

Negotiation

Two Basic Categories of Negotiation Styles

1. Positional Bargaining-"value claiming"
2. Principled negotiation-"value-creating"

Positional bargainers see the negotiation process as "carving up a fixed pie." Their primary concern is to get a bigger piece of the pie leaving the other person(s) with less. Positional bargainers tend to believe that dominating force equals negotiating power; they tend to play tough, viewing any concession as "soft." They may use various tactics such as stonewalling, attacking, and trickery.

Principled negotiators also are concerned with their own interests and getting as much as they can, but their approach will far more likely lead to a mutually satisfactory result.

What is principled negotiation?

The term was coined in the Harvard Negotiation Project by Fisher and Ury and used in their book "Getting to Yes."

There are 6 basic ideas that we will cover briefly today:

1. **Separate People from the Problem**

Don't use blaming messages that make the other person the focus of the problem even though trust may have declined and emotions. ex. "You always leave me out of the decisionmaking" vs. "It's very important for me to be part of the decisionmaking"

This helps the parties get out of their cycle of attacks and counterattacks.

2. **Deal with People Issues First**

When trust has broken down it is hard to conclude an agreement. One mistake is to try to cut to conclude an agreement by talking around the emotional issues.

What is important is to stop and spend time with the relationship before looking for solutions. Explore-what is the relationship, what's going on, why are there disappointments, anger and hurt. Why are they asking that certain things be different.

Let the other person know that you want to hear their point of view.

Sincere acknowledgement of the other person's feelings, perspective, needs, interests and talents is important.

Remember acknowledgement doesn't mean agreement.

3. **Separating Interest from Positions**

Positions-concrete things you say you want

Interests- intangible motivations that lead you to take a position:your needs,desires, concerns, fears and aspirations.

Sometimes people in conflict haven't taken the time to do their own exploration about what motivates them into taking a specific position. That exploration is essential so they know what they want and why and are able to communicate their needs. A study was done where someone asked to cut into a line. If they just asked to cut in, they were refused. If they gave a reason why they wanted to cut in, even if the reason itself was unreasonable, they were more likely to receive a positive response.

A writer on conflict resolution, Thomas Crumm, talks about moving the parties from their point of view to a viewing point. To come up with a mutual agreement they need also to see "the whole lay of the land."

Sometimes a discussion of interests can uncover interests in common-both are concerned about reputation, integrity, both have an interest in resolving this dispute.

"Just as you might put a frame around an old picture, you might put a problem solving frame around the other's positional statements." (Ury, "Getting Past No")

Don't reject a position-acknowledge it, reframe it as an opportunity for discussion.

4. **Creating Options for Mutual Gain**

After exploring interests, each side should come up with options for settlement that they like and that they believe that the other side will like as well.

Sometimes an alternative to the offered option is immediately apparent. Often it is an exploration- "if that's not acceptable what would be?" "What are some other alternatives?"

According to Ury there are three levels of proposals

- what do I/you aspire to?
- what would I/you be content with?
- what could I/you live with?

5. **Require Objective Criteria**

Look to objective criteria to help you reach agreement. This protects parties from making agreements that they may regret later if it deviates from a standard they were unaware of.

What is the normal practice in your industry about salaries, programming, decisionmaking about policy.

6. **BATNA -"Best Alternative to Negotiated Agreement "**

If you do not accept the proposed offer, what is the next best alternative? What will happen? What are the consequences?

BATNA is your walkaway alternative -what is your best course of action for satisfying your interests without the other person's agreement.

WATNA is worst alternative to a negotiated agreement