The Art of Negotiation

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The Art of Negotiation

- Defining Negotiation
- Ways to resolve difficult issues
- The process of negotiating
- Planning to negotiate
- Listening skills
- Building rapport
- Exploring, Agreement, Closure & Documenting
“Negotiation is the process of back-and-forth communication aimed at reaching agreement with others when some of your interests are shared and some are opposed. Negotiation is not limited to the activity of formally sitting across a table discussing a contentious issue; it is the informal activity you engage in whenever you try to get something you want from another person”

William Ury: “Getting Past No”
Discussion: Negotiation Issues

Discussion:

What issues do you typically need to negotiate within your organization.

List 3-5 Issues
Resolving Difficult Issues

Based on the the Thomas-Kilmann Model
## 4 of 5 Modes of Dealing With Difficult Issues

<table>
<thead>
<tr>
<th>Modes</th>
<th>Definition</th>
<th>Position</th>
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<tbody>
<tr>
<td>Competing</td>
<td>You use your power to force a solution, resulting in a win-lose agreement where one side gets what it wants and the other does not.</td>
<td>I win/You lose</td>
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<td>Avoiding</td>
<td>Both sides do not pursue their own concerns or the other party’s concerns. Rather, they smooth over the situation to allow some time to pass before revisiting the conflict.</td>
<td>I lose/You lose</td>
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<td>Accommodating</td>
<td>One side is trying to meet the needs of the other side rather than its own.</td>
<td>I lose/You win</td>
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<td>Compromising</td>
<td>Each side is equally concerned with its needs and the other party’s needs. Compromising never fully takes care of anyone’s needs.</td>
<td>I lose a little/You lose a little or, I win a little/You win a little</td>
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Collaborating the 5th Mode

- It is a win-win (Creates long term relationships)
- “I am concerned about myself and I am equally concerned about you.”
- Helps create creative new solutions to a problem or conflict
- Takes time, energy and a commitment to work together to solve the problem or conflict
- If you can effectively collaborate, you will distinguish yourself among your peers!
Negotiation Model

- Coming to Agreement (40%)
- Exploring (40%)
- Rapport Building (5%)
- Closure & Documenting (15%)

Planning before the negotiation
Take as long as necessary
Key Negotiating Elements & Skills

- Developing a plan
  - Having at least 3 bases of power
  - Knowing your BATNA (Best Alternative To a Negotiated Agreement)
- Using active listening
- Building rapport
- Separating positions from interests & goals
- Being creative
Possible Power Bases Within an Organization

- Legitimate (formal)
- Purse-string
- Bureaucratic
- Reward
- Coercive
- Expert (technical)
- Charismatic
- Referent
Preparing to Negotiate (The Plan)

- Analyzing the other party
  - Research the other party’s areas of concerns
  - Predict the other party’s interests and positions & BATNA
  - What are their bases of power
  - Estimate the other party’s prioritization of interests

- Analyzing yourself
  - Express your areas of concern as specific interests
  - Outline three positions for each interest (& BATNA)
  - What are your bases of power
  - Prioritize your interests
  - Decide if you will try to compete or collaborate
Developing the Plan

Develop a plan for yourself *and* the other party

<table>
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<tr>
<th>Key Issues</th>
<th>Max</th>
<th>Target</th>
<th>Min</th>
<th>BATNA</th>
<th>Basis of Power</th>
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Listening - a Key Skill

- Listening is defined as:
  Taking in information from another person while remaining nonjudgmental and empathetic.

“It is also acknowledging the talker in a way that invites the communication to continue while giving input and encouragement to the talker’s response, carrying the person’s idea one step forward.” *(This is called active listening)*

*Madelyn Burley-Allen: Listening The Forgotten Skill*
Listening is more sophisticated than hearing:

- Listening:
  - Demands energy and discipline
  - It is a *learned* skill
  - Effective listening is an *active* not passive discipline.

A skilled listener does not just sit there and allow listening to happen, the listener takes an *active* role.
A quick quiz...
Active Listening by Paraphrasing

- Paraphrasing is simply feeding back to the other person what you heard them say, using your own words and some of their key words.

What is the purpose of paraphrasing? What positive effects might it have on the speaker?
Exercise: Paraphrasing

- 2 People, 3 minutes for each round.
- 1st Person interviews Person #2. Person #1: Your job is to ask questions and then to occasionally paraphrase what you heard back to Person #2. Paraphrase throughout the conversation. Suggested topic to ask about: Ask Person #2 about a time when they had to overcome a difficult situation in order to complete a project they were working on.
- Person #1: At the end of the conversation, summarize what you have heard.
- (As a reminder, treat this as an interview)

- After 3 minutes, stop. Person #2 gives feedback to Person #1.
- What was it like to be on the receiving end of the paraphrase?
- Was it helpful to you? In what way?
- When you are done giving feedback, switch roles and repeat the exercise.
Silence..... as a part of listening

- Silence can be very effective: How?

- What are our cultural norms about silence?
Tips for being an effective listener...

- Keep an open mind
- Be *curious*!
- Listen for values
- Listen from the heart to stay non-judgmental
- Use active listening skills:
  - Paraphrasing
  - Ask Questions
  - Emphatic Listening
  - Summarize
Remember ...

- Listening is NOT the same as hearing
- Listening is a *learned art* that takes practice.
- Invest time in listening and it will pay dividends!
Developing rapport is the foundation of effective communication, conflict resolution and negotiation:

- If you have it, magic can happen.
- If you don’t have it, this becomes your top priority before you start interacting with another person or group.
- Rapport is an ongoing process:
  - One of your goals is to develop and maintain rapport throughout the interaction.
Rapport......

- It’s about the other person...it is not about you.
- Develop rapport by asking questions about the other person...entering their model of the world.
- Then find what you have in common
- “Walk a mile in their moccasins”
Rapport...

- If rapport is not present, it becomes a top priority in working with the people on your team.

- Effective relationships are enabled when team members are in rapport.
1st way of rapport building

Find out what the other person is interested in and **ask questions** about their interests. While you are listening, **find ways to connect** your experience to their interests.

Remember the focus in on the other person!

*Do not fake interest...be truly interested and above all, be curious!*
2nd Way of rapport building

- Use “geography”
  - In other words be mindful of the location of the people you are interacting with
  - Choose the geography and location that will enhance rapport
3rd Way of rapport building

- Mirroring body posture and movements. (Non-verbals)

- Remember ...mirroring is not imitation or mocking.
  - It is an art form...you will need to practice, work on being elegant.
Breaking Rapport...

- Why would you want to break rapport?
- What are some of the ways that you can break rapport?
In Summary Building Rapport

• Getting to know the other person
• Look for common interests
• Identify common associations
• Telling stories or jokes
• Mirroring body postures, gestures, voice, etc.
• Identify the issues
• Provide and ask for information
• Determining the options
• Discuss objective criteria
• What resources does each party bring to the table
• Use active listening!
Coming to Agreement

- Being creative
- Choosing the best options
- Measure options against your plan
- Collaboration: satisfying the interests of both parties (win-win)

OR (less desirable)

- Competitive: satisfying my interest and not caring about the other party (win-lose)
Closure and Documentation

- Making sure both parties understand what they have agreed to
- Summarize conclusions of each issue
- Summarize any action items and who will be responsible
- Document the major points and each item above
- At an appropriate time write up a formal agreement
What Questions Do You Have?

Questions ?

Thank you for your participation!

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