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Credit Cooperative Debt Collection Negotiation

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ABSTRACT

The present research examines the negotiating process of establishing a debt collection agreement between a creditor and a debtor. The present research centers on a case analysis of a retail enterprise situated in Brazil. The main objective of this curriculum is to augment the negotiating abilities of corporate negotiators, scholars, and practitioners. This discovery is attained by a single case study encompassing two opposing parties and several subject areas. The research's main results highlight the need for enhancing integrative tactics, which include comprehending the underlying interests of the opposing party and generating value to attain mutually beneficial agreements. The study findings indicate that the outcomes can be replicated in other organizational contexts, particularly power asymmetries. The current study concludes with a thorough analysis and recommendations for future academic research.

KEYWORDS

Negotiation; retail business; debt collection; single case study
Information Technology, buyer-seller negotiation, integrative, Type II Negotiation



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INTRODUCTION: -

The present research analyzes a Type II negotiation (Dias, 2020) using a unique case study as the central framework. The discourse included a commercial debt settlement agreement between a creditor and a debtor. In this article, we maintain ethical norms and protect the individuals' confidentiality. Actual names have been omitted. The field of negotiation has garnered significant scholarly attention in recent years (Dias & Duzert, 2017; Duzert & 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 et al., 1981; Salacuse, 2008; Dias, 2020, 2020b, 2019; Moore, 2003; Susskind & Field, 1996).

Negotiation is defined as “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)

The present research used the Four Type Negotiation Matrix taxonomy (Dias, 2020) to classify the negotiation process, as shown in Figure 1.



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

Based on the information shown in Figure 1, the current situation may be classified as a Type II negotiation scenario, characterized by the involvement of two parties negotiating many subjects. In the following section, we will continue to elaborate on the research methodology used and recognize the inherent limitations of the study.

METHODOLOGY AND LIMITATIONS:-

The research used an interpretative approach, using an inductive reasoning framework. According to Yin's (1988) framework, this study's primary area of investigation entails examining a debt collection negotiation as the fundamental unit of analysis. Furthermore, various study approaches have been used, including direct observation, direct engagement, and case studies. Goffman's (1959, 1961) dramaturgical theory further substantiates the current issue. The scope of this case study is limited to the negotiations between buyers and sellers in Brazil, including a range of topics. The consideration of conducting independent investigations is crucial in analyzing and resolving misconceptions that may arise from the differing negotiating tactics and processes used by different countries.

Maria is 35 years old, was born in Colatina (ES), and since then, he has never moved; his family is well known in the city; he is married and owns a printing company. The company has an average monthly revenue of R\$ 40,000.00 (forty thousand reais), of which R\$ 23,000.00 (twenty-three thousand reais) refers to expenses, with a monthly net remuneration of R\$ 17,000.00 (seventeen thousand reais).

As assets in the Individual, he has a Toyota Corolla 2022/2022 car aligned with fiduciary; he has a house of his own paid off R\$ 260,000.00 (two hundred and sixty thousand reais). It does not have a restriction with the Central Bank of Brazil, but it has a restriction of R\$ 700.00 (seven hundred reais) with SERASA due to an overdue energy bill. Considering its financial history, the level of risk adopted was classified as "B."

...

Carlos has been an employee of the cooperative for 06 years, joined as a Cashier Operator, and was promoted to business manager approximately 06 months ago. Its primary responsibilities are prospecting business, attracting new members, visiting, and proposing practical solutions.

Maria was at the city's agricultural festival, which takes place once a year, and visited the cooperative's stand, taking an interest in the benefits presented by Carlos. The cooperative during the period the party takes place offers special conditions; Carlos wrote down Maria's contact details to visit him the next day and propose the best financial solutions for him.

The next day, Carlos went to visit Maria in his company. Carlos observed that the company has 03 employees and old machines, but it is well-maintained and has a large and organized structure. Maria invited Carlos to his office for coffee, where he told her how she started and explained the company's current needs.

Maria has a portfolio of loyal customers and a high volume of demands and can only meet some people with the current equipment, so there is a need to acquire new, more technological, and efficient equipment. The initial investment is around R\$ 40,000.00 (forty thousand reais) to acquire a printing plotter (equipment that performs digital printing and cutting of banners and stickers).

Carlos shared more about the benefits and how the cooperative works. Maria is interested in opening a Legal account and starts the account opening process on the same day.

A few days later...

Maria looks for Carlos at the cooperative and says that he has matured the idea of new investments in the company and needs help getting new equipment to improve quality and meet the demands of his customers. Based on this context, the negotiation begins:

Carlos: Well, Maria, I am glad you came to our cooperative for help; we're here to help you. Tell me more about your investment. Have you already made quotes?

Maria: I've done several budgets; the best was from a company in São Paulo because this type of equipment is not manufactured here in Brazil and is not resold in the region. The equipment with the freight and installation has a value of R\$ 38,500.00. I still got this value because of an exceptional condition in this company and because this value is linked to the dollar that is currently falling. I have now sent you in your e-mail all the data and budgets I have made.

Carlos: That's great, Maria; I'm going to look here now and analyze the case.

...

I'm checking here that you have yet to move much with us; your capital is at the minimum amount, and there is a restriction on Serasa in your registration. To continue the process and carry out this loan, we need to regularize this restriction and seek greater reciprocities with our cooperative.

Maria: What kind of reciprocities?

Carlos: A good reciprocity for both you and us is the payment of capital; throughout the year, it has considerable profitability among the average of other institutions. We have several products aimed at your benefit and safety, such as business insurance and group life for your employees, such as issuance of bank slips and card machines, among several options.

Maria: I currently do not work with the installments, and I already verified last week that the fees of your machine are high for me, but I can transfer my bank domicile here, and I also want the pix plate to bring more movement to my account. I was also interested in insurance; we can make quotes for my company.

Carlos: Right. Regarding your restriction, we need to regularize before we carry out a credit analysis because, with restrictions, we cannot continue with your proposal.

Maria: But when I opened my account, it wasn't said that it would impede moving with you!

Carlos: Because it is a relatively low amount, the opening of your account was allowed for moving. For credit operations, this regularization is conditioned to give continuity.

Maria: I'm going to regularize the restriction then and bring more reciprocity with the cooperative; this investment will be a significant point for our company, and I'm counting on you! Unfortunately, if this operation does not work out, I will seek solutions in other institutions and end the relationship with your cooperative.

Carlos: I understand your side, and we will do our best to cooperate with your venture! Our goal is always to help our cooperative members with the best solutions. You can see those two cooperative members who are sitting; they participated in our award-winning application campaign and are here today to receive the prizes. The one in blue won a zero km motorcycle, and the other gentleman won an iPhone 13. You can take advantage and increase your capital balance, participate in this campaign, and compete for more than a million in prizes. What do you think about making an appointment for every month for R\$ 500.00 (five hundred reais), totaling R\$ 10,000.00 (ten thousand reais) in capital quota?

Maria: I liked the idea; let's do the scheduling. In addition to increasing my balance in quotas and income, I can still win prizes. Damn, Carlos, you managed to make me loyal to this cooperative.

Carlos: These are some benefits of our cooperation; you won't regret this partnership and cooperation.

...

The next day, Maria regularized his restriction and had already returned to deliver the receipt, so the operation was analyzed, and considering the company's revenue, individual guarantees, existing

structure and machinery, customer portfolio, and the level of risk of the cooperative, the operation was approved.

The most anticipated day arrived: the delivery of the equipment. Maria invited Carlos to participate in this extraordinary moment of company growth.

IMPLICATIONS AND DISCUSSION: -

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 Lopes, 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); (xvii) Vieira, P., Dias, M., 2022; Vieira, S.; Dias, M.; Silva, G.B.; Dias, M., 2022); (xviii) teaching materials (Dias, M., 2023; Dias, M., 2023a; Dias, M., 2023b; Dias, M., 2023c; Dias, M., 2023d; Dias et al., 2023), for example.

FUTURE RESEARCH

To further academic investigation, the subsequent research attempts should prioritize the examination of negotiation Types I, III, and IV. It is recommended to investigate diverse modes of discourse done in various countries, including both public and private dialogues, as an exemplification.

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APPENDIX I

Teaching notes

The case, as mentioned above, illustrates the difficulties faced by the parties involved as they endeavored to avert the cancellation of a software contract, which may potentially lead to financial repercussions. When analyzing foreign countries, it is essential to consider their distinct legal systems and special issues, which include divergences in negotiation protocols. In the realm of negotiations, it is advisable for the parties concerned to assign a time frame of 30 minutes to 1 hour to review the case and engage in comprehensive preparation. Negotiation mapping is strongly advised as an additional tool to enhance the preparatory phase of talks. It is recommended that a negotiating session lasting between 30 minutes and 1 hour be undertaken, followed by a debriefing session lasting between 30 minutes and 1 hour.

The exercise necessitates a time commitment spanning one and a half to three hours. The following are the key lessons that may be derived from the given information: The main objectives include the shift from distributive negotiations to integrative negotiations, the identification and prioritization of underlying interests, the demonstration of empathy towards each other, and the effective generation of mutual value for subsequent distribution.

This role-play main objective is to examine legal practitioners' participation in a distributive negotiation of Type I. Negotiation is seen as a non-intrusive undertaking to promote consensus-building between two separate parties rather than causing disturbance. One primary objective is the management and regulation 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 part present	No

PART 1
CONFIDENTIAL INFORMATION FOR THE
◆◆ BUYER◆◆

You are the Representative of Casa das Tintas, headquartered in the city of Vitória – ES, you are 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. His company has 30 (thirty) 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, Casa das Tintas - which has three partners, tasked him with negotiating a new health plan for the company. The 30 employees are in the range of 0 to 43 years of age. The current situation of the Casa das Tintas health plan is shown in Table 1, as follows:

Table 1 – Values practiced by Samp

House of Paints	Lives	Unit price	Total monthly amount (R\$)	Total annual value (R\$)
Employees	30	124,00	3.720,00	44.640,00
Partners	3	1.000,00	3.000,00	36.000,00
TOTAL	30		6.720,00	80.640,00

You have heard 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.

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.

Even more, his leadership - the partners of Casa das Tintas, after the end of the MBA in Management: People and Leadership, held at **MMurad** in Vitória, realized that it is not enough to have only one outpatient health plan. They believe in a paradigm shift in the company's strategy, which can be much more profitable if its employees have a better health plan, and bet on a long-term increase in productivity.

Therefore, they entrusted you with the task of negotiating with Unimed, in search of better services, authorizing you to negotiate up to the limit of R\$ 148.00 per employee and R\$ 1,000.00 per partner. Therefore, its ZOPA is between R\$ 127.00 and R\$ 148.00 per employee, for a total of 30 employees. You have the autonomy to close the deal on those bases.

Finally, you need to negotiate a new contract with the Unimed representative, who has been looking for you for some time and whose contact had recently resumed. To complicate matters, you've been at Casa das Tintas for less than a year and it's the first time you've been going to have a contract like this.

Get ready to negotiate with the Unimed sales representative.



PART 2
CONFIDENTIAL INFORMATION FOR THE
◆◆ SELLER◆◆

You are the Commercial Representative of Unimed, which recently received the consultation of the representative of Casa das Tintas, headquartered in the city of Vitória – ES, 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.

Casa das Tintas has 30 (thirty) 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.

Casa das Tintas has three partners and 30 employees who are in the range of 0 to 43 years of age. The current situation of the Casa das Tintas health plan contract is shown in Table 1, as follows:

Table 2 – Values practiced by Samp

House of Paints	Lives	Unit price	Total monthly amount (R\$)	Total annual value (R\$)
Employees	30	124,00	3.720,00	44.640,00
Partners	3	1.000,00	3.000,00	36.000,00
TOTAL	30		6.720,00	80.640,00

The representative of Casa das Tintas, on the phone, let slip that his staff is dissatisfied with the lack of coverage of the plan, with deficient network of medical care points, network coverage, availability of doctors, in short, they want a better plan.

You know that Unimed has a much higher quality of services than the competitor and that this is expensive. I also learned, through a colleague who attended the MBA in Management: People and Leadership, held at **MMurad** in Vitória, that the partners of Casa das Tintas were students and that they were excited about everything they learned in the course, changing their perspective on the company's human resources management, directly impacting the benefits policy of Casa das Tintas.

You have heard that they now believe in a paradigm shift in the company's strategy, which can be much more profitable if their employees have a better health plan, and bet on a long-term increase in productivity.

You have the autonomy to offer the limit of R \$ 144.00 per employee and R \$ 1,000.00 per member. Therefore, its ZOPA is between R\$ 127.00 and R\$ 144.00 per employee, for a total of 30 employees. You have the autonomy to close the deal on those bases.

Finally, you need to negotiate a new contract with the representative of Casa das Tintas, who sought you out some time ago and whose contact had recently resumed. To complicate matters, you need to hit your goal and see Casa das Tintas as an opportunity for great business.

Get ready to negotiate with the representative of Casa das Tintas.

