired outcomes1.2 Determine the approach to be taken based on analysis of strength and weakness of position and the most appropriate negotiating style1.3 Identify the consequences of not reaching agreement and determine other alternatives1.4 Collect all information relevant to negotiation, analyse and organise it to support the selected approach
2 Conduct the negotiation	<ul style="list-style-type: none">2.1 Use effective presentation, speaking, listening and questioning techniques to persuade and convince the other party of the strength of the argument put2.2 Conduct the negotiation in a professional manner, including showing respect for those with whom negotiations are conducted2.3 Use effective techniques for dealing with conflict and breaking deadlocks where required2.4 Ensure that final position is agreed and understood by all parties
3 Finalise the outcome	<ul style="list-style-type: none">3.1 Confirm and accurately document the agreement, including timelines for agreements to be implemented, if appropriate3.2 Evaluate the outcome of the negotiation and determine further action to be taken if required

Required Skills and Knowledge

Not applicable.

Evidence Guide

Underpinning skills and knowledge

Assessment must include evidence of the following knowledge and skills:
current nature of the business environment relevant to the industry context
legal issues that affect negotiations and contracts in the relevant industry context
role, features and formats of agreements/contracts relevant to the industry context
negotiation and communication techniques relevant to working in a given industry context.

Linkages to other units

This unit has linkages to many units, and combined training delivery and/or assessment with those units would be appropriate, for example:

CUSGEN03B - Collaborate with colleagues in planning and producing a project

CUSADM03A - Manage a project

CUSADM10A - Establish and manage contracts.

Critical aspects of evidence

The following evidence is critical to the judgement of competence in this unit:

ability to make a constructive contribution to a negotiation

ability to recognise and use good negotiating techniques.

Method and context of assessment

The assessment context must provide for:

practical demonstration of skills through participation in negotiations with others.

Assessment may incorporate a range of methods to assess performance and the application of essential underpinning knowledge, and might include:

evaluation of negotiations conducted by the candidate

evaluation of reports prepared by the candidate detailing how the negotiation aspects of a project were managed

case studies to assess application of knowledge of negotiation to specific workplace situations

review of portfolios of evidence or third party workplace reports of on-the-job performance by the candidate.

Assessment methods should closely reflect workplace demands and the needs of particular groups (e.g. people with disabilities, and people who may have literacy or numeracy difficulties such as speakers of languages other than English, remote communities and those with interrupted schooling).

Resource requirements

Assessment of this unit requires access to:

information which supports a particular negotiation situation.

Key competencies in this unit

Key competencies are built into all workplace competencies. The table below describes those applicable to this unit. Trainers and assessors should ensure that they are addressed in training and assessment.

Level 1 = Perform

Level 2 = Administer and Manage

Level 3 = Design and Evaluate

Collecting, organising and analysing information (3)

Evaluating information in preparation for negotiation.

Communicating ideas and information (3)

Using negotiation techniques.

Planning and organising activities (3)

Planning the conduct of a negotiation.

Working with others and in teams (2)

Consulting colleagues in relation to a specific negotiation.

Using mathematical ideas and techniques N/A

Not Applicable

Solving problems (3)

Breaking a deadlock in a negotiation.

Using technology N/A

Not Applicable

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Range Statement

The following explanations identify how this unit may be applied in different workplaces, sectors and circumstances.

Purpose of the negotiation may include:

terms and conditions of employment
terms and conditions of a contract for provision of services
rights to and use of material
roles and responsibilities
share of the budget
fees for a performance
industrial awards.

Sources of strength may include:

expertise
uniqueness
competition
morality
legal and regulatory requirements
money
IR power
popularity
contacts and influence
control of resources.

Negotiating styles may include:

collaborative
competitive
subordinate.

Effective questioning techniques include:

asking open questions (allowing a range of responses)
asking closed questions (yes or no answer)
asking reflective questions (allowing the speaker to clarify answer).

Techniques for breaking deadlocks may include:

restating the position
clarifying the positions of both parties
deferring the decision
summarising the progress to date
calling in a third party
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Unit Sector(s)

Not applicable.