The information contained in this publication is indicative of offerings available in 2010. This information is correct as at the time of going to press, but may be subject to change. While all reasonable efforts will be made to ensure listed courses are offered and regulations are up to date, the University reserves the right to change the content or method of presentation, or to withdraw any course of study, or impose limitations on enrolments should the circumstances require this.
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Message from the Director

The Dispute Resolution staff welcome this opportunity to tell you about the programme of study and invite you to join them in exploring the related disciplines of Arbitration, Mediation and Negotiation.

We are pleased to offer the range of graduate and postgraduate papers described in this handbook.

Our programme seeks to introduce students of dispute resolution to a range of models and a variety of processes for resolving justiciable disputes. The principal processes used are arbitration, mediation and negotiation. We use a number of models within these processes. Our educational philosophy is not to endorse any particular model, but rather to assist students, through both theory and an examination of practice, to select from the continuum of options available. The process should be appropriate to the particular dispute between the presenting parties.

Students in the graduate programme are also given opportunities to develop competencies in the applied aspects of dispute resolution.

We have now completed 15 years of teaching this programme and it is pleasing to see that many of our graduates are making a significant contribution to the theory and practice of dispute resolution in New Zealand.

We are always pleased to hear from you and hope you will have an interesting and rewarding time studying dispute resolution.

Virginia Goldblatt
Director
Dispute Resolution
Department of Management
The Dispute Resolution Centre was established by Massey University in 1995 to develop a programme of study following the introduction of dispute resolution papers in 1993.

The areas of study and research conducted by the Dispute Resolution team are mainly centred on the processes available for the resolution of justiciable disputes. These are:

a  Negotiation, where parties deal directly with each other.

b  Mediation, where parties are helped by a third party who provides assistance with the process but leaves the power to settle with the parties.

c  Arbitration and adjudication, where a binding decision is made by a third person.

Information on personal programmes of study and research is available from the Centre.

<table>
<thead>
<tr>
<th>Dispute Resolution Contact Information</th>
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</thead>
<tbody>
<tr>
<td>The University telephone communication system is run on an automated system. The numbers are:</td>
</tr>
<tr>
<td>Wellington</td>
</tr>
<tr>
<td>Palmerston North</td>
</tr>
<tr>
<td>Auckland</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>You will then be prompted to enter the extension number of the person you wish to speak to. Our extension numbers are listed below:</td>
</tr>
<tr>
<td>Department Facsimile</td>
</tr>
<tr>
<td>Virginia Goldblatt – Director</td>
</tr>
<tr>
<td>Myles Stilwell – Lecturer</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
When leaving a message for Dispute Resolution staff, please supply a daytime contact number.

Email: dispute@massey.ac.nz
Web: http://management.massey.ac.nz/
Post: Dispute Resolution Centre
      Department of Management
      Massey University
      Private Bag 11 222
      Palmerston North 4442

Massey University Contact Centre

Most matters (such as enrolment, withdrawal, course materials, contact course registration, exam information or change of address) should be addressed to the Massey Contact Centre.

Please contact Massey if you change your address – otherwise you will not receive important information, including marked assignments.

Massey Contact Centre Details:

Telephone 0800 MASSEY (0800 627 739)
Telephone (from outside NZ) +64 6 350 5701
Facsimile +64 6 350 5618
Text 5222
Email contact@massey.ac.nz
Internet chat chat.massey.ac.nz

However, students with queries which relate to the content of the course, extensions for assignments etc. should still contact their course controller. The specific extension number for the paper co-ordinator for your paper should be elsewhere in your material.
Quick Reference Contact Information

If you have studied extramurally before, you will probably know whom to call if you have any Administration queries about your study. However, here are some common problems or queries and who to contact in each case:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change of name or address contact details</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>Please inform us of your change of name or address contact details as the Central Computing System does not automatically notify us.</td>
<td></td>
</tr>
<tr>
<td>Missing or incomplete postings</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>Missing or lost assignments</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>Contact Course inquiries</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>What papers should I take next?</td>
<td>Dispute resolution staff</td>
</tr>
<tr>
<td>I'll be overseas during my final exam.</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>I think I should withdraw</td>
<td>Paper coordinator</td>
</tr>
<tr>
<td>I have decided to withdraw</td>
<td>Massey Contact Centre 0800 MASSEY [0800 627739]</td>
</tr>
<tr>
<td>Sensitive personal matters impacting on your study.</td>
<td>Paper coordinator</td>
</tr>
<tr>
<td>I don't understand the assignment</td>
<td>Contact the paper coordinator</td>
</tr>
</tbody>
</table>

The Massey University internet homepage is [www.massey.ac.nz](http://www.massey.ac.nz). You can gain access to the Library catalogue through the homepage.
Dispute Resolution Staff

The staff are:

**Virginia Goldblatt** MA(Hons)(Vic), DipBusStuds (Dispute Resolution), FAMINZ(Med), MInstD, is the Director of the centre and is also the University Disputes Advisor. Virginia has been a student or a teacher in the programme since its inception, and completed the Graduate Diploma in 1996.

Virginia is a co-author (with Boulle and Green) of *Mediation: Principles, Process, Practice (2008, NZ ed)* and was the Mediation Vice-President of the Arbitrators’ and Mediators’ Institute of New Zealand from 1997 to 1999. She is a Fellow and panel member of AMINZ (Mediation).

Virginia’s professional experience is largely related to organisational and employment disputes in a wide range of professions.

**Myles Stilwell**, LLB(Cant), DipSocWk(Cant), DipPSM, MMgt (Dispute Resolution)(Massey), AAMINZ, joined the Centre as a lecturer in September 2002. He has a background in management and general experience in the field of criminal justice. Myles has an interest in workplace disputes and employment law. Myles is a University Proctor and a mediator for the University.

**Helen Ridley**, MMgt (Dispute Resolution), (Massey) MEd(AdultEd)(Massey), DipBusStuds Dispute Resolution, Certificate Supervision (Weltec), BMus(Hons)(Otago), DipTchg, BA FAMINZ, teaches part time at Massey. She runs an independent mediation/ facilitation and professional supervision practice in Wellington, working mainly in areas of family, workplace, health and disability, restorative justice and community consultation. She was a mediator for the NZ Family Court Pilot, and is also a Court-accredited facilitator for Wellington Restorative Justice Services and WEAV violence intervention programmes. Helen is a Fellow and panel member of AMINZ.

**Bruce Cottrill** MConRes(LaTrobe) DipBusStuds (Dispute Resolution) and (Small Business), Dip Ind Relns (Vic), FAMINZ(Med), is an adjunct lecturer.

He has extensive experience in mediating and managing complex disputes in both the private and public sectors. Bruce has broad experience mediating in the rural sector. His current practice includes mediation, conflict management, coaching and supervising mediators and HR related investigations and problem solving.
**Additional Academic Staff**

We can draw upon a number of people with expertise and these include (but not limited to) the following:

**Graham Rossiter** LLB(Wellington), DipBusAdmin(Massey), Certificate in Comparative Law(Victoria). Graham teaches the Employment Law and Health Care Law courses at both undergraduate and postgraduate levels. He is a qualified Barrister and Solicitor who before coming to Massey in 1986 was in general legal practice. From 1987 to 1993 he was an adjudicator of the Tenancy Tribunal. He has also acted as a mediator and arbitrator in employment disputes. Graham is a regular contributor to the New Zealand Law Journal (particularly the Student Companion section) on aspects of Employment Law.

**Professor Graeme Fraser** CNZM, MA(Otago), PhD(Missouri), AAMINZ, was the Foundation Professor of Sociology at Massey University. He was appointed Assistant Vice-Chancellor (Academic) in 1985 and Acting Vice-Chancellor 2002/3.

Emeritus Professor Fraser is currently Chair of the Health Research Council of New Zealand, and a member of the Tertiary Education Commission of New Zealand.

In addition to an extensive academic background in education and related areas of social policy and sociology, Professor Fraser's career has demonstrated a consistent commitment to government and local body service. He has a research interest in issues of professionalism.

**David Patten** LLB(Victoria), MBS (Massey), DipBusStuds (Dispute Resolution), BA, FAMINZ (Med/Arb), is a barrister based in Wellington and has an extensive background in Human Resources. He specialises in the areas of employment, education and rural law and has conducted many investigations into staff complaints/concerns in both the private and public sectors. David also has had considerable experience as a negotiator, mediator and arbitrator in a variety of dispute areas.

**David Tweed** PhD, MBA(Hons), DipBusStuds, BS.Agr.Sc., PGDip.Acc.CA. AAMINZ, teaches management at postgraduate level as well as papers in enterprise development. He has a number of professional affiliations including the New Zealand Institute of Management, the Australia and New Zealand Academy of Management, The Institute of Chartered Accountants of New Zealand and the Arbitrators’ and Mediators’ Institute of New Zealand Inc. He has owned and operated several small enterprises and is currently a trustee or board member for several small to medium sized organisations. David’s publications include *The NZ Corporate Executives Handbook* and *Australia and NZ Small Business Manual*, both published by CCH.
Roger Pitchforth MNZM, BA, LLB, MBA(Hons), FAMINZ (Arb/Med), FCI Arb (London) and Chartered Arbitrator (U.K.). He was the inaugural Director of the Centre from 1995 until the end of 2004. Roger was also the President of the Arbitrators’ and Mediators’ Institute of New Zealand from July 2002 to July 2004 and is a panel member of AMINZ. He is the author of Meetings: Practice and Procedure in New Zealand (3rd Ed) CCH, the Arbitration chapter in Dispute Resolution in New Zealand published by Oxford University Press and two chapters in Understanding Business Law published by LexisNexis Butterworths in 2000.

Roger was a barrister and solicitor before becoming a university senior lecturer in 1979 and has taught many commercial law topics. He is an arbitrator, adjudicator and mediator. He is currently a member of the Weather tight Homes Tribunal.

Professor Kenneth Cloke  JD LLM PhD. Kenneth Cloke is President of the Board of Directors of the international organisation Mediating Beyond Borders, and Director of the Centre for Dispute Resolution, California.

Professor Cloke is a teacher, mediator, arbitrator and consultant, specializing in resolving complex multi-party conflicts, including community, grievance and workplace disputes, collective bargaining negotiations, organizational and school conflicts, sexual harassment and discrimination lawsuits, and public policy disputes, and in designing conflict resolution systems for organizations.

He is an internationally recognized speaker and leader in the field of conflict resolution, and a published author of many journal articles and several books, including Revenge: Mediation and the Magic of Forgiveness; Mediating Dangerously: The Frontiers of Conflict; The Crossroads of Conflict: A Journey into the Heart of the Dispute and his latest book, Conflict Revolution: Mediating Evil, War, Injustice and Terrorism.

Phillip Green LLB FCI Arb (London), FAMINZ (Med/Arb). Phillip D. Green has over 30 years active experience in alternative dispute resolution. Phillip is a mediator, chartered arbitrator, adjudicator and barrister. He is past Chairman of the New Zealand Branch of the Chartered Institute of Arbitrators (London) and was Founding President of the Arbitrators’ and Mediators’ Institute of New Zealand (“AMINZ”). He is a Fellow of both AMINZ and the United Kingdom Chartered Institute of Arbitrators. He is a member of the AMINZ arbitration and mediation panels and is on the AMINZ adjudication list. Phillip is Director of Professional Studies for AMINZ and is the Institute’s examiner. He is also past Chairman of the Institute’s Ethics and Investigations Committee. He has lectured in arbitration and mediation at both Victoria University and Massey University. Phillip is co-author of Green & Hunt on Arbitration Law & Practice, author of Employment Dispute Resolution, and is also co-author of the New Zealand edition of Mediation Principles, Process, Practice by Boulle Goldblatt & Green, published by LexisNexis in December 2008.
Who Should Study Dispute Resolution?

There are two key groups of students of dispute resolution.

First, there are those who would like to practise as dispute resolution professionals. These students may also seek membership of the Arbitrators’ and Mediators’ Institute of New Zealand and therefore choose to enrol in at least the 153.210 practicum. Such students may already be working in the dispute resolution field but also want an academic qualification, or wish to add a professional strength to a field in which they already practise, for instance, law, construction or human resources.

Second, there are those students who recognise that the study of dispute resolution is increasingly seen as a core competency in business and/or social services, for instance, students wishing to work in business and organisations as managers, human resource staff or project consultants. Such students may well have a particular interest in our negotiation papers and prefer to add these to their programme of study rather than our practicum papers.

Both groups of students will be attracted to the professional affiliation of the Dispute Resolution Centre with the Arbitrators’ and Mediators’ Institute of New Zealand and the applied nature of much of the study.

Postgraduate Study

Students in the post-graduate programme will either be those who have completed the graduate diploma and wish to further their own academic study in the area, or students with undergraduate degrees looking to add a post-graduate qualification in another field. Again, students with degrees in law, management or human resources are typical examples, but by no means the only fields we draw on.

The post-graduate programmes focus on the theoretical and advanced academic frameworks of the discipline. They are not applied courses of study nor do they fulfil the professional requirements for eligibility for graded membership of AMINZ.
Arbitrators’ and Mediators’ Institute of New Zealand Inc.

AMINZ is the professional body for dispute resolution in New Zealand.

The Centre and the Institute work closely together to ensure that the dispute resolution diploma course papers that are recognised by AMINZ meet the required academic and professional standards. The Joint Advisory Committee, consisting of representatives from Massey University and AMINZ, monitors the Centre's programmes.

The Centre’s students are welcome to apply for membership with AMINZ during their time of study. Affiliate membership is the relevant membership level for 200-level students. Affiliate membership is a non-qualified status.

When students have passed papers 153.200, 153.201, 153.202, and 153.210 of the Graduate Diploma in Business Studies (Dispute Resolution), they are eligible to apply for admission as Associates. Associate members receive a Certificate of Membership and are entitled to use the designatory letters, AAMINZ.

AMINZ members are able to access the Institute’s resources and up to date information about dispute resolution process and practice. Members are backed with professional support and can participate in the continuing professional development programme of the Institute, such as the specialist seminars, symposiums and workshops held across a range of industry and occupational sectors. Student members also have the opportunity to network with experienced and qualified dispute resolution professionals. AMINZ circulates a regular email newsletter and members can access the members section of the website where articles and materials are available for use by members in their study and practice work.

The Institute maintains a range of practitioner lists and panels, including panels of mediators and arbitrators, lists of construction adjudicators and rural specialists. Only experienced associate and fellow members are eligible to apply for admission to the panels and lists.

Application forms for membership with AMINZ are available from the Institute’s office or on the website at www.aminz.org.nz.
Further information about membership of the Institute and its activities can be obtained from:

Arbitrators’ and Mediators’ Institute of New Zealand Inc.
Level 3, Hallenstein House, 276 – 278 Lambton Quay
PO Box 1477, Wellington, New Zealand

<table>
<thead>
<tr>
<th>Telephone:</th>
<th>(04) 4999 384</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freephone:</td>
<td>0800 4AMINZ (0800 426 469)</td>
</tr>
<tr>
<td>Facsimile:</td>
<td>(04) 4999 387</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:institute@aminz.org.nz">institute@aminz.org.nz</a></td>
</tr>
<tr>
<td>Website:</td>
<td><a href="http://www.aminz.org.nz">www.aminz.org.nz</a></td>
</tr>
</tbody>
</table>
Choosing the Right Programme

It is important to choose the correct programme of study.

A key focus of the graduate diploma is on the professional aspects of Dispute Resolution. The post graduate programme is for students seeking advanced academic qualifications in the field.

For 200 level study, the University requires a 100 level paper or evidence of equivalent learning. If you do not have a 100 level paper you may still be eligible for our programme. Please phone Myles Stilwell on extension 81074.

Graduate Diploma in Business Studies (Dispute Resolution)

If you wish to cover the spectrum of DR options, as either a student wishing to practice in the field or as a member of the wider business or professional community, then the graduate diploma is an appropriate qualification.

It will assist you as either practitioner or user of DR services to understand the range of processes available, and the context/s in which these should be employed.

For those who are seeking to develop a career in the practice of DR, eligibility for graded membership of The Arbitrators’ and Mediators’ Institute of New Zealand will be obtained following the successful completion of 153.200, 152.201, 153.202 and 153.210. It is important to note that students who wish to meet the educational requirements for eligibility for Associateship Membership of the professional body, the Arbitrators’ and Mediators’ Institute of New Zealand Inc (AMINZ), will still need to pass the 200-level Practicum 153.210. The passing of the diploma course does not guarantee that the graduate will be granted membership of the professional body. See information on earlier pages regarding AMINZ.

Bachelor of Business Studies

For those who desire to complete a degree which includes some Dispute Resolution papers there is the option of studying for the BBS.

You should complete the core papers and the same papers as required for the GradDipBusStuds (Dispute Resolution) together with the electives of your choice.

Those who have completed the diploma and who would like to take the degree are encouraged to consider Reg 9 before graduating with the Diploma.

You will find the regulations for the BBS degree in the handbook for Enrolment in Business Undergraduate Programmes. Telephone 0800MASSEY to receive this publication.
Postgraduate Programmes (Dispute Resolution)

The postgraduate programmes, Postgraduate Diploma in Business and Administration, Master of Business Studies and Master of Management cover some of the topics discussed in the Graduate Diploma in Business Studies (Dispute Resolution) programme in depth, but do not purport to cover the whole of the syllabus for the professional qualifications of AMINZ Associateship and Fellowship. Those who have not completed any papers in Dispute Resolution are encouraged to include paper 153.700 in their programme of study.

This programme of advanced academic study is particularly suitable for lawyers, architects, engineers, accountants and other professionals who wish to learn about the theory of dispute resolution in greater depth, as well as those who have already graduated from other degree programmes.

For further detailed notes on the Postgraduate Programmes (Dispute Resolution), please refer to page 57.
Massey University Student Contract

The University and the student form a contractual relationship when the University enrols the student as a member of the University community. Following are the terms of the contract which the University and the student accept are to govern their relationship, along with statute, and with the Regulations and Rules of the University.

The University will:

1. Use best endeavours to provide the student with tuition and supervision of a professional standard in the course(s) in which the student is enrolled.
2. Act reasonably and fairly in exercising its powers under the regulatory framework and this Contract.
3. Give reasonable notice of any changes in the course(s) required because of changes in funding, staffing or other reasonable cause.

The student will:

4. Use best endeavours to fulfil the requirements prescribed by the University for the course(s).
5. Observe the Regulations and Rules of the University and accept the jurisdiction of the University in all matters connected with academic progress and with discipline.
6. Pay the fees prescribed by the University for the course(s).

The University and the Student also agree:

7. The Contract is formed when a Confirmation of Enrolment form is issued for the course(s).
8. The Contract will continue for the period for which the Student is enrolled by the University and will then end. However, clause 12 will continue to apply after the Contract ends.
9. The University and the Student may enter into further contracts, in subsequent periods, by repeating the process in clause 7.
10. The relevant Admission Form, Enrolment Form, Confirmation of Enrolment form and material published in the Calendar also form part of this Contract, but nothing else shall be incorporated into the contractual relationship between the Student and the University.
11. Liability for failure to perform this Contract is excluded where that failure has been caused by circumstances beyond the control of the University or the Student.
12. Any dispute arising out of or in connection with this Contract, or otherwise relating to the performance by the University or its staff of their responsibilities to the Student, shall be resolved through the Grievance Procedures prescribed by the University calendar (http://calendar.massey.ac.nz/index.htm), which shall be the exclusive procedures for resolution of such a dispute.
The Learning Environment

These are university courses. There are no ‘how-to’ instruction books. As with all university courses we are trying to teach you to think and develop your analytical and critical faculties.

There are a lot of positive supports for you including;

1. An online guide to the use of the Massey library, including the library research databases.
2. Online learning and discussion opportunities through the use of WebCT and/or Stream, in our papers.
3. Learning support for improving academic skills, through the Learning Support Centres on each campus (available to internal and extramural students).

Semesters

Massey University’s year is divided into semesters that are separated by a vacation at the end of June. The Dispute Resolution team does not currently teach during Semester Three, Summer School, except for the occasions on which the 153.210, 153.310, and 153.311 practicums are offered in January.

Student Weekly Workloads

For extramural students, paper credits are an indication of the number of hours you should apply to a paper per week.

15 credit paper indicative of 12 hours study required per week.
30 credit paper indicative of 25 hours study required per week.

Maximum Student Yearly Workload

Maximum student workload is governed by the University and Ministry of Education ruling which is:

a. The maximum credits students may take in the College of Business per semester is 60. In the unlikely event you wish to exceed this, you should first seek academic advice.

b. Credits for double semester papers are assigned in equal parts per semester.

c. Candidates shall not enter in the same year for more than two distinct courses for degrees and diplomas.
Contact Courses

Voluntary Contact Courses are conducted in Palmerston North only for the following papers:

- 153.200 Introduction to Dispute Resolution
- 153.201 Evidence and Advocacy
- 153.202 Law and Mediation
- 153.204 Negotiation Principles
- 153.301 Law and Practice of Arbitration I
- 153.302 Mediation Process
- 153.304 Law and Practice of Arbitration II
- 153.305 Mediation Practice
- 153.320 Employment Dispute Resolution
- 153.700 Elements of Dispute Resolution

These provide an opportunity for students to meet each other and to discuss particular subjects directly with paper coordinators and lecturers.

Although attendance is not compulsory for the above papers, we highly recommend that you come. This is your opportunity to discuss any problems you may have and to join in the learning that will take place during the course. Contact courses will be held at the Turitea Campus.

The dates for contact courses are set out in the Extramural Handbook, enrolment information and the study guides.

When attending a contact course PLEASE BRING your study guide(s) and any textbook(s) and statutes required for the course with you.

Practicum

A practicum is an intensive 8 day (9am to 9pm) course. Four to six weeks prior to the practicum, students will receive a practicum handbook to assist with pre-practicum preparation.

Practicum Pre-Enrolment

Practicum pre-Enrolment forms are issued at the back of this Handbook and places are made available on the basis of these returns only. Please do not try to enrol online.

Note: The 2010 Practicum will be offered in July.
Practicum Selection

In the event that applications for the practicum of your choice exceed the number of places available, the director will apply a selection procedure. Preference will be given to those students who are proceeding through the course without interruption and/or for whom this is a final paper to complete the qualification. Other than the above, students will be allotted places on the basis of the order of receipt of their application.

Student Cancellations

Once you are confirmed as having a place on a practicum you are committed to the practicum fee. The refund of University fees will be dealt with in the usual way.

As the other members of the practicum are dependent on you being present and prepared, cancellation is not a matter to be treated lightly.

Please contact the Dispute Resolution Centre promptly in relation to any difficulties over attendance.

| NB: The University reserves the right to withdraw a Practicum from offer when it becomes apparent that there are insufficient enrolments. Where this occurs, any payments made will be refunded. |

Block Courses

A Block Course is a 5-day course which runs Monday to Friday (9am to 5pm) of an advertised week. Four to six weeks prior to the block course, students will receive a Block Course Study Guide which often contains requirements for pre-block course work and block course event preparation. Post-block course work is required and this may include a test but no university examination will be set.

Block Courses are offered as part of our Graduate and Postgraduate programmes.

Block Course Selection

Block course selection will be based on the date of your enrolment and eligibility to attend the block course.

Graduate block course numbers are dependant upon teaching staff available.

Postgraduate block courses require a minimum number of enrolments in order to proceed, and may also have a maximum number.
Student Cancellations

Once you have confirmed your attendance at a Block Course and received a study guide you are committed to the Block Course and subsequent fees. The refund of University fees will be dealt with in the usual way.

**NB: The University reserves the right to withdraw a Block Course from offer when it becomes apparent that there are insufficient enrolments. Where this occurs, any payments made to the University will be refunded.**

Car Parking

For courses held at Massey’s Manawatu Campus, parking is available at the Bourke Road and Orchard Road car parks (see Campus Map).

For courses held at Caccia Birch there is on-site parking.

Help

Help is available from a number of people. Your paper coordinator, lecturer or marker will give help as needed, as will the administrative staff.

The Dispute Resolution Centre usually has an academic on duty to deal with enquiries. They may not be able to respond instantly, but if you leave a message and a daytime contact phone number they will ring you back. The contact details for Dispute Resolution staff appear on page 2.

Research material can be obtained from the library. The library has extensive electronic services. If you are too distant to get to the library in person, the university has a system of copying or sending material to you. Details are sent to you when you enrol.

Extramural students have contact with consultants at the university as well as local Regional Advisers off-Campus. They will help with study skills training, setting up study groups and providing Examination Centres near you at exam time.
Belonging

While you are studying you are part of the university. You will also be a member of the Extramural Students’ Society (EXMSS), which provides help for members as well as representing them within the university.

EXMSS Contact Details (and remember to have your paper number ready e.g. 153.XXX):

Massey University Extramural Students’ Society Inc,
Students’ Centre Building
Massey University, Private Bag 11-222
Palmerston North

Phone: 0508-4EXMSS (0508 439677) ext 81182
        NB: Auckland extramurals call (09) 414 0800,
        Wellington extramurals call (04) 801 5799

Email:  info@exmss.org.nz

Website: http://exmssear.org/

You can also get help and advice from your Regional Adviser. The names and contact details of these people are in the Extramural Handbook. They are experienced in handling extramural study, and you should not hesitate to contact them.

Extramural Assignment Office

There is another group of people who are going to be important to you. You will be sending your assignments to them. The address for this is:

Extramural Assignment Office
NSATS
Massey University
Private Bag 11 555
PALMERSTON NORTH 4442

Facsimile +64 6 350 5625
Enrolment Information

Massey University Enrolment Extramural Handbook 2010

Students who would like information about other papers offered extramurally by the University should contact the Massey University Contact Centre (contact details on page 3) and request a copy of this publication.

Alternatively you can access this information via the Massey University website: http://enrol.massey.ac.nz/massey/enrolment/books/extramural/extramural-handbook.cfm

Practicum Pre-Enrolment

A Practicum Pre-Enrolment form can be found at the back of this Handbook. Refer to page 77.

Note: Practicum pre-enrolment is not handled by the Massey University Contact Centre or available through WebEnrol. You must apply for a practicum using the Practicum Pre-Enrolment form. This is the only way you can register your interest in a Practicum.

This is a pre-enrolment only – it does not guarantee you a place at the practicum. A selection process will be applied to ensure candidates meet all criteria. You will receive notification that the Department has received your pre-enrolment, and you will be further notified of your acceptance in due course.

Practicum pre-enrolment forms must be sent directly to the Director, Dispute Resolution Programme, Department of Management. Should you attempt to use any other form of registration your enrolment will be declined.

Practicum pre-enrolment is an indication of interest and will be followed by formal enrolment in due course. Notification will be sent to you.
Year 2010 Fees

The information on these pages is for estimation purposes only. Actual fees payable will be finalised on confirmation of enrolment.

Fees for 2010 will not be set by the Massey University Council until after the printing of this handbook.

You will find the fees via the Massey University web site (http://fees.massey.ac.nz) or by contacting the Massey Contact Centre.

Please note that block courses (including practicum) incur an additional fee on top of the paper fees. The block course fee covers the venue costs, meals, extra teaching requirements and the study disbursements.

Students may choose to seek detailed fees information before sending in their enrolment and remit the correct amount or may opt to include the specified deposit (if applicable) and wait to be invoiced for the balance.

For information regarding Student Loans and Allowances students should contact StudyLink directly on 0800 889900.
myMASSEY website

The myMassey website has been built to assist students and staff to access a variety of information within the University.

You can access myMassey through:

https://secure.mymassey.com

Enrolled students have access to the following elements:

- Enrol online (WebEnrol)
- Request an enrolment pack
- Exam results
- Apply for aegrotat / reconsideration
- View timetable
- Financial statements
- Lab Budget and payments
- Classified ads
- Webmail
- Access to WebCT and/or Stream (logging in to MyMassey automatically logs you into WebCT or Stream) if available for the paper concerned
- Pay fees online
- Apply to graduate online
- Change contact and personal details
Set Text Purchasing

Set texts are available from Bennetts Bookshop who offer students a 10% Student Discount off quoted prices. You can contact Bennetts Bookshop on:

Bennetts Bookshop Website: www.bennetts.co.nz

Palmerston North Campus Branch: Phone: (06) 354 6020
                                  Email: massey@bennetts.co.nz

Albany Campus Branch: Phone: (09) 443 9707
                      Email: aku@bennetts.co.nz

Wellington Campus Branch: Phone: (04) 384 1407
                        Email: wgp@bennetts.co.nz

An alternative supplier is:

Volume I Bookshop: Phone: 06 353 0358
154 Fitzherbert Avenue
Palmerston North
Email: palmnorth@textbook.co.nz
WebSite: www.textbook.co.nz

Other publication suppliers are:

LexisNexis Butterworths (0800) 800 986
15% student discount off quoted price may be offered.

Law Commission 04 473 3453

Brookers Ltd 04 499 8178
Graduate Diploma in Business Studies (Dispute Resolution)

The graduate diploma consists of eight papers, four of which are at second year university level and four at third year university level.

Graduate Diploma

Entry into the Graduate Diploma in Business Studies (GradDipBusStuds) is governed by the University regulations (pg 60 of the 2009 Calendar), among which are:

Course Requirements:

1. Before enrolment, candidates shall satisfy the Academic Board that they have backgrounds and relevant experience sufficient to be able to follow the course with a reasonable chance for success.

2. Candidates shall:
   a. have qualified for the award of a university degree or qualification approved for the purpose of these Regulations by the Academic Board or have been admitted to this University under the admission with equivalent status Regulations; or
   b. have been credited with at least 120 credits towards a degree and have met Regulation 1; or
   c. have sufficient maturity and have met the requirements of Regulation 1.

3. To qualify for the award of the Diploma candidates shall:
   a. pass approved papers totalling at least 120 credits; and
   b. complete to the satisfaction of the Academic Board such other work as may be required as part of an approved course of study.

4. Notwithstanding Regulations 3(a) and 3(b), up to 45 200-level credits may be cross-credited from a completed degree of this University provided that the papers are listed in Parts II or III of the BBS Schedule.

5. The course shall not include 100-level credits and shall include at least 60 credits from above the 200-level.

6. Candidates may credit to the Graduate Diploma in Business Studies no more than 15 credits in which they have gained a Restricted pass.

7. Where a course includes a combination of papers approved for the purpose by the Academic Board, the Diploma may be awarded with an endorsement in one of the following areas . . . Dispute Resolution . . .

8. a) Where a candidate seeks to include a paper from outside the College of Business, written application must be made to seek approval from the Pro-Vice Chancellor. b) Where an endorsement provides for approval by the Head of Department of discretionary papers, this approval is conditional on the Pro Vice-Chancellor's office being notified in writing for inclusion in the student's textual record.

9. While up to 45 200-level credits may be cross-credited from an awarded GradDipBusStuds to the BBS degree (or other programmes), this Diploma may not be surrendered to obtain a greater level of credit.
Overview of the Graduate Diploma

The Graduate Diploma in Business Studies (Dispute Resolution) is made up of 120 credits of approved papers at 200 and 300-level. No 100-level papers and not more than 60 credits at 200-level may be included. Some of the 200-level papers under the GradDipBusStuds (Dispute Resolution) have direct entry, but others require prerequisite papers to be completed.

A prerequisite is a paper that must be completed before you can proceed to another paper. In addition to having prerequisites, some papers are restricted against each other because they are similar in content. Therefore, you cannot credit them both to the diploma, but can study one or the other.

The Graduate Diploma in Business Studies (Dispute Resolution), offers students a choice of obtaining the qualification with or without practicum study.

The Graduate Diploma requires a maximum of four papers to be passed at 200-level and a minimum of four papers to be passed at 300-level as follows:

At 200-level, students are required to take the following three extramural papers if they also wish to undertake a Practicum:

1. 153.200 Introduction to Dispute Resolution
2. 153.201 Evidence and Advocacy
3. 153.202 Law and Mediation

These papers provide an overview of the legal process and the spectrum of dispute resolution options. After completing these you will be eligible to attend the 153.210 Dispute Resolution Practicum. This eight day intensive course gives you plenty of opportunity to see how mediations and arbitrations are conducted.

Successful completion of 153.200, 153.201, 153.202 and 153.210 will enable you to meet the educational requirements for eligibility for Associateship Membership of the Arbitrators’ and Mediators’ Institute of New Zealand Inc.

Students who do not wish to do the 200-level Practicum will be required to do 153.204 or an additional 300 level paper.

Note: If you have completed one 300 level Practicum and you have the prerequisites for the other one, you may include that second Practicum as an elective.

GradDipBusStuds (Dispute Resolution) Programme Length

The graduate diploma is a part-time course. The programme is designed to be completed in 2 to 2 ½ years. However, you may elect to take longer to complete the diploma.
Exemptions

Applications for exemption from individual papers are subject to the following conditions:

a  A candidate who has passed a substantially similar examination may be exempted from taking a prescribed paper for the diploma.

b  Exemptions are not credits, so if you are exempted from a paper you will need to complete an acceptable substitute. You should talk to the Graduate Diploma Programme Manager about your choice. Myles Stilwell’s extension number is 81074, and email is M.F.Stilwell@massey.ac.nz

c  Other exemptions will be considered on their merits.
Graduate Diploma in Business Studies (Dispute Resolution)  
Paper Prescriptions

153.200  Introduction to Dispute Resolution  
An introduction to the modes of dispute resolution including negotiation, mediation and arbitration and the relevant law.  
15 credit extramural paper

153.201  Evidence and Advocacy  
The law of evidence in arbitration proceedings and the techniques of advocacy in dispute resolution processes.  
15 credit extramural paper

153.202  Law and Mediation  
The legal framework for mediation and an introduction to the law of contract and tort.  
15 credit extramural paper

153.204  Negotiation Principles  
Negotiation principles as applied to avoiding and resolving disputes.  
R 153.307  
15 credit extramural paper

153.210*  Dispute Resolution Practicum  
A practicum covering negotiation, mediation and arbitration and other dispute resolution techniques.  
PHOD  
15 credit practicum paper

153.301  Law and Practice of Arbitration I  
Law and Practice of Arbitration relating to appointment, jurisdiction and interlocutory matters (refer 153.304).  
P 153.200, 153.201, 153.202; or PHOD  
15 credit extramural paper

153.302  Mediation Process  
An examination of the nature of disputes, mediation, and other non-adjudicative dispute resolution processes.  
P 153.200  
15 credit extramural paper
153.304 Law and Practice of Arbitration II
Law and practice of arbitration relating to hearings, remedies and awards.
P 153.301
15 credit extramural paper

153.305 Mediation Practice
An examination of the practice of mediation and the application of mediation to specialised areas.
P 153.302
15 credit extramural paper

153.306 Negotiation Practice
Application of the theory of the negotiation process.
P any 200 level paper
15 credit block course paper

153.310* Arbitration Practicum
A practical paper on practice, procedure and award writing.
PHOD
15 credit practicum paper

153.311* Mediation Practicum
A practical paper on the practice and procedure of non-adjudicative dispute resolution including settlement agreements.
PHOD
15 credit practicum paper

153.320 Employment Dispute Resolution
The theory and practice of solving employment disputes.
P Any 200-level paper
R 153.708
15 credit extramural paper

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<td>R</td>
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<td>PHOD</td>
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Programme Planning

The formal Graduate Diploma requirements are:

153.200, 153.201, 153.202, and one other 153 prefix paper at 200-level, and either 153.301 and 153.304 or 153.302 and 153.305, plus 30 credits from approved 300-level papers.

Approval will be given for the following papers without a need for supporting reasons:

- 153.306 Negotiation Practice
- 153.307 Negotiation Theory
- 153.301 Arbitration Practicum
- 153.311 Mediation Practicum
- 153.320 Employment Dispute Resolution
- 155.301 Employment Law
- 155.306 Health Care Law
- 219.304 Cross Cultural Communication

Special topics are available from time to time.

IMPORTANT NOTE:

Paper 153.210 Dispute Resolution Practicum is compulsory for those students wishing to satisfy the educational requirements for eligibility for graded membership of the Arbitrators’ and Mediators’ Institute of New Zealand Inc. (see page 9 for details).

The passing of the diploma course does not guarantee that the graduate will be granted membership of the professional body.
### Recommended Order of Study for Those Commencing the Graduate Diploma in 2010

The Graduate Diploma consists of 8 papers. The programme of study outlined below is for those intending to complete the qualification in the minimum time of two to two and a half years.

<table>
<thead>
<tr>
<th>Year One</th>
<th>Semester One</th>
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<tbody>
<tr>
<td>153.200</td>
<td>Introduction to Dispute Resolution</td>
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If you are not intending to do the 153.210 Practicum, you should also take 153.204 in Semester One.

<table>
<thead>
<tr>
<th>Year One or Two</th>
<th>Semester Two</th>
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<tr>
<td>153.201 and 153.202</td>
<td>Evidence and Advocacy; Law and Mediation</td>
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<tr>
<th>Year Two</th>
<th>Semester One</th>
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<tr>
<td>153.301 or 153.302</td>
<td>Law and Practice of Arbitration I Mediation Process</td>
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<tr>
<th>Year Two</th>
<th>Semester Two</th>
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<tbody>
<tr>
<td>153.304 or 153.305</td>
<td>Law and Practice of Arbitration II Mediation Practice</td>
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</table>

Note: you will also need to do two 300 level elective papers from the approved list

**Practicum Papers**

If you are wishing to do a Practicum in 2010, the Practicum papers will be offered from 7th – 14th July.

**Assessment**

The general pattern of assessment for extramural papers is two written assignments, each worth 20% of the total grade. There will be one final examination of three hours, worth 60% of the total grade.

The 153.210 Dispute Resolution Practicum, 153.310 Arbitration Practicum and 153.311 Mediation Practicum are assessed throughout the intensive eight day course.
153.200
Introduction to Dispute Resolution

Semester: One
Mode: Extramural
Paper coordinator: Myles Stilwell

Prescription

An introduction to the modes of dispute resolution including negotiation, mediation and arbitration and the relevant law.

Learning Outcomes

On successful completion of this paper, students should be able to:

• Compare the characteristics of different modes of dispute resolution.
• Explain and evaluate the fundamentals of negotiation and mediation processes.
• Explain and evaluate the fundamentals of the processes of arbitration and adjudication.
• Demonstrate an understanding of how dispute resolution theory informs practice

Assessment

Two 20% Assignments  40%
Final Examination  60%

Set Text

Arbitration Act 1996 (and amendments)

Spiller, P. (Editor), Dispute Resolution in New Zealand (2nd Edition), Oxford University Press, Auckland, 2007

Set Video/DVD

Arbitration Video/DVD The Digger Dispute, Dispute Resolution Centre, Palmerston North, 1998
Recommended Text


153.201
Evidence and Advocacy

Semester Two
Mode Extramural
Paper Coordinator Myles Stilwell

Prescription
The law of evidence in arbitration proceedings and the techniques of advocacy in dispute resolution processes.

Learning Outcomes
On successful completion of this paper, students should be able to;

- Critically evaluate the role of an advocate in arbitration and mediation processes.
- Demonstrate an understanding of communication skills required by advocates.
- Demonstrate an ability to formulate pleadings appropriate to an arbitration proceeding.
- Demonstrate an understanding of the law of evidence as it applies to arbitral processes.
- Demonstrate an understanding of how arbitration theory informs practice.

Assessment
Two 20% Assignments 40%
Final Examination 60%

Set Text
Arbitration Act 1996 [and amendments]
Evidence Act 2006
Set Video/DVD
Arbitration Video/DVD *The Digger Dispute*, Dispute Resolution Centre, Palmerston North, 1998

Recommended Text

153.202
Law and Mediation

Semester  Two
Mode     Extramural
Paper Coordinator  Helen Ridley

Prescription
The legal framework for mediation and an introduction to the law of contract and tort.

Learning Outcomes
At the successful completion of this paper, students should be able to;

- Demonstrate an understanding of the law as it relates to mediation process.
- Demonstrate an awareness of legal issues as they relate to mediation practice in NZ
- In a given situation, assess the suitability of mediation as an alternative to adversarial approaches.

Assessment
Two 20% Assignments  40%
Final Examination  60%

Set Text

153.204
Negotiation Principles

Restriction 153.307 Students who have previously passed 307 are not eligible for this paper

Semester One
Mode Extramural
Paper Coordinator Bruce Cottrill

Prescription

Negotiation principles as applied to avoiding and resolving disputes.

Learning Outcomes

At the successful completion of this paper, students should be able to:

- Identify and understand a range of negotiation models.
- Consider the use of the range of negotiation styles to assist in dispute management.
- Understand the requirements of a legally binding negotiated agreement.

Assessment

Two 20% assignments 40%
Final examination 60%

Set Text


153.210
Dispute Resolution Practicum

Prerequisite: Permission HOD

Dates 7-14 July 2010
Mode Block
Paper Coordinator Myles Stilwell

Prescription

A practicum covering negotiation, mediation and arbitration and other dispute resolution techniques.

Learning Outcomes

At the successful completion of this paper, students should be able to;

- Analyse and apply concepts of facilitative communication in negotiation situations.
- Integrate theory with practice in mediation and arbitration settings.
- Interpret and apply the principles of advocacy in a formal arbitration hearing.
- Critically evaluate legal issues in hearing settings and formulate appropriate responses.

Assessment

*Internally assessed at the practicum – details provided in study guide*

Competence in the practical application of the 153.200, 153.201 and 153.202 papers is demonstrated in 153.210 Dispute Resolution Practicum.

Practicum pre-enrolment form can be found on page 77 of the Handbook.
153.301
Law and Practice of Arbitration I

Prerequisites: 153.200, 153.201, 153.202, or Permission HOD

Semester One
Mode Extramural
Paper Coordinator David Patten

Prescription

Law and Practice of Arbitration relating to appointment, jurisdiction and interlocutory matters (refer 153.304).

Learning Outcomes

On successful completion of this paper, students should be able to;

- Explain and evaluate the arbitrator’s function/powers.
- Analyse the arbitration process in relation to the relevant provisions of the Arbitration Act 1996
- Critically evaluate the issues relating to arbitration agreements
- Analyse the practice and procedure of preliminary meetings

Assessment

Two 20% Assignments 40%
Final Examination 60%

Set Text

Arbitration Act 1996 [and amendments]


Recommended Text

Green, P., and Hunt B., Green and Hunt on Arbitration Law and Practice, Brookers Ltd, Wellington, 2006
Recommended Video/DVD

Arbitration Video/DVD *The Digger Dispute*, Dispute Resolution Centre, Palmerston North, 1998
153.302
Mediation Process

Prerequisites: 153.200

Semester One
Mode Extramural
Paper Coordinator Virginia Goldblatt

Prescription

An examination of the nature of disputes, negotiation, mediation, and other non-adjudicative dispute resolution processes.

Learning Outcomes

On successful completion of this paper, students should be able to;

- Critically evaluate the features of the mediation process.
- Analyse the different models of mediation and the areas in which they may be used.
- Analyse the obligations and duties of the mediator.
- Demonstrate an understanding of the characteristics of agreements to mediate and mediated outcomes.
- Analyse current legal and ethical issues in mediation.
- Demonstrate an understanding of how mediation theory informs practice.

Assessment

Two 20% Assignments 40%
Final Examination 60%

Set Text

153.304
Law and Practice of Arbitration II

Prerequisite: 153.301

Semester Two
Mode Extramural
Paper Coordinator TBA

Prescription
Law and practice of arbitration relating to hearings, remedies and awards.

Learning Outcomes
On successful completion of this paper, students should be able to;

• Analyse the arbitration hearing in relation to the relevant provisions of the Arbitration Act 1996
• Critically evaluate the issues relating to the writing and enforcement of an award.
• Explore the issues that may arise following the issuing of awards

Assessment
Two 20% Assignments 40%
Final Examination 60%

Set Text
Arbitration Act 1996 [and amendments]

Recommended Text
Green, P., and Hunt, B., Green and Hunt on Arbitration Law and Practice, Brokers Ltd, Wellington, 2006


**Recommended Video/DVD**

Arbitration Video/DVD *The Digger Dispute*, Dispute Resolution Centre, Palmerston North, 1998
153.305
Mediation Practice

Prerequisite 153.302

Semester Two

Mode Extramural

Paper Coordinator Helen Ridley

Prescription

An examination of the practice of mediation and the application of mediation to specialised areas.

Learning Outcomes

On successful completion of this paper, students should be able to;

• Critically evaluate a range of strategies and techniques available in mediation practice.
• Analyse current ethical and legal issues in mediation practice.
• Critically reflect on personal values in mediation practice.
• Demonstrate an understanding of the application of mediation strategies to diverse fields of practice.

Assessment:

Two 20% assignments 40%

Final examination 60%

Set Text


Recommended Texts

Astor, H., and Chinkin, C., Dispute Resolution in Australia, (2nd edition), LexisNexis, Australia, 2002
153.306  
Negotiation Practice

[Prerequisite: Any 200 Level paper]

Semester Two  
Mode Block  
Paper Coordinator Bruce Cottrill  
Location Palmerston North  
Dates 27th Sept – 1st October

Prescription

Application of the theory of the negotiation process.

Learning Outcomes

On successful completion of this paper, students should be able to;

- Analyse and apply concepts of facilitative communication in negotiation situations.
- Develop and implement negotiation strategies to manage the resolution of disputes.
- Interpret and apply negotiation approaches in defined negotiation situations.

Assessment

Pre Block Course Assignment 20%  
Block Course Activities 30%  
Block Course Test 20%  
Post Block Course Assignment 30%
Set Text


153.310
Arbitration Practicum

Permission HOD

Dates 7-14 July 2010
Mode Block
Paper Coordinator Virginia Goldblatt

Prescription

A practical paper on practice, procedure and award writing.

Learning Outcomes

On successful completion of this paper, students should be able to;

- Critically reflect on current legal and ethical issues in arbitration.
- Critically evaluate arbitral awards under the Arbitration Act 1996.
- Analyse professional issues and their application to arbitration practice.
- Integrate theory with practice in the arbitral process.

Assessment

Internally assessed at the practicum – details provided in study guide

Set Text

Arbitration Act 1996 [and amendments]


The Practicum enrolment form can be found on page 77 of this Handbook.
153.311
Mediation Practicum

Permission HOD

Dates 7-14 July 2010
Mode Block
Paper Coordinator Virginia Goldblatt

Prescription

A practical paper on the practice and procedure of non-adjudicative dispute resolution including settlement agreements.

Learning Outcomes

On successful completion of this course, students should be able to;

- Critically reflect on current legal and ethical issues in mediation.
- Critically evaluate agreements to mediate and mediated outcomes.
- Analyse professional issues and their application to mediation practice.
- Integrate theory with practice in the mediation process.

Assessment

*Internally assessed at the practicum – details provided in study guide*

Set Text


The Practicum pre-enrolment form can be found on page 77 of this Handbook.
153.320
Employment Dispute Resolution

Prerequisite: Any 200-level paper
Restriction: 153.708

Semester Two
Mode Extramural
Paper Coordinator Graham Rossiter

Prescription

The theory and practice of solving employment disputes.

Learning Outcomes

At the successful completion of this paper students should be able to;

- Demonstrate a critical understanding of the statutory dispute resolution processes available to parties in an employment relationship.
- Critically evaluate the non-statutory dispute resolution processes available to parties in an employment relationship.
- Analyse specific issues in employment dispute resolution.

Assessment

Two 30% Assignments 60%
One 40% Assignment 40%

Set Text:

Green, Phillip D., Employment Dispute Resolution, LexisNexis Butterworths, Wellington, 2002

Recommended Text:

Spiller, P. (Editor), Dispute Resolution in New Zealand (2nd Edition), Oxford University Press, Auckland, 2007
Dispute Resolution Postgraduate Programmes

One of the enjoyable challenges is to consider the theory behind practice and to move from skilled practitioner to reflective researcher. The programme supplements the Graduate Diploma by allowing the participants to explore the theory in which their practice is grounded. Some will be seeking theory before going on to practice. In this series of papers which make up our postgraduate programme we explore parts of the dispute resolution process in depth. While we are doing this we develop skills which will allow students to become independent learners and able to create their own information and pursue their academic interests without supervision. The capstone of the Master’s programme is the research element. In learning about research methods we become familiar with the tools of research and in the Research Project we complete an activity under guidance which will end with a researched report. Some of our better reports have been published.

Many of our papers are delivered in block mode which provides an opportunity to not only meet the teachers but to interact with colleagues. Over a number of papers you will meet again and form part of our postgraduate community.

If you would like to plan your postgraduate programme please contact dispute resolution programme staff. We look forward to your enrolment.

There are two steps to becoming a Postgraduate Student. These include:

i  Gaining admission to the Postgraduate Programme in the College of Business;

and

ii  Gaining admission to the particular paper(s).

Admission to the Postgraduate Diploma in Business and Administration (Dispute Resolution)

Entry into the postgraduate programme is not automatic. For those of you who are contemplating this as a first postgraduate course you are urged to contact the Post Graduate Office of the College of Business.
Graduates

If you are a graduate with a degree in any discipline from a university or recognized tertiary institution you may be admitted to the Postgraduate Diploma in Business and Administration (Dispute Resolution), which consists of four papers totalling 120 credits. This is the equivalent of a year of full time study. You must complete the application for Admission with Equivalent Status and attach a certified copy of your Academic Record and degree scroll if your Academic Record does not show that you have had your degree conferred (see details below).

Non-Graduates

Admission to the postgraduate programme will depend on your academic background. The following is an explanation of the criterion which applies:

If your prior academic experience amounts to the equivalent of a three year bachelor degree from a recognized tertiary institution you may apply for Admission with Equivalent Status.

To be recognised as having the required tertiary education you will need to show that you have either a three year coherent / linked qualification with at least one year at NZQA Level 7 or two years academic qualifications plus the GDipBusStuds (Dispute Resolution) or two GDipBusStuds including one endorsed in Dispute Resolution.

It is wise to make your application as soon as possible, with documentation to support your application. The Admission with Equivalent Status application form is included in the Supplementary Forms handbook in the Enrolment Pack or on request from the Massey Contact Centre (see contact details page 3) or from the Massey website at: http://enrol.massey.ac.nz/EnrolPDF2009/Forms/AES.pdf

Admission with Equivalent Status is controlled by:

Alison Gustafson
The College of Business
Massey University
Private Bag 11222
Palmerston North

Telephone: 06 350 5799 extn 5428
04 801 2794 extn 5428
09 433 9799 extn 5428

Facsimile: 06 35 05608
Email: A.H.Gustafson@massey.ac.nz
Admission to Postgraduate papers

Each paper description will indicate whether or not there are any prerequisites. In general we like classes to operate on the basis that those involved will be at a similar level at the commencement of the paper. Postgraduate students with no academic experience of dispute resolution are encouraged to enrol in paper 153.700 Elements of Dispute Resolution at the time they commence their postgraduate study.

Postgraduate Diploma in Business and Administration (Dispute Resolution) – PGDipBusAdmin

Course Structure

Requires 120 credits of 700-level papers offered by the departments within the College of Business and associated departments. A minimum of 90 credits must be taken in the area of the endorsement. The remaining 30 credits may be taken in any area approved by the HOD.

Students taking the Postgraduate Diploma in Business and Administration have the opportunity to design an academic programme for their individual needs and interests. Those intending to pursue a Masters programme after completing the PGDipBusAdmin should discuss their programme with the Director or relevant staff member to ensure compatibility and coherence. This qualification can be obtained with Distinction.

For the formal requirements for the Postgraduate Diploma in Business and Administration (Dispute Resolution) please see Page 62 of this Handbook.

Admission to Masterate Programmes

Entry into the Master of Business Studies and Master of Management is governed by the University rule which is:

The masterate programme is constituted in one discipline or coherent programme of study. There are six types of masterate programmes:

Those applicable to Dispute Resolution study are (i) to (iv)

i A two year programme normally comprising one year of structured course work (papers) and one year of supervised research. The normal entrance requirement is a three year bachelor’s degree at an approved standard. The masterate builds on the principal subject of the qualifying degree. E.g. MBS following a BBS.

ii A two year programme comprising one year of structured course work and one year of further course work and supervised research. The entrance requirement is as for (i).
iii A one year masterate programme which is wholly supervised research. It follows a one year bachelors with honours degree E.g. MBS following a BBS(Hons).

iv A one year masterate which is wholly supervised research. It follows a one year bachelors with honours degree or a postgraduate diploma. The normal entrance requirement is a one year postgraduate qualification at an approved standard E.g. MMgt following a PGDipBusAdmin (Dispute Resolution) with a B-grade average.

Master of Business Studies (Dispute Resolution) - MBS

The MBS is an advanced qualification for students who have already completed the degree of Bachelor of Business Studies, Bachelor of Business Studies with Honours or have been granted entry with admission with equivalent status are entitled to proceed to the degree of Master of Business Studies.

Eligibility

Admission into the MBS requires a completed Bachelor of Business Studies or Bachelor of Business Studies with Honours degree and Head of Department/School approval.

Graduates who hold a BBS degree, (or an equivalent NZ commerce degree), may not proceed directly to the MBS in a different major. These students are required to complete an intermediate qualification, normally the endorsed PGDipBusAdmin, after which they may apply to transfer to the MBS. These students may not graduate with the PGDipBusAdmin. Where students are required to complete the PGDipBusAdmin first, they need a B+ average or better, depending on the major, in the PGDipBusAdmin to transfer into the MBS. Alternatively these students may graduate with the PGDipBusAdmin and apply to enter the MMgt.

Course Structure

The degree consists of approved papers to a total of 240 credits, at least 180 of which must be in one subject area (e.g. Dispute Resolution). Of the 180 credits, 120 credits will be reported research. A research methods paper is also required. Candidates who have completed the BBS(Hons) degree may complete the MBS with a 120 credit thesis.

Electives, may be taken from other 700-level papers within the College of Business or in exceptional circumstances, from other Colleges.

For the formal requirements for the Master of Business Studies (majoring in Dispute Resolution) see Page 62 of this Handbook.
Master of Management (Dispute Resolution) - MMgt

The MMgt is a 120 credits masters degree for students who have completed a bachelor’s degree in any discipline plus an approved postgraduate business qualification, e.g. Postgraduate Diploma in Business and Administration.

Candidates for the MMgt (Dispute Resolution) will normally have successfully completed an endorsed Postgraduate Diploma in Business and Administration or an approved postgraduate diploma or other approved masters degree in commerce.

If you hold an approved masters degree in commerce you may apply for entry to the MMgt degree with Admission with Equivalent Status (see details above).

Note: MMgt (Dispute Resolution) requires that the degree together with the prerequisite qualification form a coherent programme of 240 credits of which 60 may be approved electives, (see below).

Course Structure

The MMgt consists of 120 approved credits at the 700 and/or 800 level of which at least 30 credits must be reported research. The MMgt and its prerequisite qualification will together form a coherent programme of at least 240 credits. For this reason, it is possible that some candidates may be required to complete more than 120 credits for the MMgt, depending upon the academic requirements of individual Departments/Schools in the College of Business. In the case of a candidate requiring more than 120 credits, the extra papers will be deemed to be prerequisite qualifying papers or ‘bridging’ papers before approval will be given for entry to the 120 credits required for the MMgt.

Coherent Programme of 240 Credits

The MMgt and its qualifying programme must form a coherent programme of at least 240 credits: 240 credits of postgraduate papers and research consisting of an approved postgraduate qualification e.g. Postgraduate Diploma in Business and Administration plus a MMgt which together contain 180 credits in one endorsement area e.g. Dispute Resolution, plus 60 credits of electives, to make a total of at least 240 credits.
Programme Planning

i The formal requirements for the Postgraduate Diploma in Business and Administration (Dispute Resolution) are:

120 credits at postgraduate level, including 90 credits in Dispute Resolution (153.7xx).

That is: at least three papers from

Plus an approved elective to make a total of 120 credits.

ii The formal requirements for Master of Business Studies (majoring in Dispute Resolution) are:

240 approved credits of which not less than 210 credits shall consist of 153.7xx papers including 30 credits of research methods (153.715) and 153.800 Thesis.

iii The formal requirements for Master of Management (Dispute Resolution) are:

90 credits of approved 153.7xx papers including not less than 30 credits of reported research plus electives to make a total of 120 credits.
### Postgraduate Paper Prescriptions

<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
<th>Description</th>
<th>Requirement</th>
<th>Credit Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.700</td>
<td>Elements of Dispute Resolution</td>
<td>The law and practice of mediation and arbitration.</td>
<td>P PHOD</td>
<td>30</td>
</tr>
<tr>
<td>153.703</td>
<td>Advanced Negotiation</td>
<td>An exploration of the fundamental dynamics of the process of negotiation leading to dispute resolution agreements.</td>
<td>P PHOD</td>
<td>30</td>
</tr>
<tr>
<td>153.704</td>
<td>Advanced Mediation</td>
<td>An examination at an advanced level of key principles and processes of mediation.</td>
<td>P PHOD, R 53.704</td>
<td>30</td>
</tr>
<tr>
<td>153.705</td>
<td>Dispute Resolution Management</td>
<td>An introduction to the management of dispute resolution including case and practice management.</td>
<td>P PHOD</td>
<td>30</td>
</tr>
<tr>
<td>153.708</td>
<td>Advanced Employment Dispute Resolution</td>
<td>The theory and practice of solving employment disputes.</td>
<td>P PHOD, R 153.320</td>
<td>30</td>
</tr>
<tr>
<td>153.710</td>
<td>Special Topic in Dispute Resolution:</td>
<td></td>
<td>P PHOD</td>
<td>30</td>
</tr>
<tr>
<td>153.712</td>
<td>Special Topic in Dispute Resolution: Conflict Revolution</td>
<td></td>
<td>P PHOD</td>
<td>30</td>
</tr>
<tr>
<td>153.795</td>
<td>Dispute Resolution Research Report</td>
<td>A research paper requiring the student to conduct a piece of independent research with guidance and academic supervision.</td>
<td>P PHOD</td>
<td>60</td>
</tr>
</tbody>
</table>
153.799  **Dispute Resolution Research Report**  
A research paper requiring the student to conduct a piece of independent research with guidance and academic supervision.  
P PHOD  
30 credit extramural and internal paper

153.800  **Thesis**  
A research paper requiring the student to conduct independent research with academic supervision within the area of dispute resolution.  
P PHOD  
120 credit internal paper

153.895  **Thesis**  
P PHOD  
90 credit internal paper

153.897  **Thesis (Year 1)**  
P PHOD  
60 credit internal paper

153.898  **Thesis (Year 2)**  
P PHOD  
60 credit internal paper

☐ **Not offered 2010**
Postgraduate Block Course Paper Offerings

2010 Paper Offerings

152.781 Advanced Research Methods in Business
153.700 Elements of Dispute Resolution, Extramural, Semester 1
153.708 Advanced Employment Dispute Resolution, Extramural, Semester 2
153.712 Conflict Revolution, Block Course, Semester 2 – 13-17 September
153.795/799/800/895/897/898 Research papers (see following for details)

Block Course Work

Block courses are made up as follows:

Pre-Block Course readings and assessment.

Attendance for one week of formal teaching at Palmerston North. Monday to Friday are allocated as formal teaching days. The hours will be from 9:00am to 5:00pm with some evening work.

Post-Block Course assignment.
153.700
Elements of Dispute Resolution

Prerequisites: Graduate status and Permission HOD

Semester: One

Mode: Extramural

Paper Coordinator: David Tweed

Prescription

The law and practice of mediation and arbitration.

Learning Outcomes

At the successful completion of this paper, students should be able to:

- Contrast the characteristics of different dispute resolution processes.
- Evaluate the application of negotiation models to differing contexts
- Analyse critical legal issues relating to consensual and non-consensual processes of decision-making.
- Demonstrate a critical understanding of dispute resolution theory.

The course is supported by a Contact Course in Palmerston North. NSATS will send out the booking details with your study guide. If you have not heard from them a week before the event you will need to contact them to ensure that you have a place. Dates will be confirmed in the Administration Handbook and in the NSATS Contact Course Guide for the course.

Assessment

Two 20% Assignments 40%

Final Examination 60%

Set Text

Spiller, P., (Editor), Dispute Resolution in New Zealand (2nd edition), Oxford University Press, Auckland, 2007

Set Video/DVD

Arbitration Video/DVD The Digger Dispute, Dispute Resolution Centre, Palmerston North, 1998
Note: Order form for video/DVD can be found on page 79.

Recommended Text

Green, P., and Hunt, B., Green and Hunt on Arbitration Law and Practice, Brookers Ltd, Wellington, 2006

153.708
Advanced Employment Dispute Resolution

Prerequisites: Graduate status and Permission HOD
Restriction: 153.320

Semester Two
Mode Extramural
Paper Coordinator Virginia Goldblatt

Prescription

The special topic focuses on the examination of a range of dispute resolution options in the employment area. These include negotiating employment contracts, mediation, adjudication and investigation of employment disputes both under the Employment Relations Act 2000 and by private providers.

Students who have passed 153.320 will not be permitted to enrol into this paper

Learning Outcomes

At the successful completion of this course, students should be able to;

- Develop an advanced understanding of the full range of employment dispute resolution options, public and private
- Explore critical issues in the area of employment dispute resolution
- Analyse the current legal developments in case law and legislation
- Demonstrate the ability to apply the theoretical framework to specific practice.

Assessment

Essay 1 30%
Essay 2 30%
Project 40%

Set Text

Green, Phillip D., Employment Dispute Resolution, LexisNexis Butterworths, Wellington, 2002
Recommended Text


Spiller, P. (Editor), Dispute Resolution in New Zealand (2nd Edition), Oxford University Press, Auckland, 2007
153.712
Conflict Revolution

Prerequisites: Graduate Status and PHOD

Semester Two
Mode Block
Paper Coordinator Professor Kenneth Cloke, JD, LLM, PhD
Block Dates 13-17 Sept 2010

Prescription

An examination of the role conflict resolution can have in the transformation of our social, environmental and political environment.

The Paper

This paper will investigate the opportunities for change created by conflict. Students will explore the ways in which conflict resolution principles can move from argument to dialogue and from a culture of conflict to a culture of empathy.

Learning Outcomes

At the conclusion of the paper students will be able to;

- Identify the complex causes of conflict in the wider society.
- Explore arguments related to the role of dispute resolution in the development of social change and social justice.
- Analyse the concepts necessary for the development of a culture of empathy rather than a culture of conflict.
- Demonstrate an ability to integrate the theoretical concepts with international dispute resolution practice.

Assessment

Pre Course Assignment 30%
Block Course Activities 30%
Strategic Case Study 40%
Set Text


See Professor Cloke’s biographical details on page 7.
If you are interested in attending the block course for Paper 153.712, please fill in the following form and return to:

Virginia Goldblatt
Director
Dispute Resolution Centre
Department of Management
Massey University
PB 11222
Palmerston North.

We will provide you with further information on this paper at a later stage.

NB: Completion of this form does not constitute an enrolment in this paper.

153.712 Conflict Revolution

Name:

Address:

Contact telephone:

Email:
## Research Papers

<table>
<thead>
<tr>
<th>153.7XX Research Report and Theses Papers Extramural and Internal papers offered 2010</th>
<th>Paper Title</th>
<th>Offering</th>
<th>Semester(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.795</td>
<td>60 Credit Research Report</td>
<td>Extramural</td>
<td>Double Semester</td>
</tr>
<tr>
<td>153.799</td>
<td>30 Credit Research Report</td>
<td>Internal*</td>
<td>Double Semester</td>
</tr>
<tr>
<td>153.800</td>
<td>120 Credit Thesis</td>
<td>Internal</td>
<td>Double Semester</td>
</tr>
<tr>
<td>153.895</td>
<td>90 Credit Thesis</td>
<td>Internal</td>
<td>Double Semester</td>
</tr>
<tr>
<td>153.897</td>
<td>60 Credit Thesis [Year One]</td>
<td>Internal</td>
<td>Second Semester</td>
</tr>
<tr>
<td>153.898</td>
<td>60 Credit Thesis [Year Two]</td>
<td>Internal</td>
<td>First Semester</td>
</tr>
</tbody>
</table>

* It is recommended that papers of up to 60 credits be studied extramurally.

153.795 Research Report and 153.799 Research Report are double semester extramural papers. 153.799 is also a double semester internal paper. 153.800 Thesis and 153.895 Thesis are double semester internal papers. 153.898 Thesis is a first semester internal paper. 153.897 Thesis is a second semester internal paper.

To enrol you must complete enrolment papers by **15 December** of the year before.

- a  Students must undertake the research within the academic year.
- b  Dates for the completion of the project are established at the outset of the paper.
- c  The student is responsible for meeting these deadlines and failure to do so may mean a withdrawal from the paper.

You should complete 152.781 Advanced Research Methods in Business prior to commencing your research project.

### Faculty

The Research Report Coordinator for the Department of Management is Professor Stephen Legg.
Accommodation Information

There is a large variety of accommodation available locally. Some of the motels in the area offer a Massey University rate; it is worth an enquiry.

Helpful websites for obtaining both permanent and casual accommodation are;

http://manawatu.massey.ac.nz

Destination Manawatu website, www.manawatunz.co.nz

You may also find what you want in the ads/to let section on the Massey University website.
# 2010 Practicum Pre-Enrolment Form

Please complete the following box by indicating your choice of Practicum

<table>
<thead>
<tr>
<th>Practicum</th>
<th>2010 July PN</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.210 Dispute Resolution Practicum</td>
<td></td>
</tr>
<tr>
<td>153.310 Arbitration Practicum</td>
<td></td>
</tr>
<tr>
<td>153.311 Mediation Practicum</td>
<td></td>
</tr>
</tbody>
</table>

First Name: 

Last Name: 

Address: 

Telephone Contact: 

<table>
<thead>
<tr>
<th>Home:</th>
<th>Work:</th>
<th>Fax:</th>
</tr>
</thead>
</table>

Email: 

Primary Occupation: 

Date of Birth: 

Student ID Number: 

Please print clearly and ensure that the next page is also completed.
### 153.210 Dispute Resolution Practicum

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Mark</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.200</td>
<td>Introduction to Dispute Resolution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.201</td>
<td>Evidence and Advocacy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.202</td>
<td>Law and Mediation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.700</td>
<td>Elements of Dispute Resolution</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Associate Member of the Arbitrators’ and Mediators’ Institute of New Zealand Inc.  
Yes | No

(Please identify any alternative papers below):

<table>
<thead>
<tr>
<th>Mark</th>
<th>Year</th>
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</thead>
</table>

### 153.310 Arbitration Practicum

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Mark</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.210</td>
<td>Dispute Resolution Practicum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.301</td>
<td>Law and Practice of Arbitration I</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.304</td>
<td>Law and Practice of Arbitration II</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Please identify any alternative papers below):

<table>
<thead>
<tr>
<th>Mark</th>
<th>Year</th>
</tr>
</thead>
</table>

### 153.311 Mediation Practicum

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Mark</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.210</td>
<td>Dispute Resolution Practicum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.302</td>
<td>Mediation Process</td>
<td></td>
<td></td>
</tr>
<tr>
<td>153.305</td>
<td>Mediation Practice</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Please identify any alternative papers below):

<table>
<thead>
<tr>
<th>Mark</th>
<th>Year</th>
</tr>
</thead>
</table>

**PLEASE NOTE:** This is a pre-enrolment only – it does not guarantee you a place at the practicum. A selection process will be applied to ensure candidates meet all criteria. You will receive notification that the Department has received your pre-enrolment, and you will be further notified of your acceptance in due course.

Please complete this form and return to:

Virginia Goldblatt  
Dispute Resolution Centre  
Department of Management  
Massey University  
Private Bag 11-222  
PALMERSTON NORTH  
Facsimile: 06 350 5661
Dispute Resolution Centre
Arbitration DVD/Video Order Form

The Digger Dispute
Dispute Resolution, 1998

Please indicate which format you would like to receive:

Video [ ] OR DVD [ ]

Name: ____________________________________________

Address: ____________________________________________

________________________________________

I enclose a payment of $35.00

- Cheque  Please make your cheque out to Massey University.

- Credit Card  VISA OR MASTERCARD ONLY:

<table>
<thead>
<tr>
<th>Card Number</th>
<th>Expiry Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed: ________________________________

Please return order form to:

The Secretary
Department of Management
Massey University
Private Bag 11222
Palmerston North 4442

Facsimile: 06 350 5661

For Office Use
Account number: GL 127260901 DRDVD

Date sent to Cashier _____________ Date Sent to Student _____________