

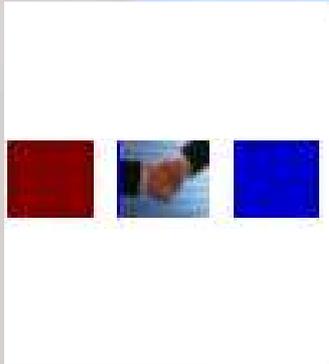


NEGOTIATIONS



INTRODUCTION





DEFINING NEGOTIATION

*Note: Negotiations are for RFP's
and not IFB's.*



Defining Negotiation

- *Negotiation is a dialogue intended to resolve disputes.*
- *To produce an agreement upon courses of action.*
- *To bargain for individual or collective advantage, or to craft outcomes to satisfy various interests.*
- *It is the primary method of alternative dispute resolution.*



Defining Negotiation cont'd:

- *Negotiation occurs in business, non-profit organizations, government branches, legal proceedings, among nations and in personal situations such as marriage, divorce, parenting, and everyday life.*



The Role of Negotiation in State Contracting





The Role of Negotiation in State Contracting

- *Negotiation in state contracting, in theory and statute, holds a prominent role in achieving a fair and sensible outcome.*



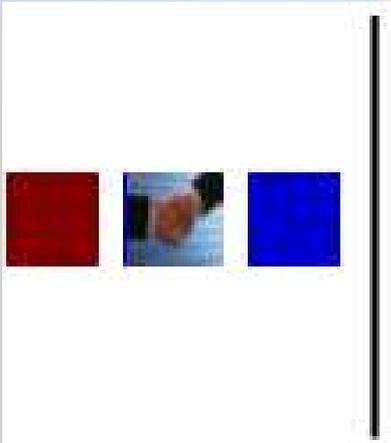
The Role of Negotiation in State Contracting cont'd:

- *However, at present time, some state employees still appear hesitant to negotiate due to uncertainty as to the process, or a lack of understanding of their authority.*



Why should I?

- *State employees serve as the stewards of the taxpayers' money. It is our responsibility to make sure that the money is wisely spent.*



VALUE OF OFFEROR PROPOSALS



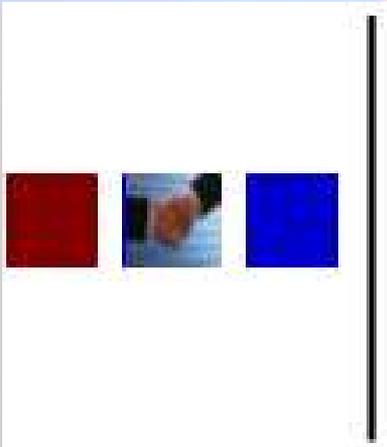
Value of Offeror Proposals

- *Aside from the evaluation and scoring of offerors, the various proposals that you will receive provide a wealth of resource when preparing for negotiation.*



Value of Offeror Proposals cont'd:

- *Data Analysis*
 - *Useful information in the proposal of the selected offeror*
 - *Useful information from the proposals of other offerors*
 - *Evaluating potential negotiating points / topics*



OFFEROR SELECTION



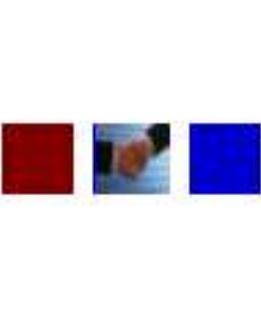
Offeror Selection

- *Preselection Negotiation – Best and Final Offer*
- *Recommendation for Contractor Selection*
- *Notice of Selection for Contract Negotiations*
- *Notice of Non-Selection Letter*
- *Preparing the Offeror for Negotiation*



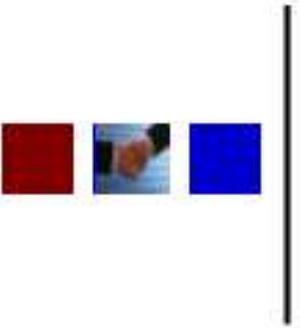
NEGOTIATION PREP





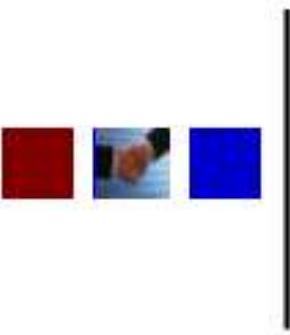
Know Who You Are Dealing With

- *Knowledge is power, know with whom you are negotiating*
- *Knowledge is everywhere!*
- *Find it and use it*
- *RESEARCH: the company*
- *RESEARCH: the negotiator(s)*



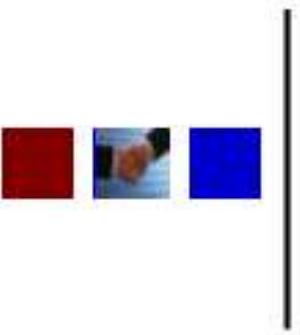
Know Who You Are Dealing With cont'd:

- *Focus on the benefits they will receive*
- *Understand market dynamics – What motivates the market?*
- *Political ties*
- *The other side is more apt to share information before the negotiation begins*
- *Look to third parties for information*



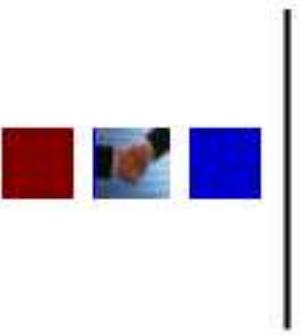
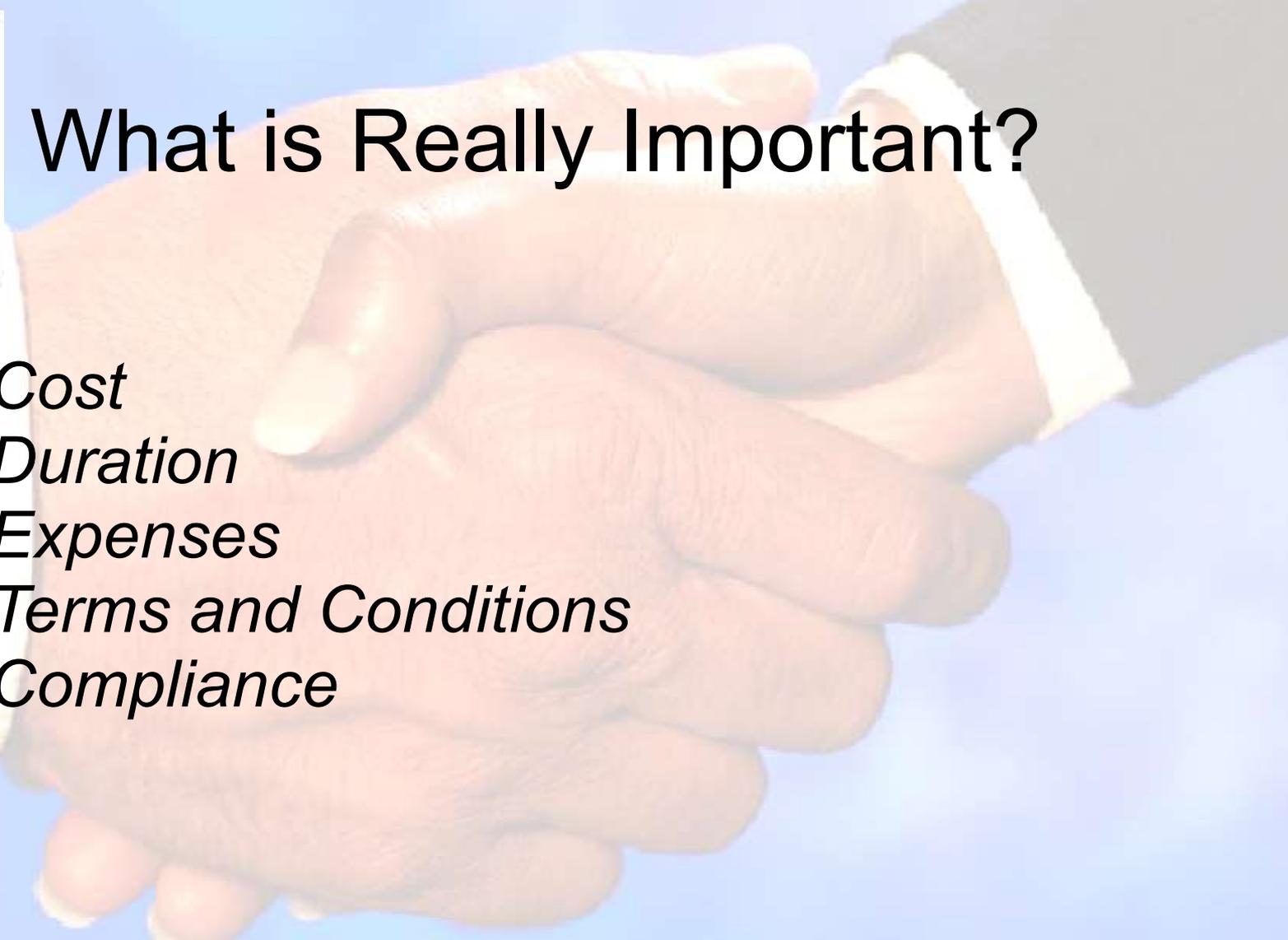
Available Resources

- *Paper sources: prior contracts, publications, newspapers, etc.*
- *Phone sources: call other agencies*
- *Online sources: Google or other search engines; company website*
- *The Offeror: The other side is more apt to share information before the negotiation begins*



Quote:

- *“Information is a negotiator's greatest weapon.” -- Victor Kiam, American Businessman, CEO of Remington*



What is Really Important?

- *Cost*
- *Duration*
- *Expenses*
- *Terms and Conditions*
- *Compliance*

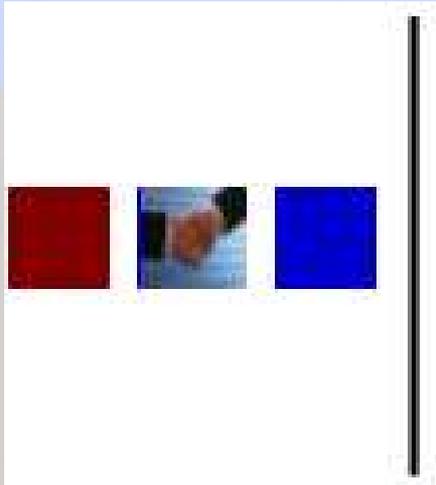


What is Really Important cont'd:

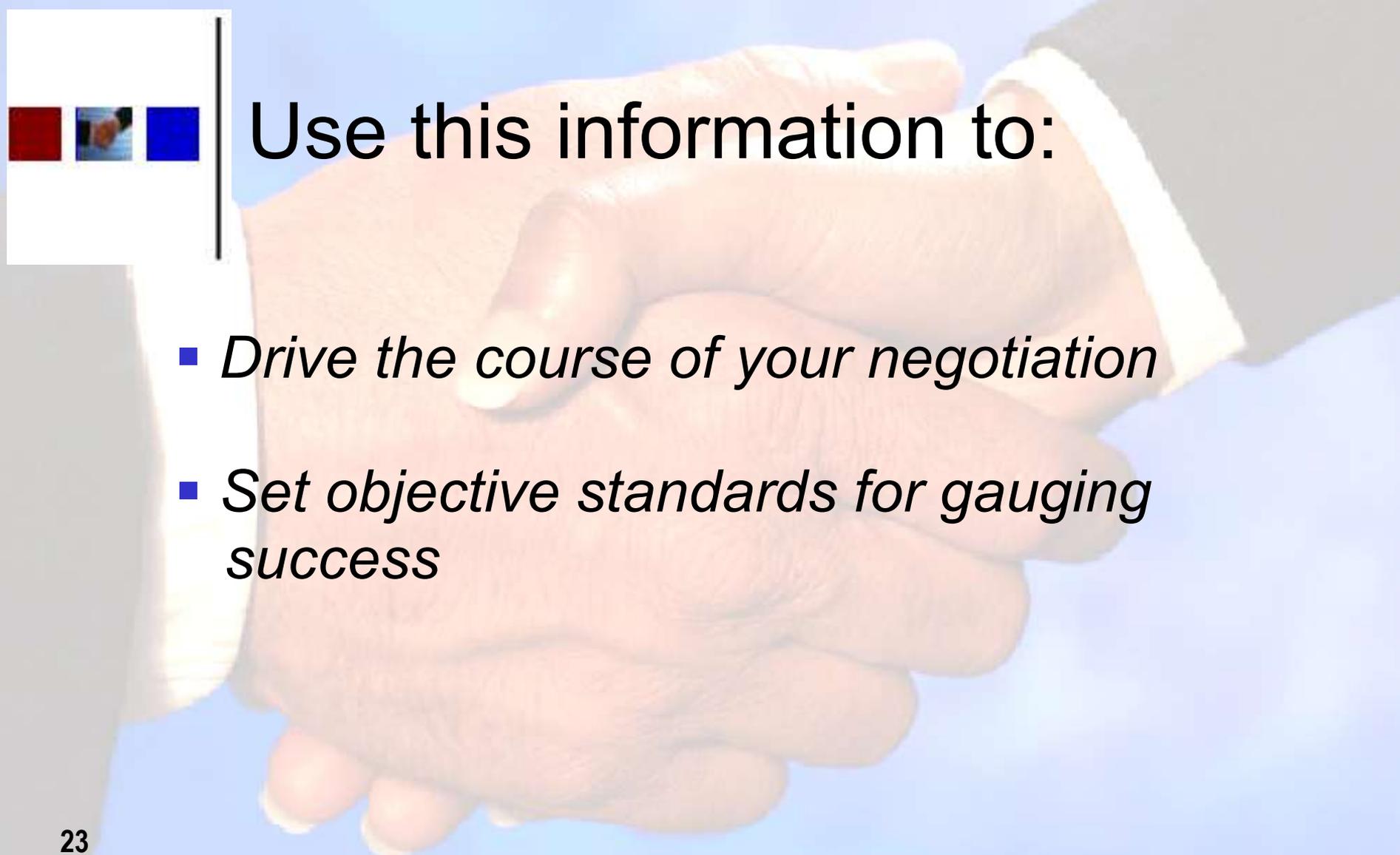
- What is important to you?
- What is important to them?
- Create a matrix

Create a Matrix

	Your Needs	Their Needs	Shared Needs
Cost			
Duration			
Terms			



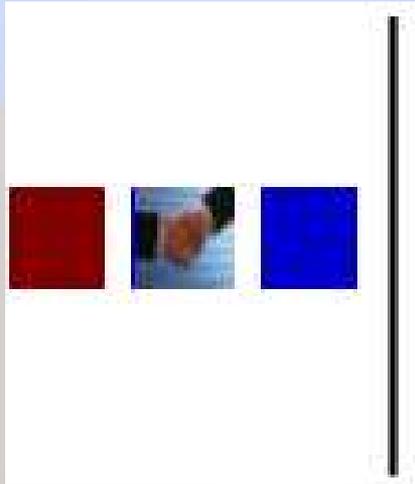
Set Specific Targets



Use this information to:

- *Drive the course of your negotiation*
- *Set objective standards for gauging success*

Starting Point / Expectations





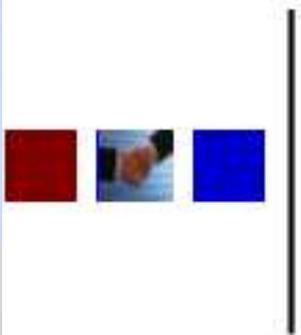
Where should I open?

- *How often in life have you received something good that you did not ask for? I suspect not often. Negotiation is the same. If you want an outcome, you have to ask for it. In fact, ask for more than you want. You can always settle for less.*



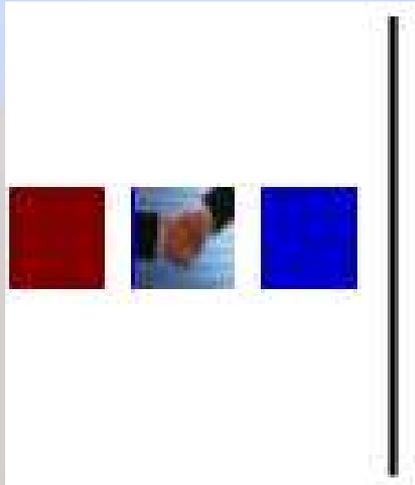
Transparency

- *High level of trust? - Put cards on the table*
- *Unknown or adversarial? – Hold cards closer*

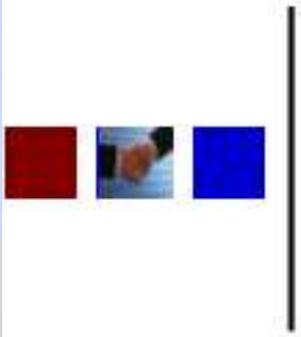


The Agenda

- *List the issues to discuss in the negotiation*
- *Have we identified all of the issues?*
- *Does the agenda reflect our interests?*
- *Time to spend on each issue*
- *Does the agenda support your positions (point of importance to us)?*



Location:



Home court advantage

- *Access to your facilities, resources, and decision makers (experts)*
- *Can arrange the layout of the room strategically to reduce tactical interruptions*



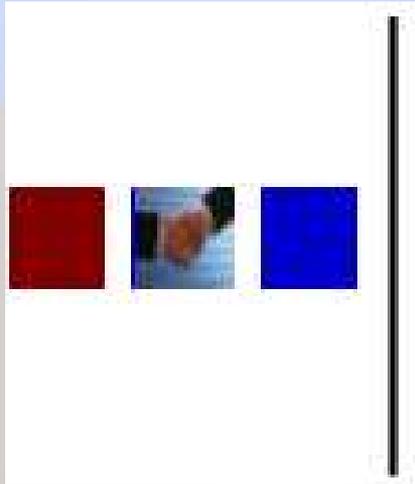
Neutral

- *More candid exchange of ideas*
- *Happy people are easier to work with*

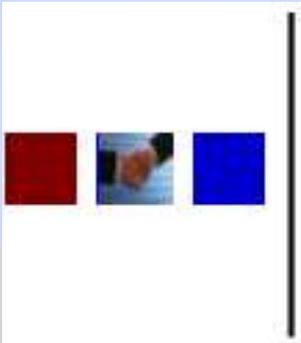


Their Place

- *Can claim that you need to get authority – buys time*
- *Can gain valuable information from the atmosphere*
- *Other side is likely to be more relaxed*

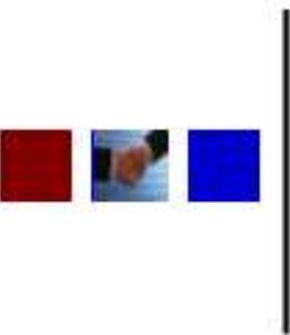


Who Will Negotiate?



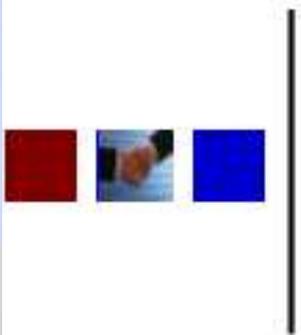
Individual

- *Quicker decision making*
- *Avoid weakening your position by avoiding conflict among the team members*
- *Ability to claim limited authority*



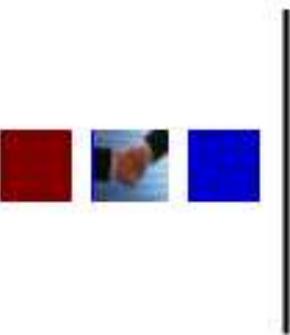
Team

- *Can avoid hasty decisions*
- *Teams are usually more patient*
- *Two heads are better than one*
- *Allows the possibility of having experts on the team*
- *Strength in numbers*

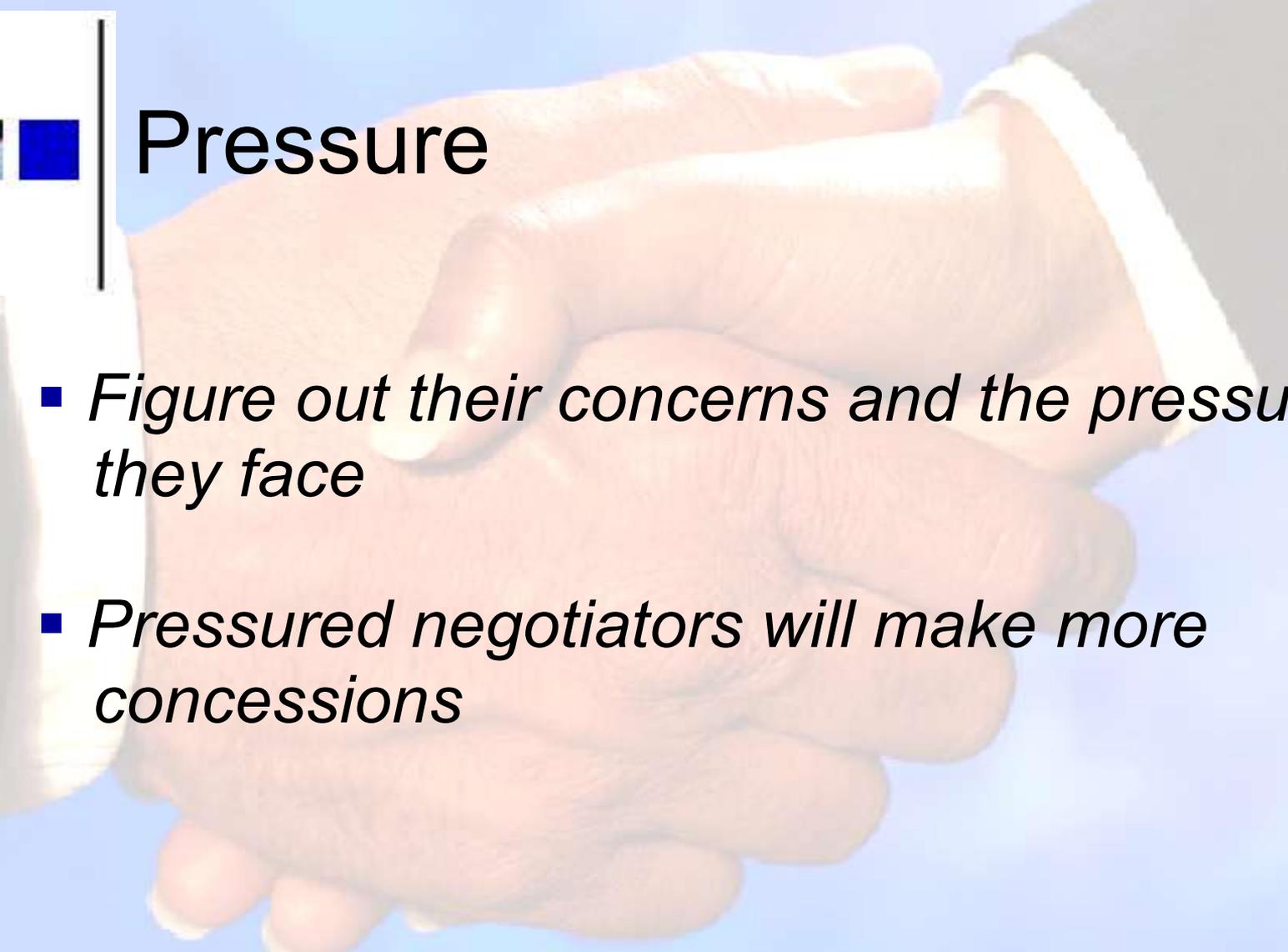


Relationships

- *How important is the relationship to you?*
- *How important is the relationship to the offeror?*
- *How much business do you do together?*



Pressure

- 
- *Figure out their concerns and the pressure they face*
 - *Pressured negotiators will make more concessions*



Rehearsals

- *Role playing ahead of negotiation may assist in identifying likely arguments from the other side*
- *Use of Imagery*



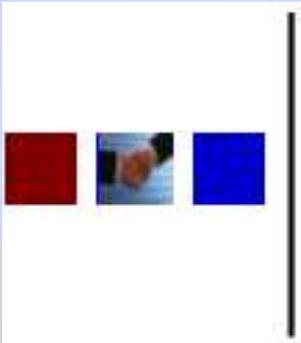
Time to Plan

- *What do you need to know about the offeror?*
- *Information*
- *Interests / Positions*
- *What are your targets?*
- *Concessions*
- *Strengths and Weaknesses*
- *Your walk away point (BATNA) Best Alternative to a Negotiated Agreement*



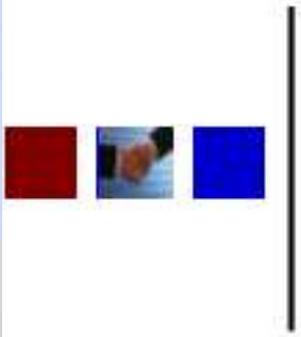
BARRIERS TO NEGOTIATION





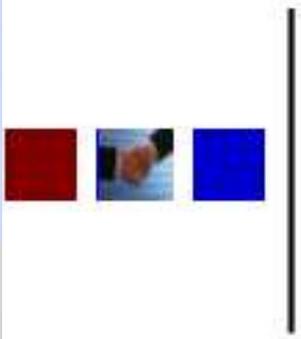
Overcoming Psychological Barriers

- *We believe the offeror is our friend.*
- *Even if the offeror is your friend, the offeror is not a friend of the Commonwealth.*
- *Treat the offeror fairly, but not as a friend.*



Overcoming Psychological Barriers cont'd:

- *We believe that the offeror has given us their lowest price in their RFP.*
- *Nonsense! Offerors need to make money on the services they perform with the Commonwealth. If they lose money, they go out of business.*



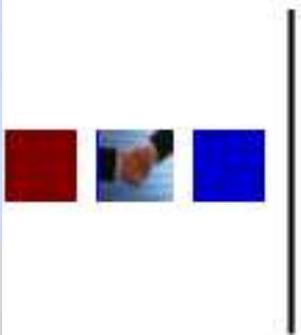
Overcoming Psychological Barriers cont'd:

- *The offeror only wants to make a little money.*
- *The offeror wants to make as much money as possible.*
- *We believe that we might offend the offeror if we ask for a lower price.*
- *We can get around these barriers – just “ask”*



NEGOTIATION THEORY





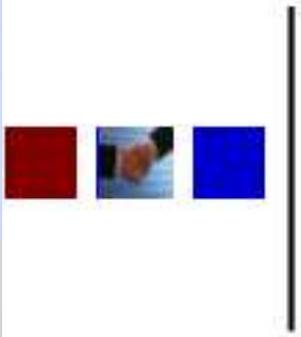
Traditional Negotiation

- *In a classical negotiation, arguments are presented from each side, as based upon their relative position to the other.*
- *One generally starts high, the other starts low, and argumentation or game-playing ensues to secure the best position on the middle field.*



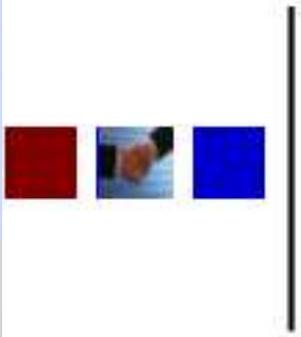
Classical Negotiation Approach





Classical Negotiation Approach

- *Competitive*
- *Win at all cost*
- *Position-based arguments*
- *Aggressive*
- *Not focused on relationships*
- *Argumentative*
- *Zero Sum (the pot is only so big)*



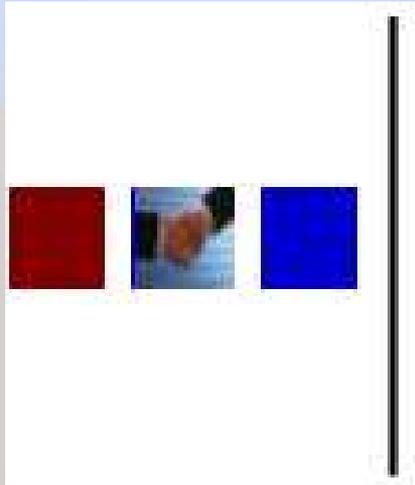
Four Stages of Traditional (Classical) Negotiation

- Stage 1: Orientation & Positioning
 - *Establish working relationship*
 - *Adopt initial negotiating positions*
- Stage 2: Argumentation
 - *Argument and persuasion*
 - *Search for alternative solutions*
 - *Concession making*

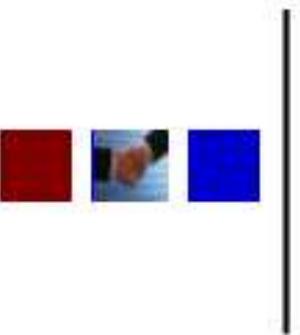


Four Stages of Traditional (Classical) Negotiation cont'd:

- Stage 3: Emergence and Crisis
 - Pressure for agreement and deadlock builds
 - Crisis occurs
- Stage 4: Agreement or Final Breakdown
 - Deadlock or basic agreement occurs
 - Wrap-up details
 - Formalize agreement



Best Approach



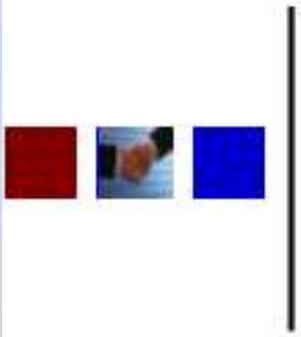
Cooperative Negotiation

- *Win-Win Negotiations*
- *Approach*
- *Cooperative*
- *No tricks, no posturing*
- *Everyone wins*
- *Negotiate interests, not positions*
- *Assertive*
- *Focused on relationships*
- *Cooperative dialogue*
- *Creative Solutions*
- *Non-Zero Sum (the pot is endless)*



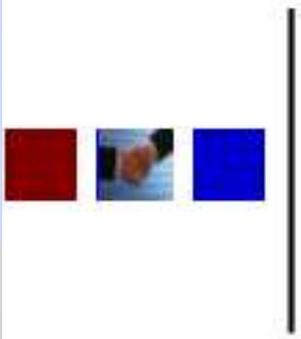
Four Stages of Cooperative Negotiation

- Stage 1: Orientation & Discovery
 - *Establish working relationship*
 - *Attempt to understand the other's interests*
- Stage 2: Discussion and Transparency
 - *Sharing facts and figures*



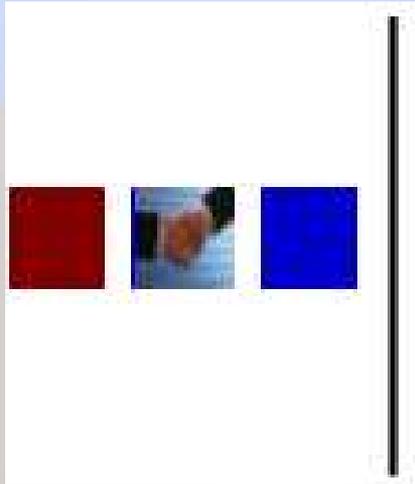
Four Stages of Cooperative Negotiation cont'd:

- Stage 3: *Working Toward Creative Solutions*
 - *Exchange of ideas*
 - *Presentation of possible and probable solutions*

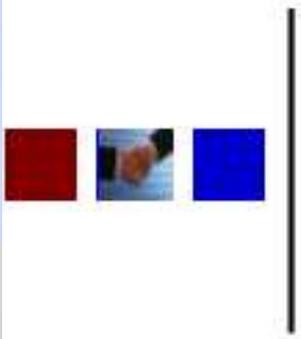


Four Stages of Cooperative Negotiation cont'd:

- Stage 4: Agreement or Lack of Agreement
 - *Basic agreement or no agreement occurs*
 - *Wrap-up details*
 - *Formalize agreement*

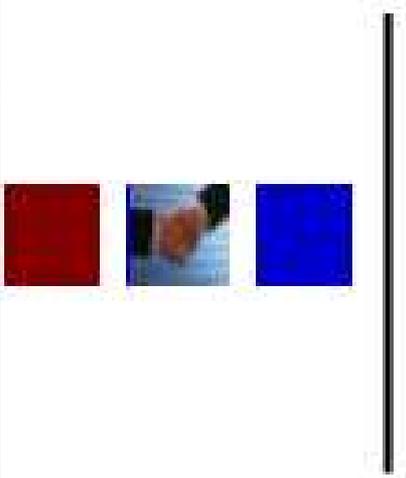


Hybrid Negotiation

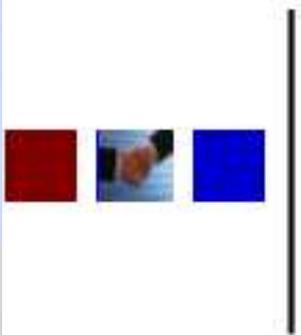


Hybrid Negotiation

- *Mirrors the Cooperative Negotiation style*
- *Not as concerned with fairness*
- *Maximize your gain, then maximize their gain*
- *Not as open as cooperative, or as closed as competitive*



Knowledge puts you
in Control



Knowledge is Everything

- *Knowledge is power, know with whom you are negotiating*
- *Knowledge is everywhere – Find it and use it*
- *Research the offeror/other party and research the company/industry*
- *Focus on the benefits they will receive*
- *Understand their perspective/market dynamics*
- *Look to third parties for information*



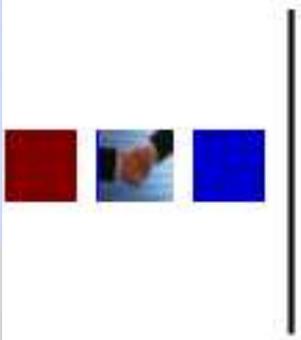
Knowledge is Everything cont'd:

- *Available Resources*
 - *Existing and prior contracts*
 - *Co-workers*
 - *Other agencies*
 - *Online search engines*
 - *Offeror website*
- *Do not be afraid to ask the offeror for information directly. The offeror will, in many cases, answer all of your questions.*



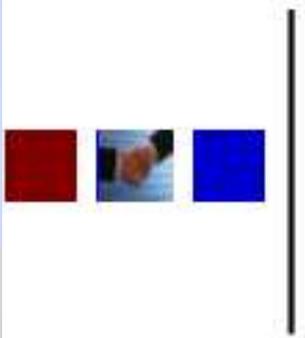
If you don't know what you want, you won't get it

- *Make three (3) lists:*
 - *What is important to you (be specific)*
 - *What is important to the other party (look at your research)*
 - *What interests/goals do you share*



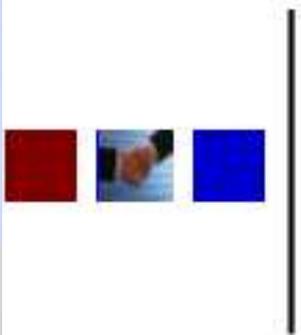
If you don't know what you want, you won't get it cont'd:

- *Set specific targets*
 - *Maximum position – what is your ideal outcome? (Maximum Supportable Position)*
 - *Your goal – what will you need to be satisfied?*
 - *Bottom line – what is the worst outcome you will accept under pressure? (Least Acceptable Settlement)*



Settlement Ranges

- *Least Acceptable Settlement (LAS) – lowest offer you will accept.*
- *Maximum Supportable Position (MSP) – Opening bargaining position.*



A Sure Offer

There is one case when you can look outside yourself in figuring your LAS. That is when there's a sure offer bearing on the negotiation. If you have a sure offer in hand and it's an improvement over your LAS, you can safely slide your cutoff point upward to the level of the offer.



How Good a Deal Can You Make?

As a general rule, the more you hold out for a better deal, the better you will do in your settlements but the more often you will deadlock along the way. It's safer to back off early and accept agreements at the bottom end of your Settlement Range. On the other hand, if you're willing to take a few more risks, you stand to gain bigger and better deals by staying in the game longer.



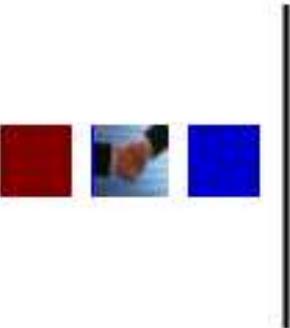
Strategic Forces – Your Springboard to Successful Negotiating

Setting up a negotiation is a lot like building a house. You start with a foundation your Settlement Range. From there you have to establish some kind of floor plan, and overall blueprint for action. That's basically what the Strategic Forces are...your blueprint for action for your negotiation.



Strategic Forces – Your Springboard to Successful Negotiating cont'd:

Once you've got that down, then it's time to haul out the tools and suppliers, the hammer and nails and boards, etc., and that's really what the tactics of negotiations are – the actual implements you employ to carry out your blueprint for action.



Achieving a Settlement at the Other Party's LAS

There are two basic Strategic Forces Concepts involved in designing a plan of action. The best and simplest way to think about these two Strategic Forces is in terms of the other person's Settlement Range. If they are smart, they have thrown out a Maximum Supportable Position that exceeds what they expect to get but that gives them some room to make concessions and still make a reasonable good deal.



Achieving a Settlement at the Other Party's LAS cont'd:

Your aim in any negotiation is to get the other person to settle at that point – their Least Acceptable Settlement. And that's precisely what these two Strategic Forces, working in tandem, are designed to do.



Strategic Force No. 1: Raising the
Other Person's Doubts About
Getting a Better Settlement

The other person's Least Acceptable Settlement, by definition, is literally the last place he desires to settle.



Strategic Force No. 1: Raising the Other Person's Doubts About Getting a Better Settlement cont'd:

Quite simply, if he believes it's either settling there or not settling at all. If the other person thinks that a deal at his LAS is the best he can do in that negotiation, then he's going to settle there. Put another way, he'll settle at his Least Acceptable Settlement if he is convinced that that point is also your Least Acceptable Settlement and that he has no hope of getting anything more out of you.



Strategic Force No. 1: Raising the Other Person's Doubts About Getting a Better Settlement cont'd:

But what if he is not convinced of that? What if he thinks that you are not backed up to the wall and that he can get a better agreement from you? He's going to hold out for more.

The more uncertain the other person is of his chances of securing a better agreement, the less likely he is to hold out for it.



Building the Credibility of Your Maximum Supportable Position

By building credibility for my Maximum Supportable Position, I've injected a bundle of uncertainty into your head and shifted the whole negotiation in my favor. Already I have you thinking not about how you can get me to the vicinity of your MSP, but about whether you'll even be able to convince me to settle at your LAS. You're on the run.



Building the Credibility of Your
Maximum Supportable Position
cont'd:

Do whatever you can to enhance the credibility of your MSP in the eyes of the other person. Fuel their uncertainty about getting a better deal.



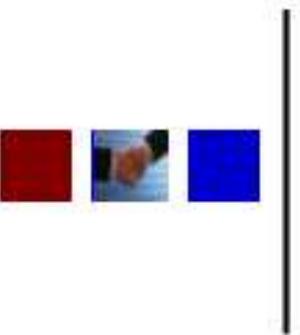
Concealing Your Need for the Deal

Bluffing is an important element in many negotiations. Not in every negotiation, mind you. When you're engaging in what's called share-bargaining, this is, when you're negotiating to determine who gets what share of the pie – being an actor is a valuable asset indeed.



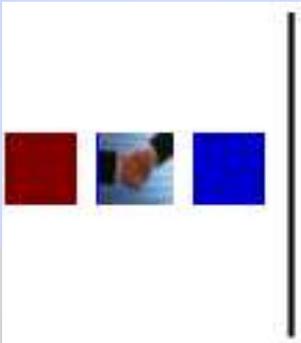
Concealing Your Need for the Deal cont'd:

In a share negotiation, regardless of what you're feeling inside, do your best to hide your true need for a settlement. Try to generate competition. Make the other person think you have options and that settling with her is not of earthshaking importance to you.



Know what you'll give away

- *Concessions*
 - *Make a list of concessions you are not willing to give to the offeror*
 - *Make a list of concessions you will give to the offeror if needed or in exchange for others*
 - *Rank these concessions*
 - *What do you need in return?*



Strategic Force No. 2: Increasing the Other Person's Need to Settle

Like the first Strategic Concept, Strategic Force No. 2 is designed to achieve a settlement at the other person's Least Acceptable Settlement. But whereas the first strategy accomplishes it by increasing his uncertainty about his prospect for a better deal, the second works by increasing his very need for the deal.



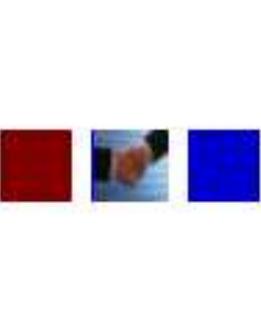
Strategic Force No. 2: Increasing
the Other Person's Need to Settle
cont'd:

It should be clear that the more a negotiator needs to settle, the less he'll be willing to hold out for something better. The less he needs to settle, the more he'll be willing to hold out. It's as simple as that.



Strategic Force No. 2: Increasing
the Other Person's Need to Settle
cont'd:

Need in negotiation is a double-edged sword; the more you know about the other person's need, the more you can hold out and increase the pressure on him to settle. And the more he knows about yours, the more he can hold out and increase the pressure on you to settle.



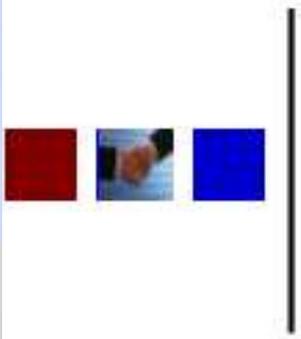
Strategic Force No. 2: Increasing
the Other Person's Need to Settle
cont'd:

What you want to do, consequently, is try to find out as much as you can about the extent of his need for a settlement while at the same time concealing your own. It's a bluffing game, and he who bluffs best will get the better of the bargaining.



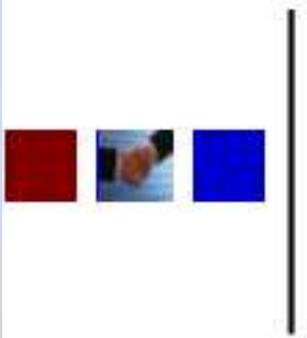
Goodies

You've bargained me down to (your Least Acceptable Settlement), you might settle there of your own accord, but I really don't want to get any closer to my LAS, so I'm going to give you an added incentive.



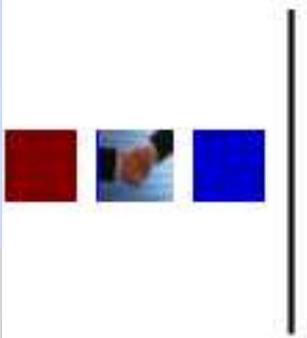
Goodies cont'd:

I happen to mention that I own a large pick-up truck. “Tell you what, “ I say, “to make it easy for you I will let you borrow the truck to move the dining room set at no charge.”



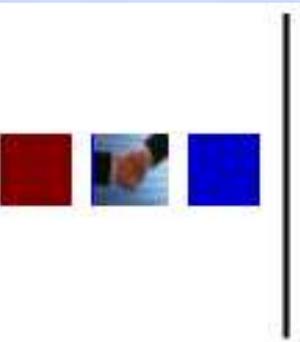
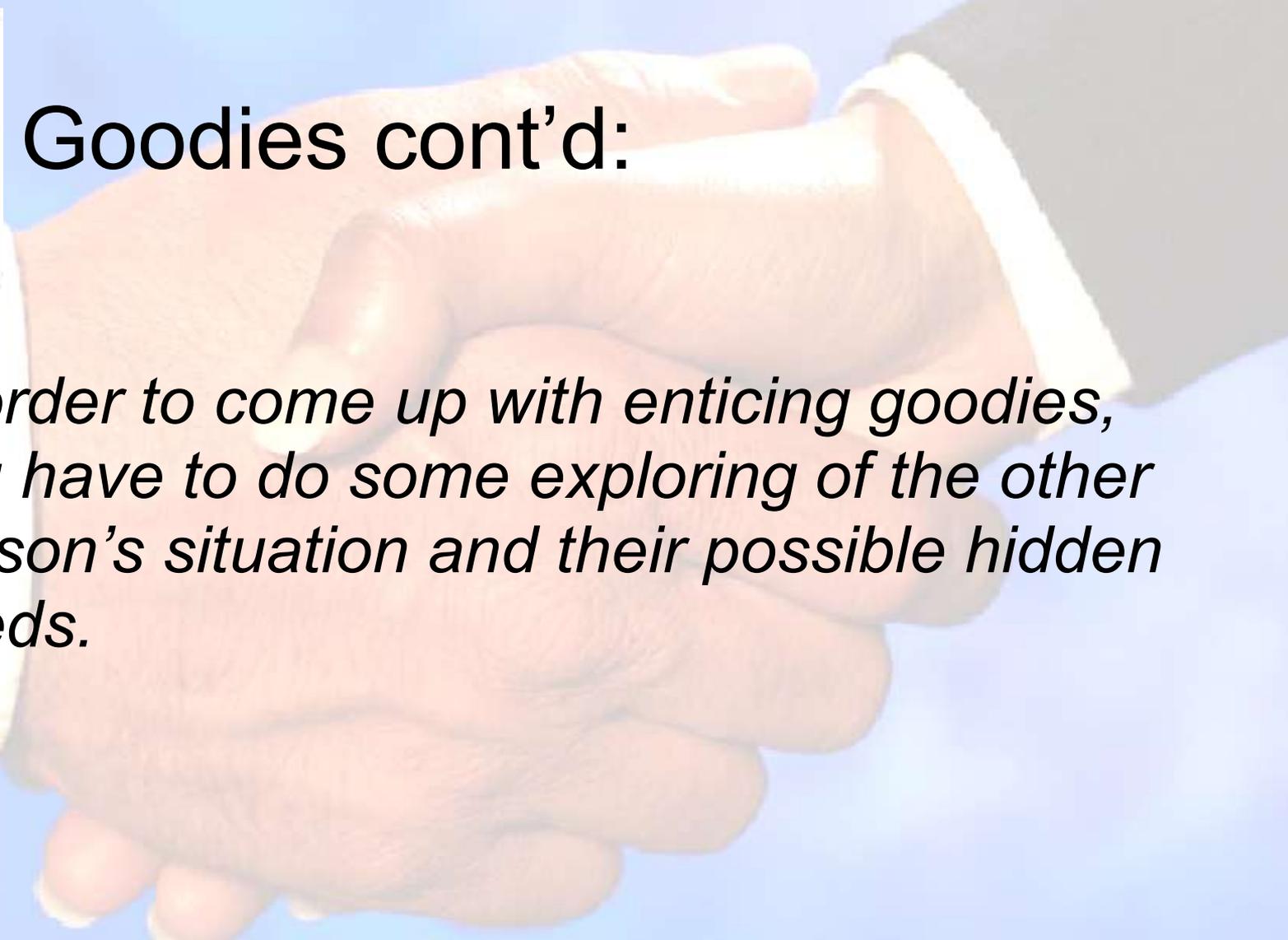
Goodies cont'd:

By sweetening the pot with some goodies – (you would have had to rent a van or trailer to move the furniture) – I've made the deal more attractive to you and thereby increased your need for it.



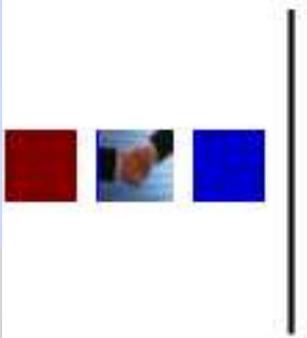
Goodies cont'd:

Without changing my Settlement Range, I've succeeded in changing yours. And since you're getting more for your LAS, your incentive to settle is greater. I've made it harder for you to refuse the deal.



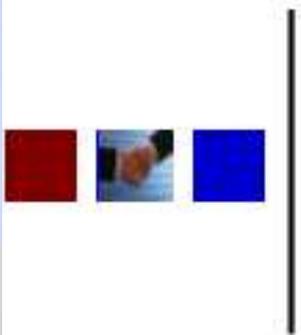
Goodies cont'd:

In order to come up with enticing goodies, you have to do some exploring of the other person's situation and their possible hidden needs.



Goodies cont'd:

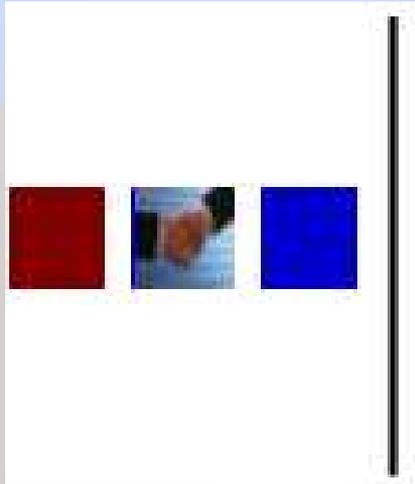
Sometimes it takes a lot of careful probing. But it can really pay big dividends. Timing is a key factor in making effective use of goodies. Inject them into the picture later on when they can curtail whatever ideas the other person has to hold out for more.

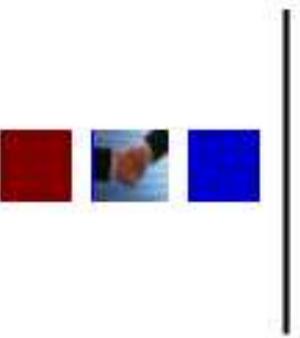


Quote:

- *The single most powerful tool for winning a negotiation is the ability to get up and walk away from the table without a deal – Anonymous*

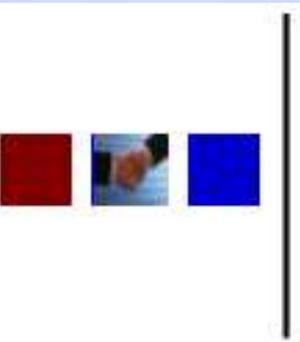
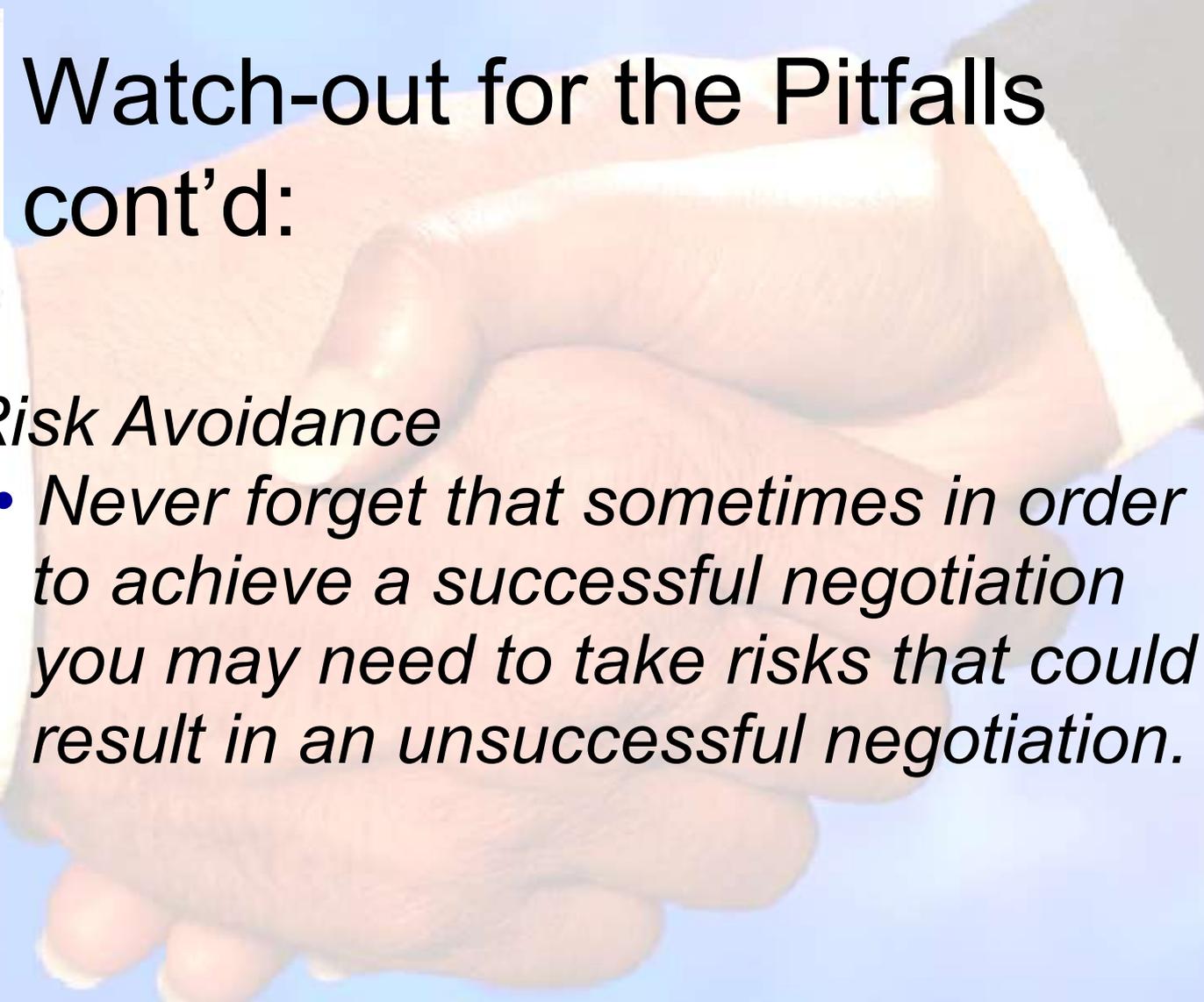
VERBAL AND NON-VERBAL COMMUNICATION





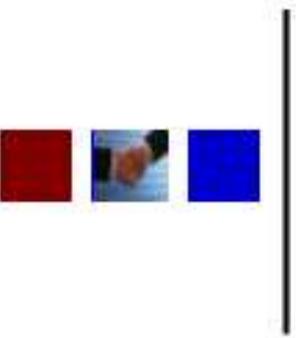
Watch-out for the Pitfalls

- *Deadlines*
 - *Deadlines and Pressures can affect the balance of power*
 - *We are more apt to make mistakes under a deadline or other pressures!*



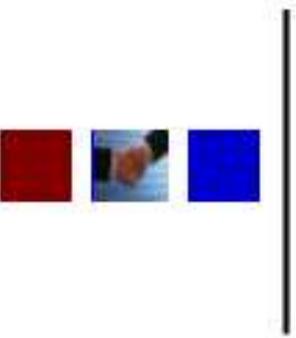
Watch-out for the Pitfalls cont'd:

- *Risk Avoidance*
 - *Never forget that sometimes in order to achieve a successful negotiation you may need to take risks that could result in an unsuccessful negotiation.*



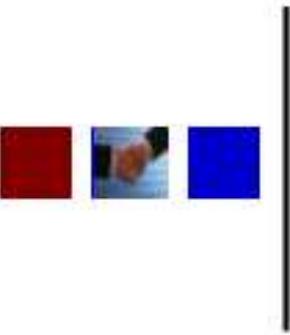
Watch-out for the Pitfalls cont'd:

- *Risk Avoidance cont'd:*
 - *Risk avoidance is death!*
 - *Take reasonable risks based only upon reliable information*



Watch-out for the Pitfalls cont'd:

- *Are you willing to walk away?*
 - *You must be willing, at a certain point, to walk away.*
 - *Never enter into a negotiation where you feel so much pressure to get the deal done that you will take a bad deal!*



Watch-out for the Pitfalls cont'd:

- *Are you willing to walk away (cont'd:)*
 - *You always have alternatives!*
 - *But, your willingness to walk away always depends upon your options*



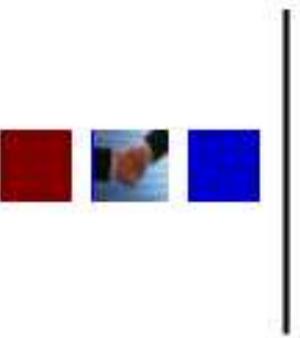
Threats

A negotiating threat, however, is not designed to hurt, destroy, or punish the other party. It is merely designed to create a backhanded need for a deal. In other words, when a threat is put on the table, it makes the other person reevaluate their position and see that agreeing to settle is better than not settling and having the threat carried out.



Threats cont'd:

Threats have the effect of increasing the other party's need for a deal. And like goodies, they change his Settlement Range because their very presence in the bargaining forces the other party to consider settling at points that were outside his initial Settlement Range.



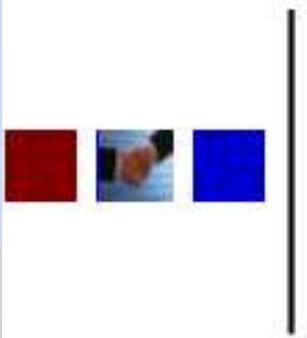
Threats cont'd:

Threats accomplish it by exploiting hidden fears of the other person and making the consequences of deadlock more foreboding.



Threats cont'd:

Don't be afraid to put a threat on the table when there's no other means to secure the settlement you want. But I caution you to use threats selectively and only as a last resort. Once you confront the other party with a threat, you're serving notice that you're playing hardball, and often his response will be to play hardball in return.



Threats cont'd:

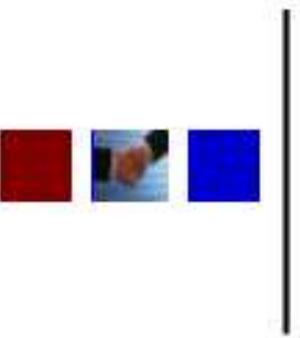
The tougher you negotiate, the tougher the resistance will be, so don't drop your bombshell and expect the other party's white flag to be automatically hoisted.



Summing Up

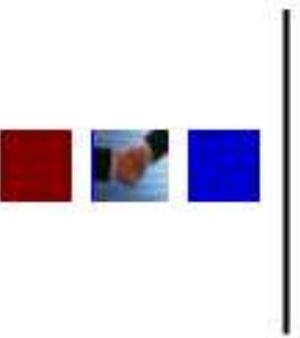
Negotiation is a tug of war between Settlement Ranges – yours and the other person's.

Your ultimate goal is to achieve a settlement at the other person's Least Acceptable Settlement.



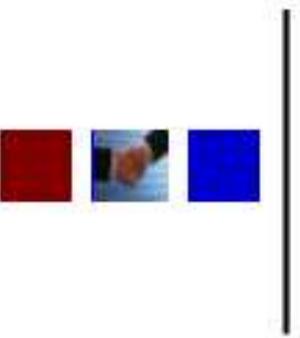
Summing Up cont'd:

To accomplish this end, you want to unleash two Strategic Forces, the most powerful tools you have. By heightening the other person's uncertainty about getting a better deal on the one hand and increasing their need for the deal on the other, your Strategic Forces exert a double-barrel pressure on them that will do nothing but good for your negotiating cause.



Learn to Speak Less

- *Train yourself to keep quiet*
- *Always let the other person do significantly more talking*
- *Silence is a tool. Use it!*
- *Silence is Golden!*



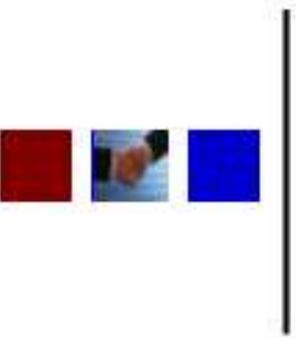
Learn to Speak Less cont'd:

- *If you keep quite, the other person will fill in the silence. He will tell you things he had not planned on telling you, but feels he has to in order to fill the silence.*
 - *There is “what we want to say”*
 - *There is “what we don’t want to say”*
 - *And, then there is “what we actually say” (verbal leakage)*



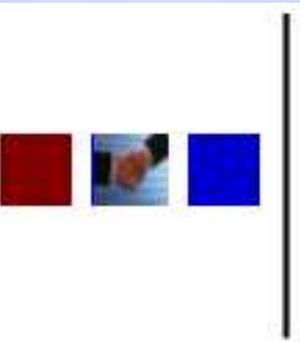
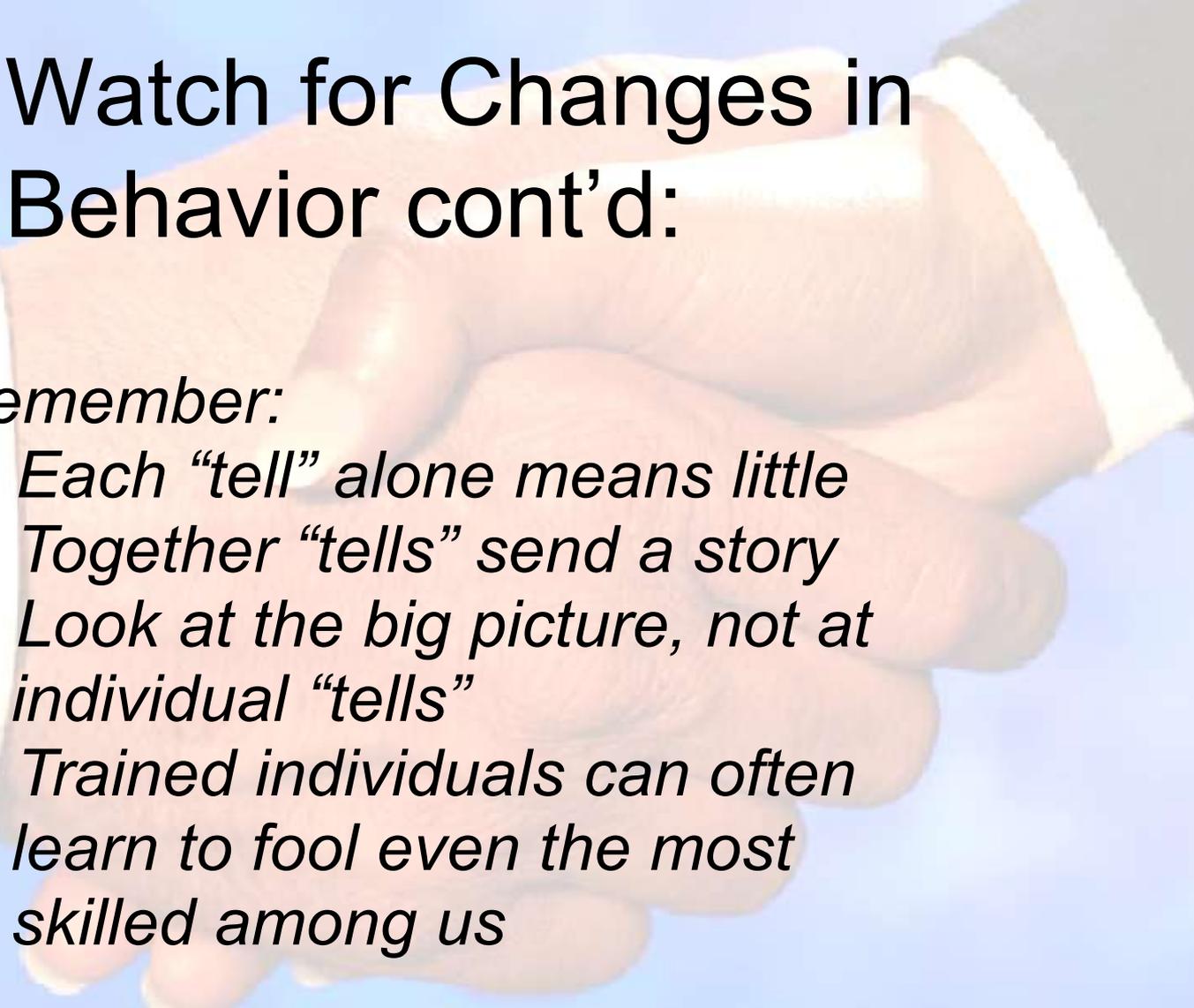
Learn to Speak Less cont'd:

- *Don't Interrupt!*
 - *Fight the temptation to interrupt*
 - *You already know what you are going to say. But, you do not know what they are going to say. Let them say it.*
 - *If you have a thought, write it down and then get it out of your head.*



Watch for Changes in Behavior

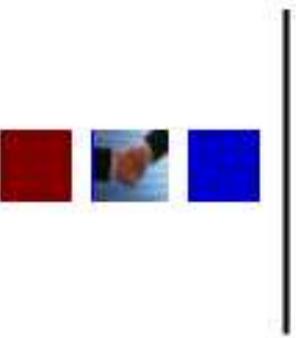
- *Non-Verbal Communication*
 - *Understanding non-verbal communications is not about assessing the truth of a statement, but rather the emotion behind it.*



Watch for Changes in Behavior cont'd:

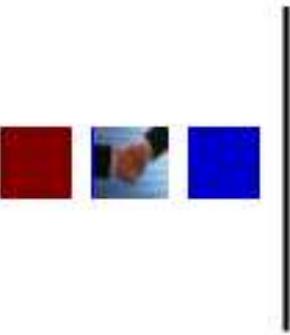
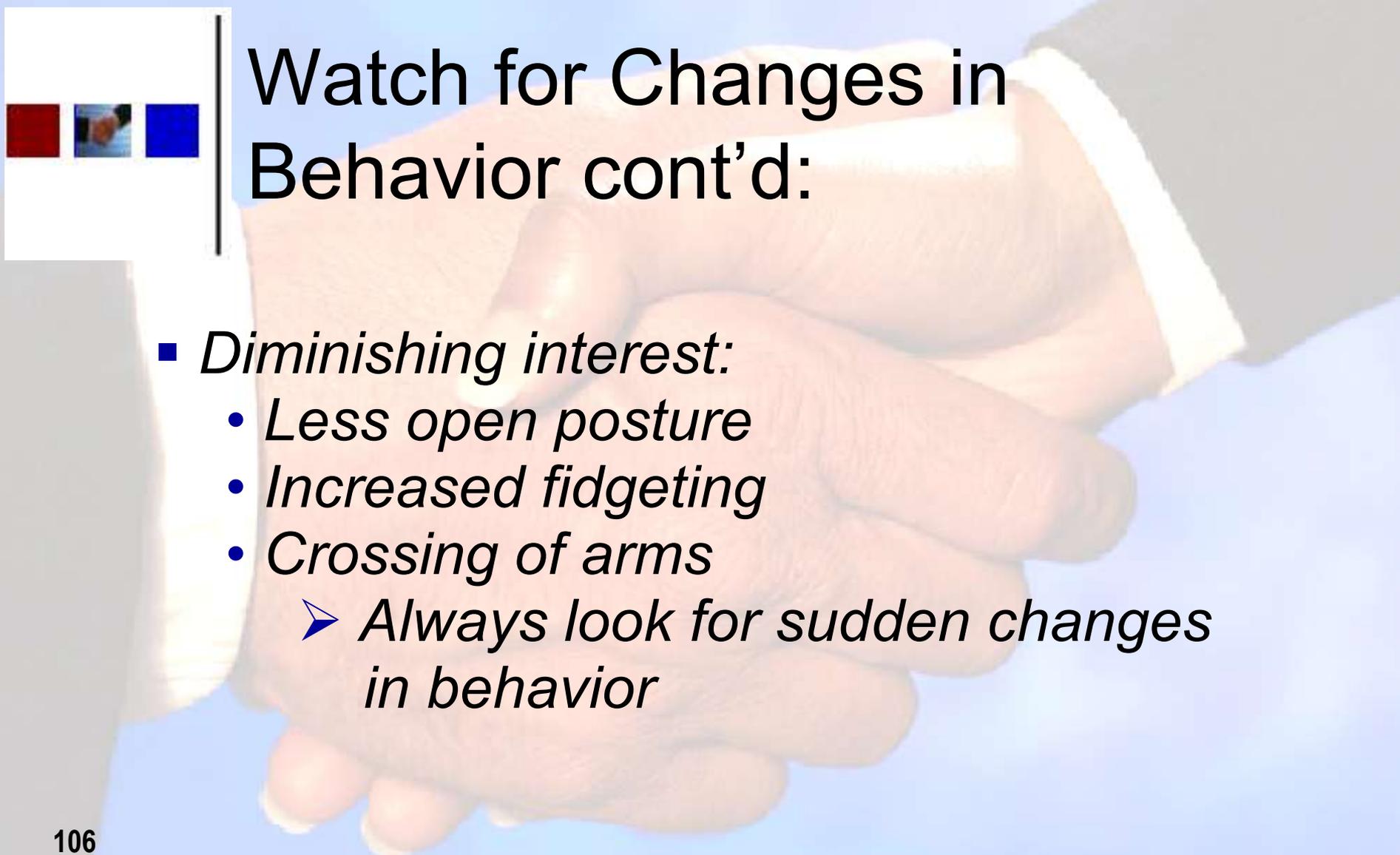
- *Remember:*

- *Each “tell” alone means little*
- *Together “tells” send a story*
- *Look at the big picture, not at individual “tells”*
- *Trained individuals can often learn to fool even the most skilled among us*



Watch for Changes in Behavior cont'd:

- *Altered Attitudes*
 - *Shows a renewed or newly realized interest:*
 - *Increased eye contact*
 - *Increasingly open posture (not too open)*
 - *Head cocking*

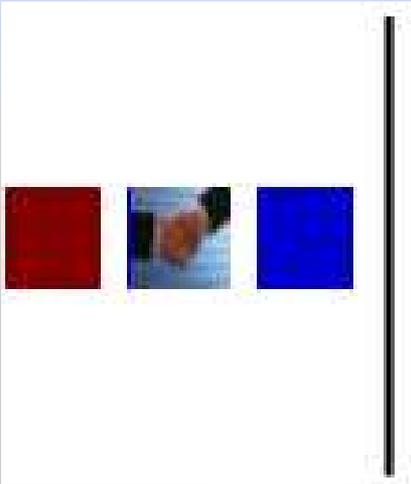


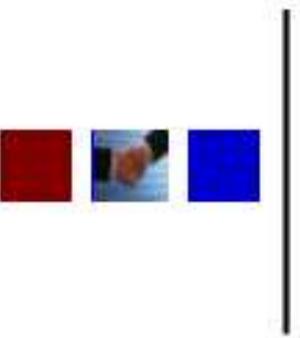
Watch for Changes in Behavior cont'd:

- *Diminishing interest:*
 - *Less open posture*
 - *Increased fidgeting*
 - *Crossing of arms*
 - *Always look for sudden changes in behavior*



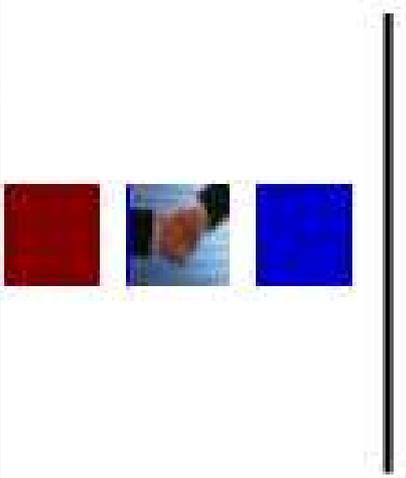
NEGOTIATION STYLES



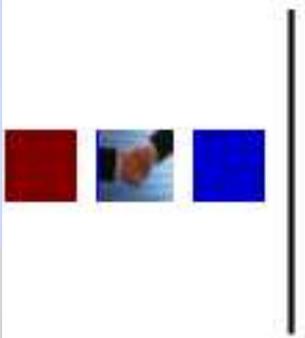


Tough Guys are Easy

- *Stereotypical Negotiation Styles*
 - *The Tough Guy – ego driven / need to win*
 - *The nice Guy – careful not to be caught off-guard*
 - *The Critic – focus on every detail*
 - *The Absent-Minded Professor – huh?*
 - *The Weakling – I need your sympathy!*



TACTICS, TRICKS, AND TIPS



Don't Forget to Ask

- *We spend so much time preparing, we often forget to just ask*
- *The ask can be formal or informal, depending upon your strategy and response up until this point.*



Watch-out for Games

- *The Ridiculous “NO”*
 - *You ask for something, anything, no matter how small*
 - *The other party responds: “WHAT???!?” implying that you are being absolutely ridiculous in your request and you best leave before something bad happens*



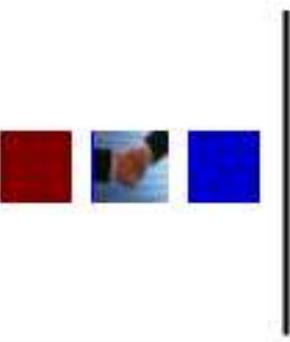
Watch-out for Games cont'd:

- *Counter Tactic: Use humor (“should I have asked for more,”) not apologies. If you apologize, you will get nothing.*



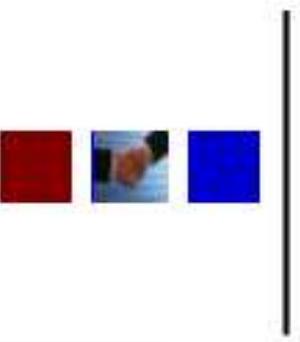
Watch-out for Games cont'd:

- *The Add-on*
 - *Asking for additional concessions after the deal is made*
 - *“Agreed, \$300 to fix the sink.” Sink fixed, “can you check out the toilet while you’re here too?”*



Watch-out for Games cont'd:

- *Counter Tactic: “no” show written policy; jokingly “seriously?”; lack of authority*



Watch-out for Games cont'd:

- *Straw Demand*
 - *Request anything and everything, especially those things not important to you*
 - *These can be given away quickly in exchange for a concession important to you*



Watch-out for Games cont'd:

- *Counter Tactic: If you can figure out what's important to them, you can separate their real demands from their straw demands*



Watch-out for Games cont'd:

- *The Ultimatum*
 - *“My way or the highway”*
 - *Counter Tactic: walk away; ignore it; it's usually just a tactic*



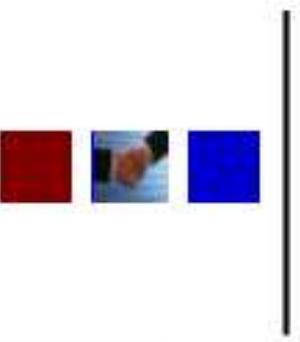
Watch-out for Games cont'd:

- *Delay/Deadline*
 - *Deadline – “We have to get this done today, or I will be unable to schedule you in for 6 months.”*
 - *Places the buyer under pressure; we make mistakes under pressure and when forced to make quick decisions*



Watch-out for Games cont'd:

- *Delay – “we’ll get back to you in a couple of weeks.” May be the start of a “no” or a delay tactic if timing is important.*
- *Counter Tactic: The Flip*



Watch-out for Games cont'd:

- *Not Authorized*
 - *“I’m not authorized to make that decision. I’ll have to go back to my boss.”*
 - *Counter Tactic: request to deal with someone who has authority.*



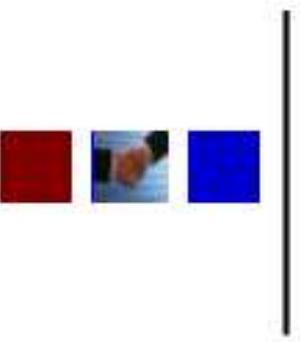
Watch-out for Games cont'd:

- *The Move On*
 - *“I can’t agree to that, but let’s come back to that point later.”*



Watch-out for Games cont'd:

- *Sometimes a good tactic when stuck, but beware! You'll both concede along the way. When you get to the end, they'll hold tight to their position. You will have so much tied up, that you may just agree to feel you've spent your time adequately*



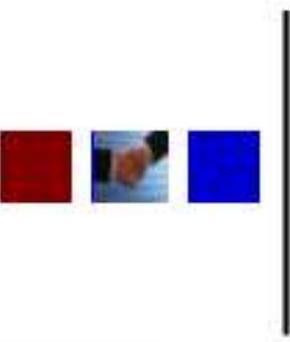
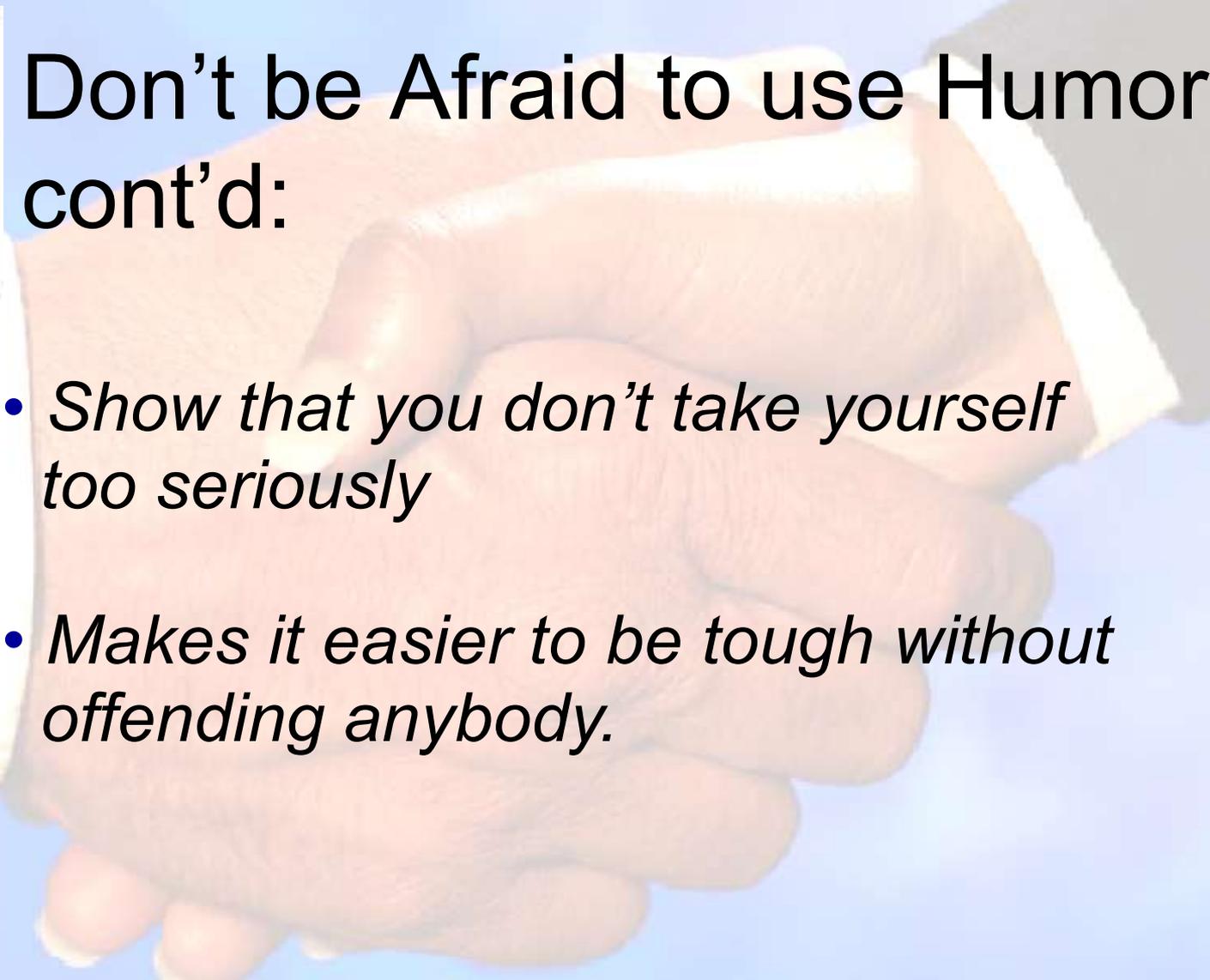
Watch-out for Games cont'd:

- *The Move On (cont'd:)*
 - *Counter Tactic: Do not allow them to skip*
 - *Tell them you'll need more guidance on the issue and conclude the negotiation.*



Don't be Afraid to use Humor

- *Humor Can:*
 - *Help you get what you want by breaking up the tension – lightens things up*
 - *Make people feel more comfortable*



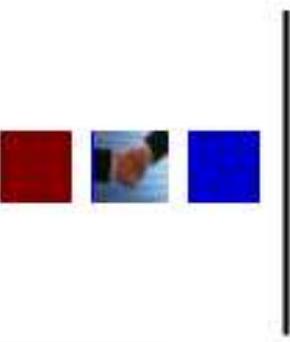
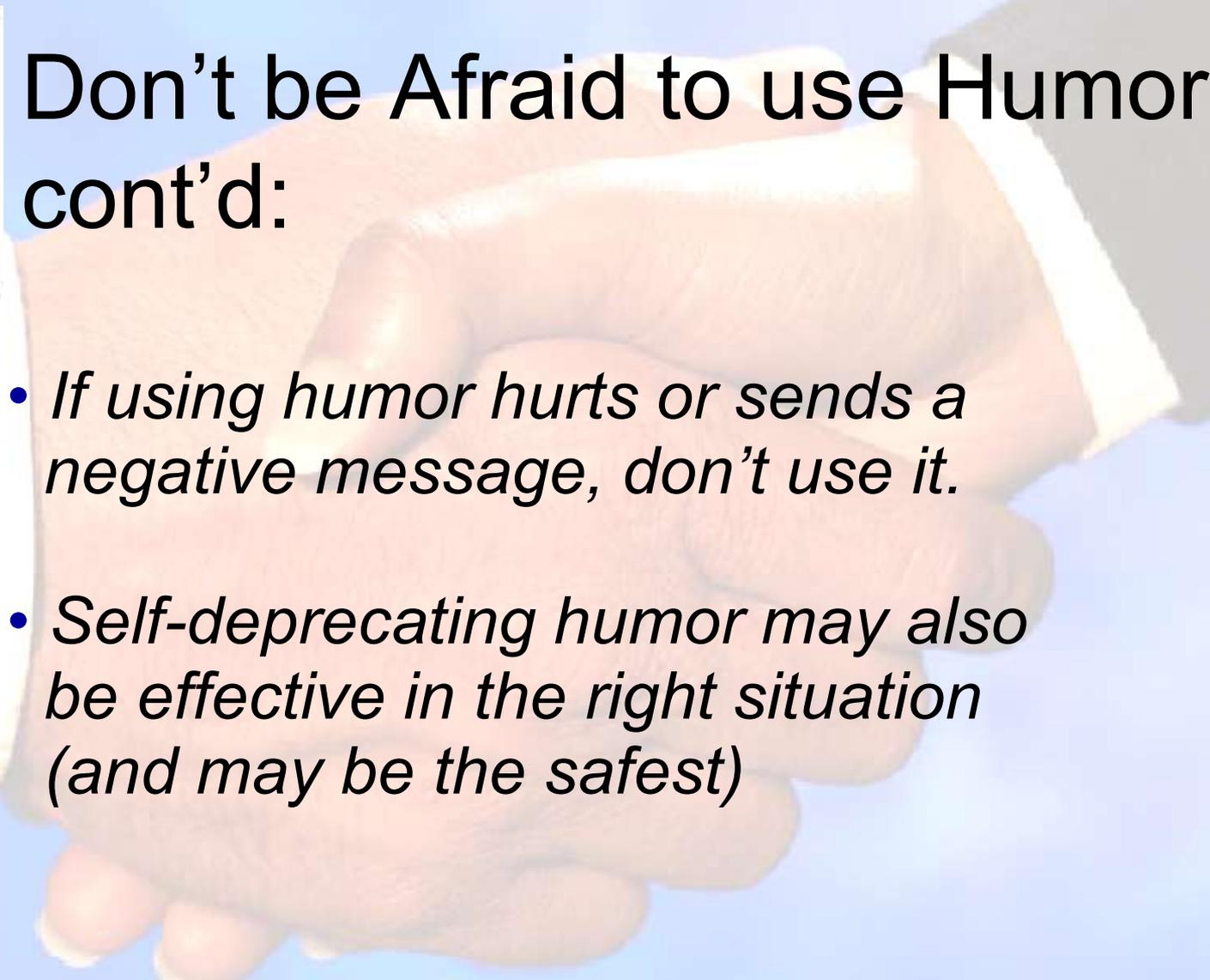
Don't be Afraid to use Humor cont'd:

- *Show that you don't take yourself too seriously*
- *Makes it easier to be tough without offending anybody.*



Don't be Afraid to use Humor cont'd:

- *Humor Safety Checks:*
 - *Think about your motive for using the humor – are you trying to hurt or help?*
 - *Does it send a positive message?*

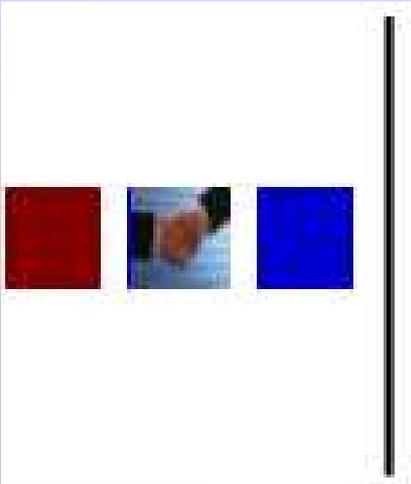


Don't be Afraid to use Humor cont'd:

- *If using humor hurts or sends a negative message, don't use it.*
- *Self-deprecating humor may also be effective in the right situation (and may be the safest)*



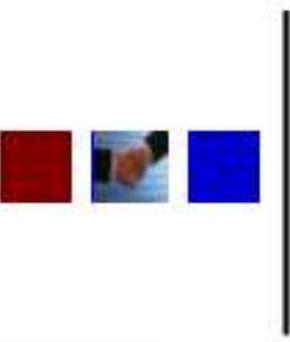
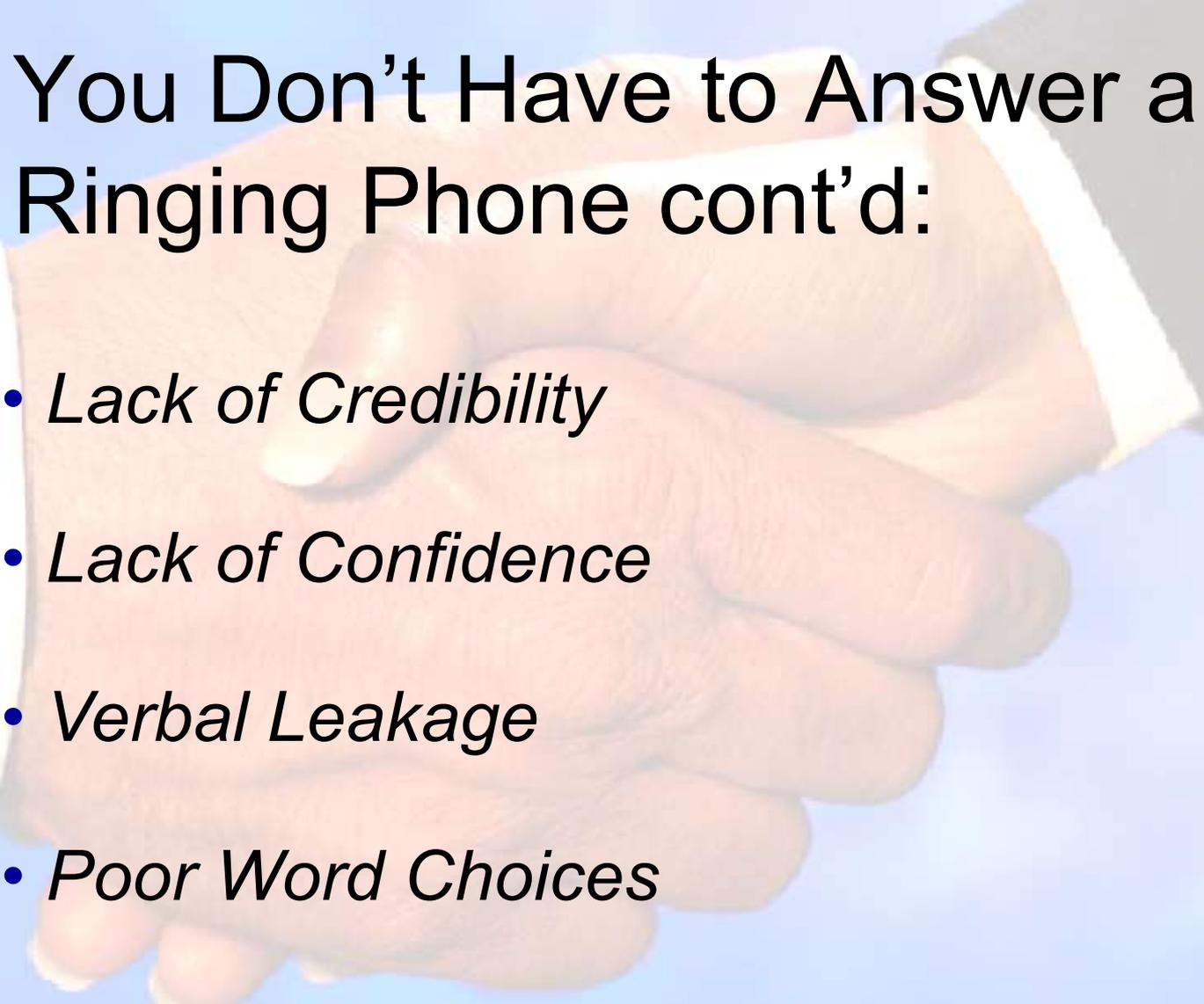
TELEPHONE & EMAIL NEGOTIATION





You Don't Have to Answer a Ringing Phone

- *Telephone Negotiation*
 - *Prepare for every negotiation, even those by telephone, as you would if the negotiation was in person. One of the biggest mistakes made in telephone negotiation is picking-up the phone and not knowing exactly what to say. Why is this a problem?*



You Don't Have to Answer a Ringing Phone cont'd:

- *Lack of Credibility*
- *Lack of Confidence*
- *Verbal Leakage*
- *Poor Word Choices*



You Don't Have to Answer a Ringing Phone cont'd:

- *Listen! The same communication rules apply to telephone negotiation. The only additional requirement is that you listen even more. Why?*
 - *You will need to replace facial cues with cues from the tone of their voice and inflection*



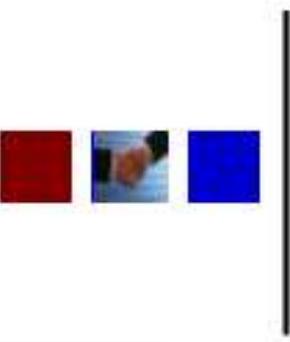
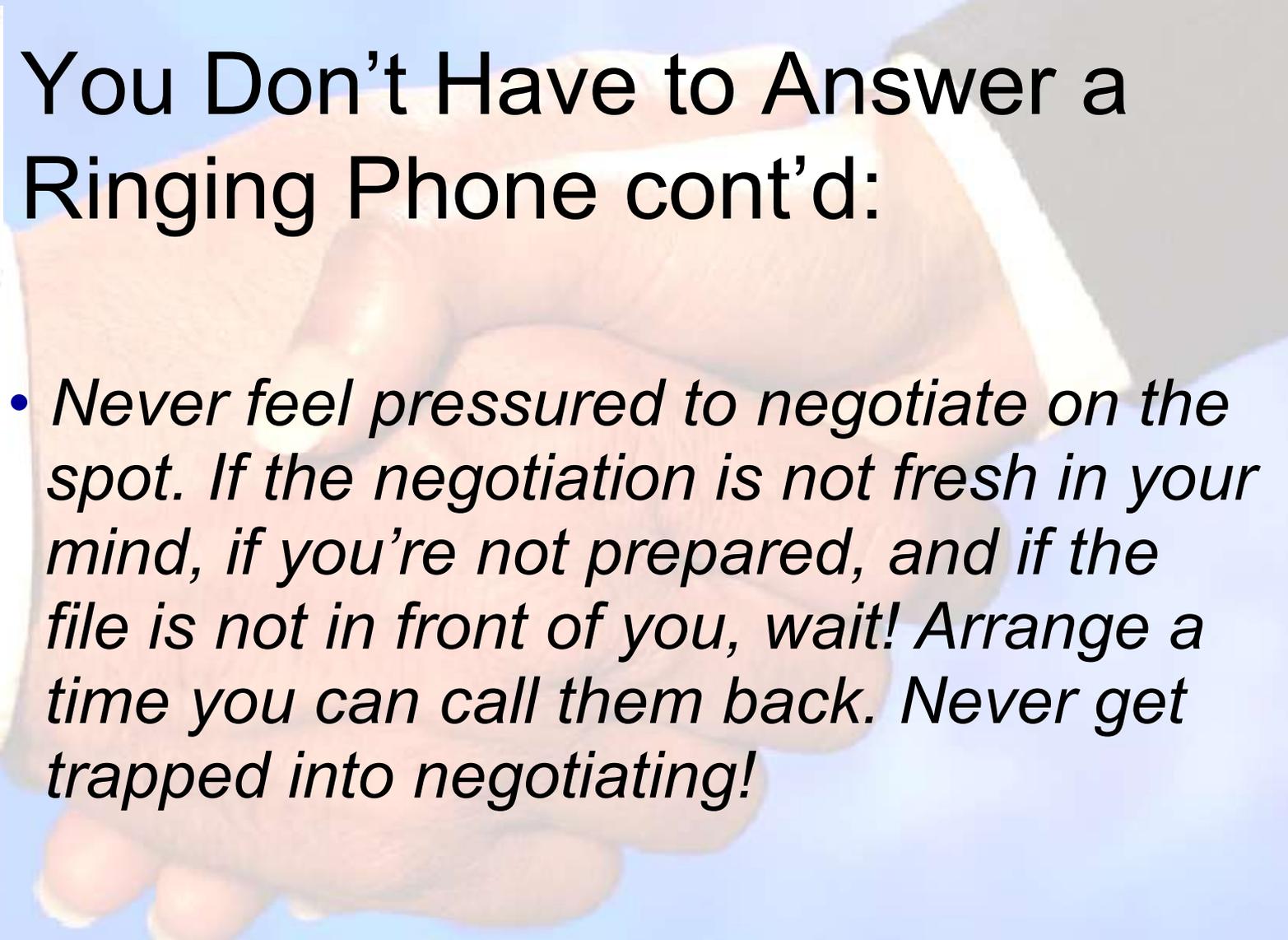
You Don't Have to Answer a Ringing Phone cont'd:

- *You will need to listen for confidence, hesitation, and other expressions in their voice.*
- *Can you hear a smile?*



You Don't Have to Answer a Ringing Phone cont'd:

- *Preparedness. Generally speaking, when you walk into an in-person negotiation, be prepared. If your not, things generally do not turn out as well. The same is true in a telephone negotiation. Remember the following rules, and you'll be okay.*



You Don't Have to Answer a Ringing Phone cont'd:

- *Never feel pressured to negotiate on the spot. If the negotiation is not fresh in your mind, if you're not prepared, and if the file is not in front of you, wait! Arrange a time you can call them back. Never get trapped into negotiating!*



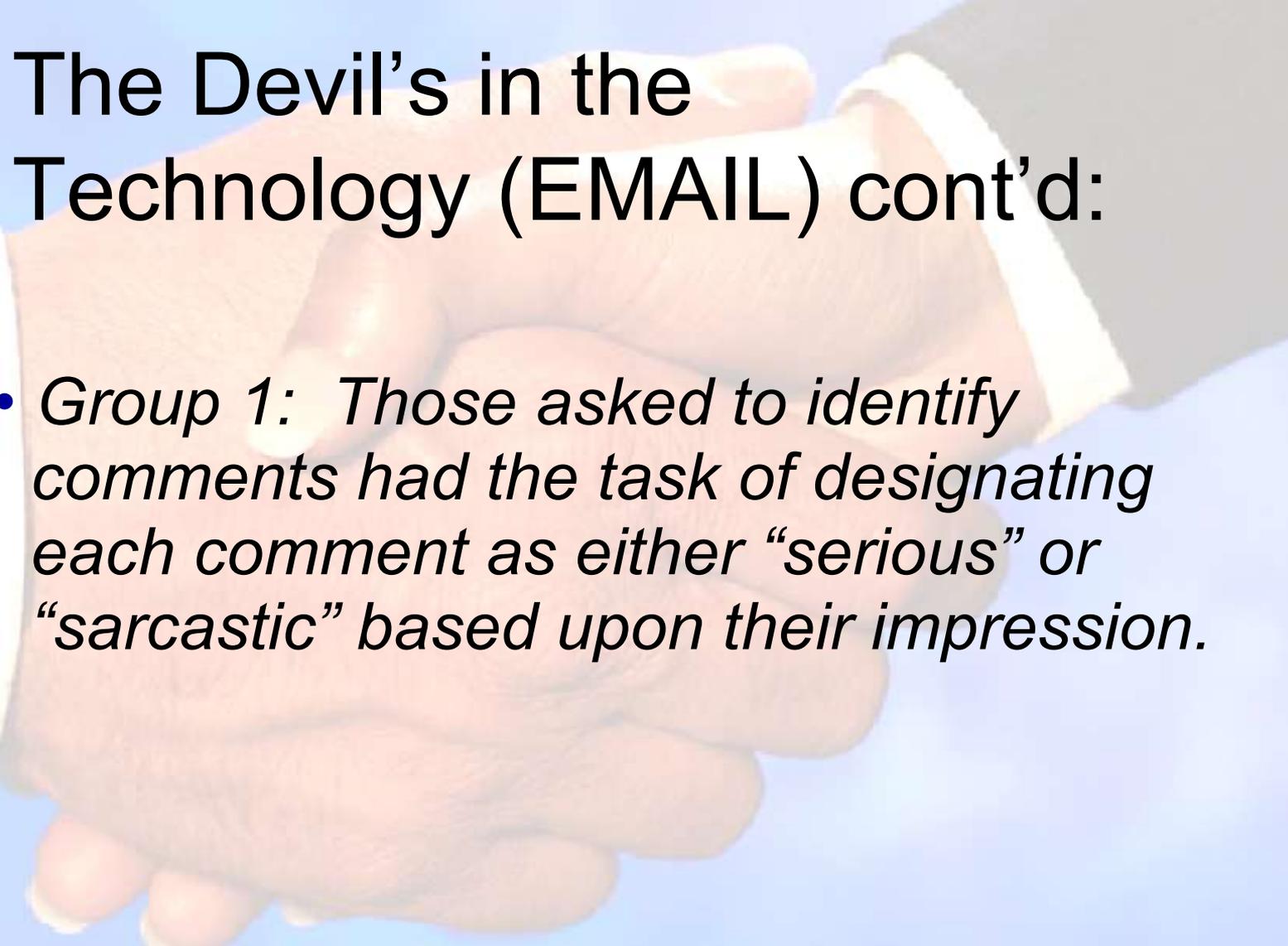
You Don't Have to Answer a Ringing Phone cont'd:

- *Cell Phone Negotiation – a quick note*
 - *Avoid this if at all possible*
 - *Voice quality issues*
 - *Atmospheric noise*
 - *Lack of privacy/confidentiality*



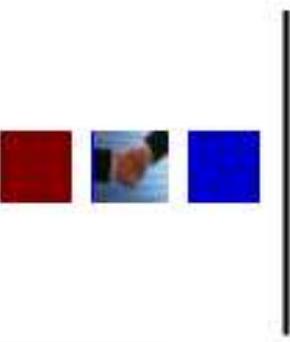
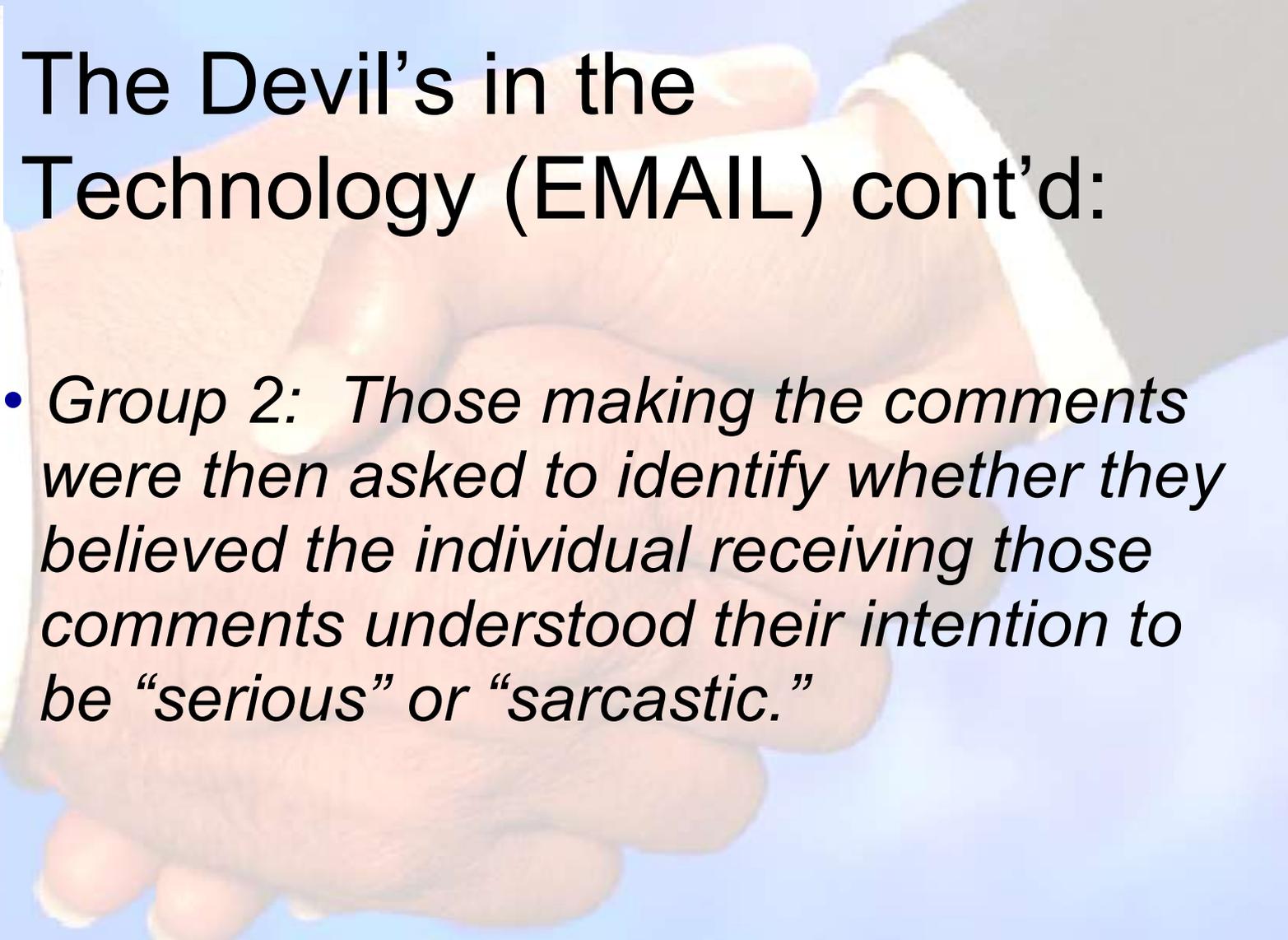
The Devil's in the Technology (EMAIL)

- *Email Negotiation*
 - *Sixty Cornell University students participated in a study where they were asked to either make or identify comments*



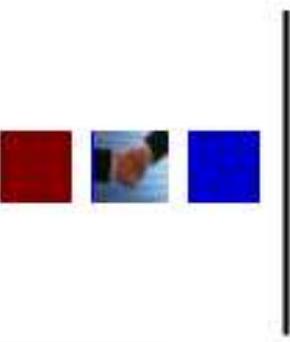
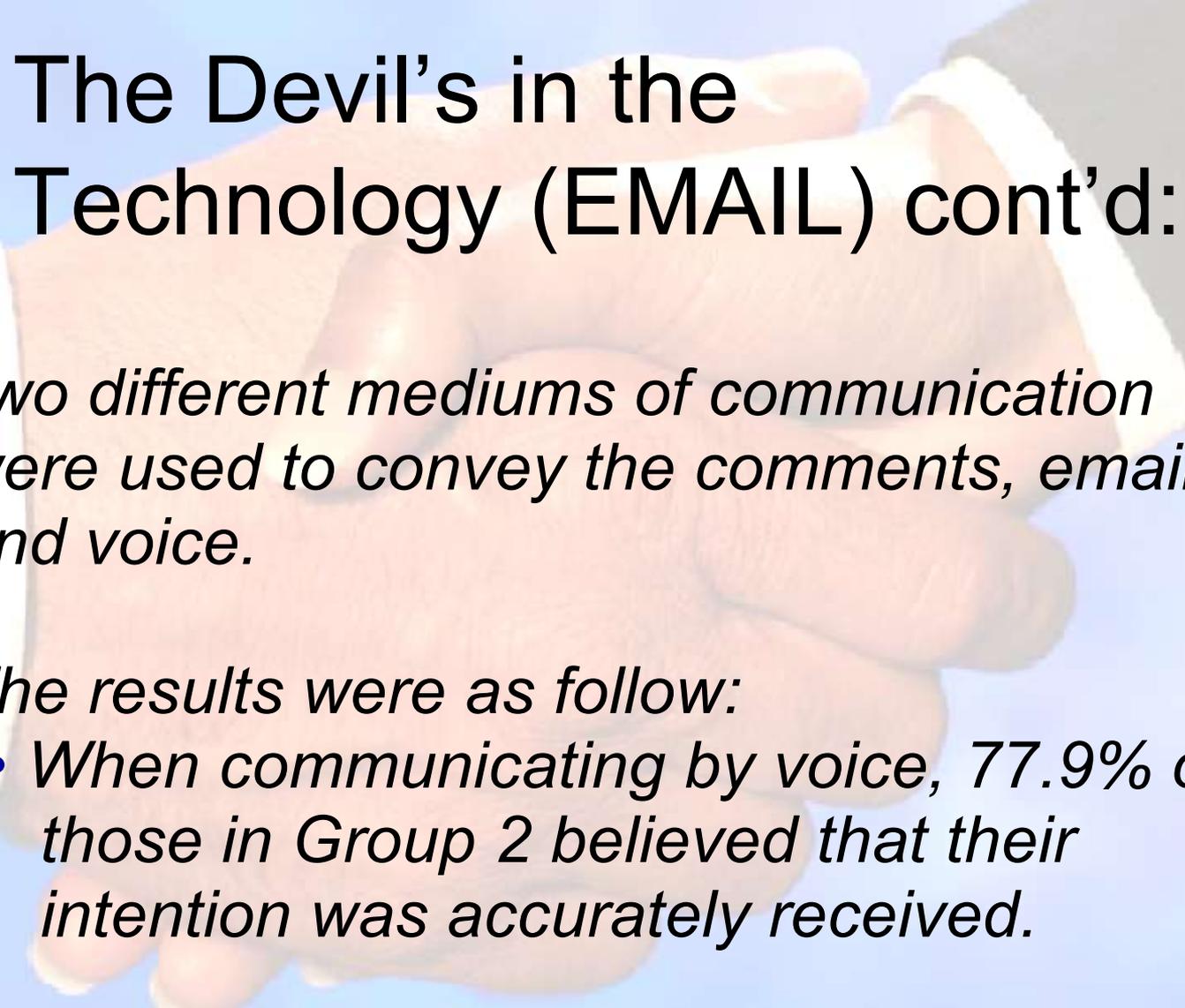
The Devil's in the Technology (EMAIL) cont'd:

- *Group 1: Those asked to identify comments had the task of designating each comment as either “serious” or “sarcastic” based upon their impression.*



The Devil's in the Technology (EMAIL) cont'd:

- *Group 2: Those making the comments were then asked to identify whether they believed the individual receiving those comments understood their intention to be “serious” or “sarcastic.”*

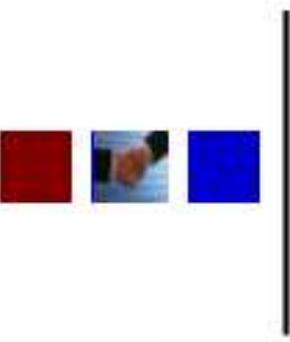
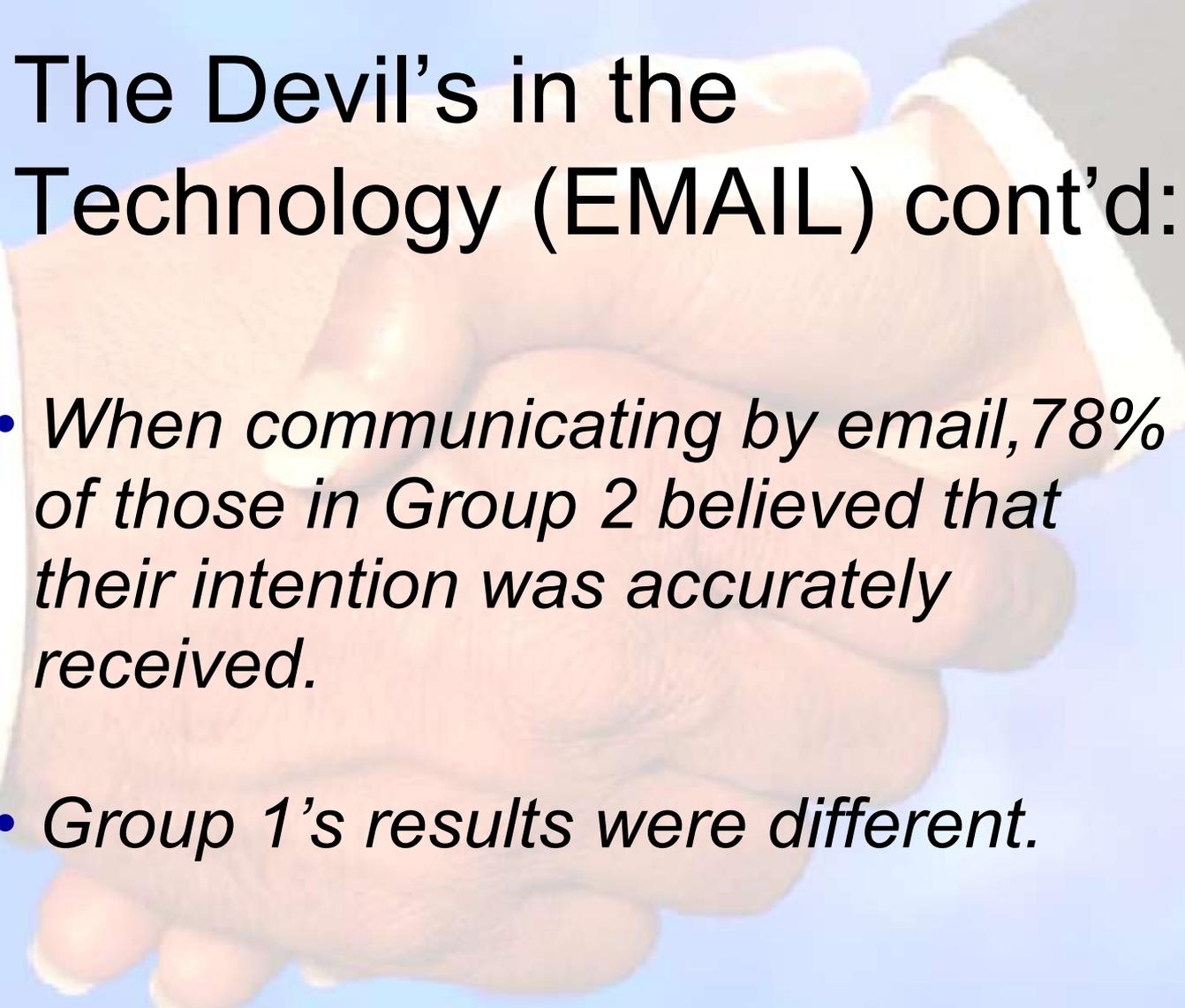


The Devil's in the Technology (EMAIL) cont'd:

- *Two different mediums of communication were used to convey the comments, email and voice.*

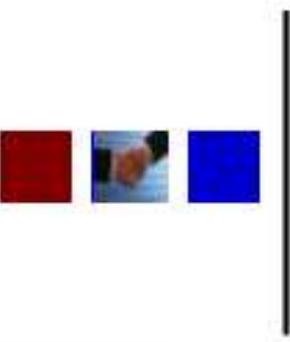
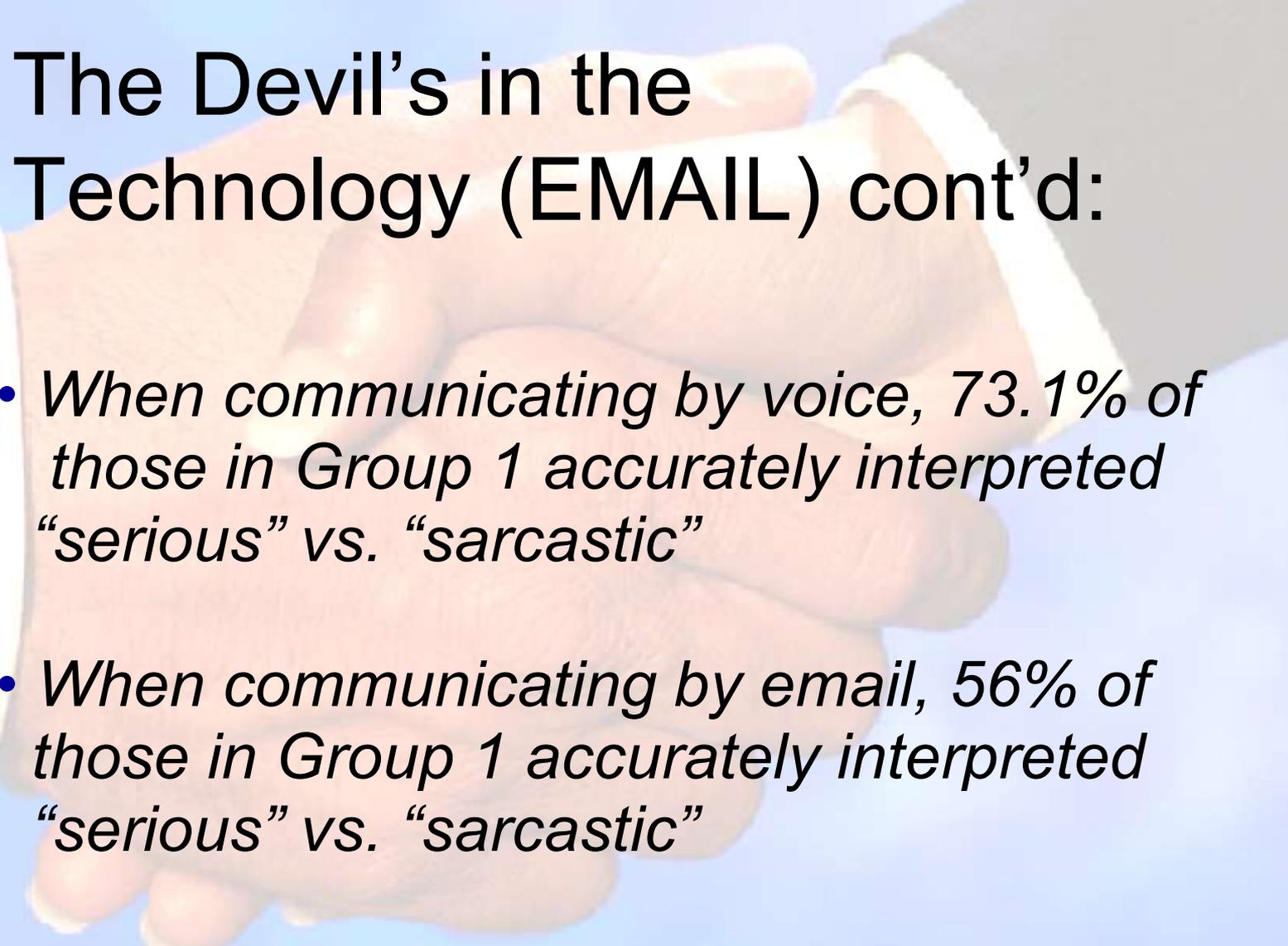
The results were as follow:

- *When communicating by voice, 77.9% of those in Group 2 believed that their intention was accurately received.*



The Devil's in the Technology (EMAIL) cont'd:

- *When communicating by email, 78% of those in Group 2 believed that their intention was accurately received.*
- *Group 1's results were different.*

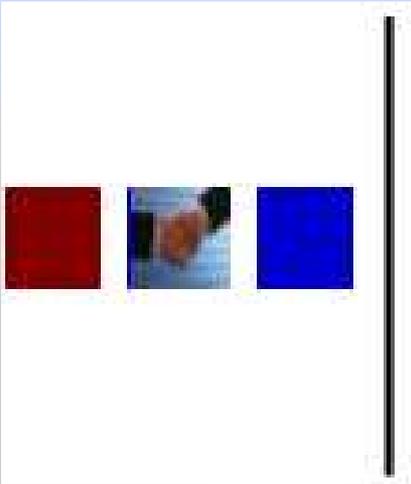


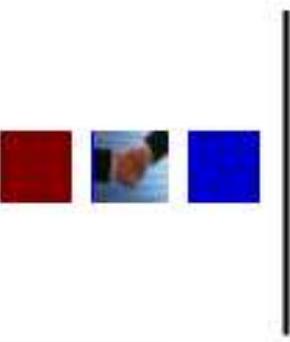
The Devil's in the Technology (EMAIL) cont'd:

- *When communicating by voice, 73.1% of those in Group 1 accurately interpreted “serious” vs. “sarcastic”*
- *When communicating by email, 56% of those in Group 1 accurately interpreted “serious” vs. “sarcastic”*



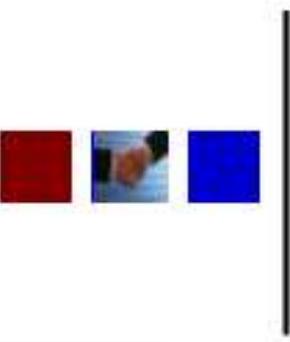
ONGOING NEGOTIATION





Ongoing Negotiation, Finalizing, and Drafting

- *The work begins when you think you are done!*
 - *The initial negotiation session sets the foundation for the negotiating relationship, refines the issues for discussion, and moves you toward completion. Sometimes you reach an agreement, other times not. Either way, the work usually begins after the negotiation.*



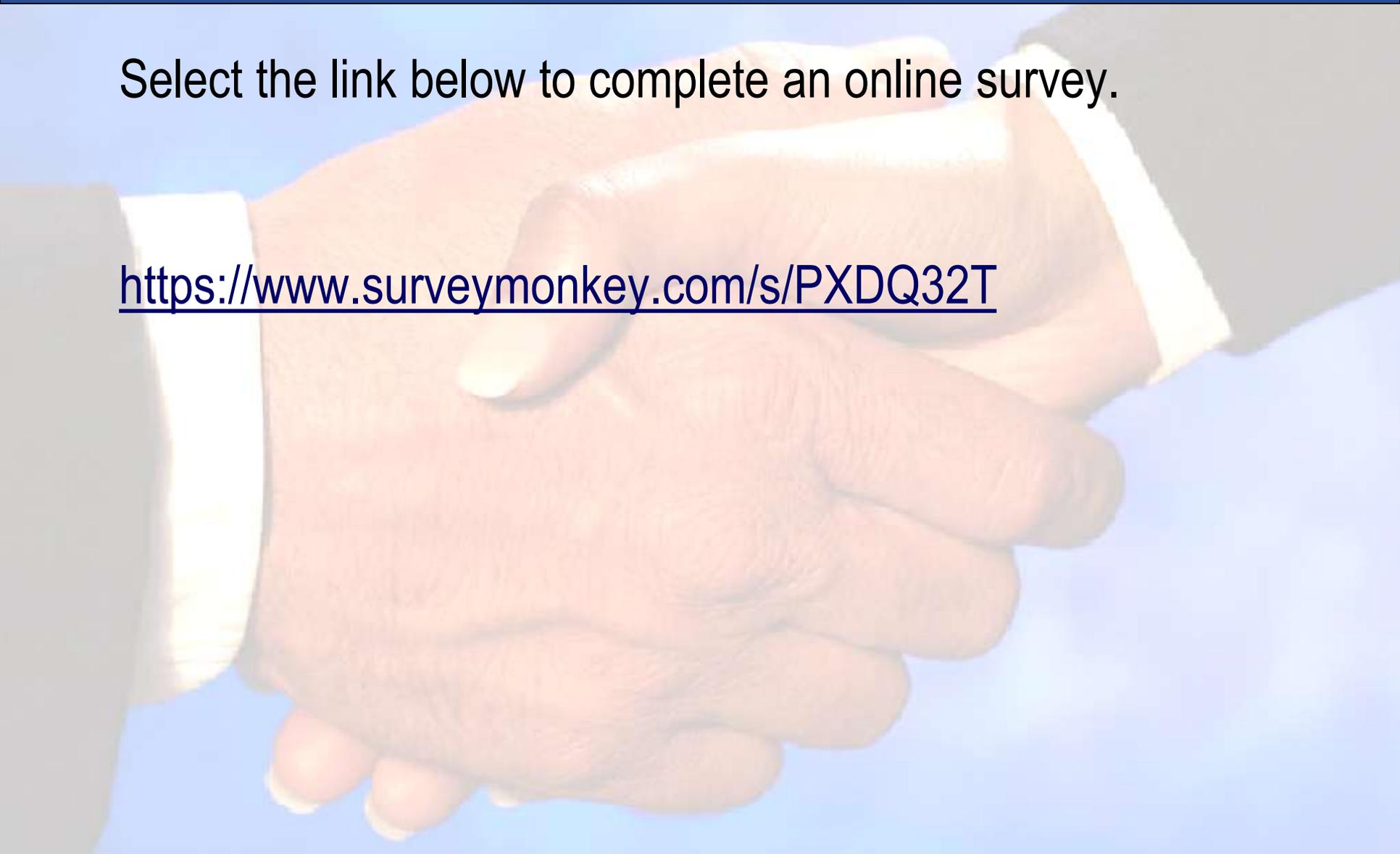
Ongoing Negotiation, Finalizing, and Drafting cont'd:

- *Did you agree to meet again, correspond by email, or phone?*
- *Did you agree in principle or to exact language?*
- *Who is going to draft the language?*
- *Who will own the outstanding issues?*
- *Down to the wire... do not rush!*

Survey

Select the link below to complete an online survey.

<https://www.surveymonkey.com/s/PXDQ32T>



You will receive credit for completing this course within 24 hours. Please select the “Log Off” button in the lower right corner to close this course.

Thank you!