

# Negotiation

<b>Objectives:</b>	To explore key skills and the structure of negotiation. To practise negotiation skills.	
<b>Session Times:</b>	3 ½ hours:	Sections A–H
	2 hours:	Sections B–E, H
	1 hour:	Sections B–C
<b>Essential Background:</b>	The Win/Win Approach	

<b>Sections:</b>	A. Stimulus Activity	10.3
	B. Exploring the Concept of Negotiation	10.3
	C. The Phases and Skills of a Negotiation	10.5
	D. Responding to Resistance from Others	10.12
	E. Opening a Negotiation	10.13
	F. Using DISC to Understand Negotiation Styles	10.14
	G. Responding to "Unfair" Tactics	10.16
	H. Practising Negotiation	10.17
<b>Activities:</b>	Buying and Selling	A.10.1
	Opening a Negotiation	A.10.5
	Negotiation in Practice	A.10.7
<b>Handouts:</b>	Section C: The Skills of Negotiation	H.10.1
	Section E: Thirty Second Opener	H.10.2
	Section F: Disc Negotiation Styles Worksheet	H.10.3



Section G:	Strategies for Responding to Unfair Tactics	H.10.4
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Section H:	Negotiation: Preparation Phase	H.10.6



# Negotiation

## Creating Suitable Environments for Working Together Towards Resolution

### A. Stimulus Activity

**Group Activity:** *Buying and Selling: working in pairs, one as buyer and one as seller, participants negotiate the price of a car. (See Negotiation Activities, p A.10.1.)* (20 minutes)

### B. Exploring the Concept of Negotiation

(10 minutes)

**Question:** What do we understand by the term "negotiation"?

**Discussion:** *Encourage a few minutes' discussion to arrive at a common understanding of the term.*

"Negotiation involves two (or more) parties with competing or conflicting interests or needs, working towards an agreement on how they will co-operate" *Dr Gregory Tillett Resolving Conflict (Sydney: Sydney University Press, 1991) p46.*

**Question:** Think of some recent negotiations in which you have been involved. What are they?

**Discussion:** *Draw out participants' responses. In addition, you might list:*

- buying a car, a house or an appliance
- negotiating a new salary package
- negotiating different roles and responsibilities at work
- arranging a fair division of household chores
- making divorce settlements and custody arrangements
- agreeing with a child (or a parent) on a study schedule or what time to be home.

**Question:** Why do we negotiate in these settings?

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- variety of reasons depending on the situation
- there seems to be no alternative (people may not otherwise be willing to shift)
- to reach agreement



- to maintain or strengthen the relationship
- to be fair; to take account of both parties' perspectives, needs and concerns
- to get the best deal possible.

**Question:** **In what ways is our style of negotiating different depending on the situation?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- we often tend to be more open in our negotiations when there is a high level of trust, when the continuance of the relationship is seen as important, and when there seems to be many options available (e.g. negotiating task divisions amongst people with whom we either work or live)
- we often tend to be less open when there is little trust, when we are not overly concerned about the relationship, and when there seems to be few options available (e.g. buying and selling a car).

In this course, we're going to focus on an approach to negotiation that is built within a win/win framework.

**Question:** **What do you think a win/win approach to negotiation would involve?**

**Discussion:** *Draw out participants' responses. Make sure the following is included:*

A win/win approach to negotiation takes account of the many needs of the parties involved.

This approach is sometimes known as interest-based bargaining. Roger Fisher & William Ury in ***Getting to Yes*** (London: Business Books 1981) identify it as "principled negotiation or negotiation on the merits" (p11).

This can be understood as a process which seeks to meet needs or interests; not to win positions or to gain victories for people. It's very different to positional bargaining in which each side takes a position argues for it and at best, makes concessions to reach a compromise.

Fisher and Ury (ibid. p11) identify four main points to define this method of negotiation. (See over.)

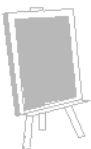
*Write on the board:*

**Separate the people from the problem**

**Focus on interests, not positions**

**Generate many options**

**Use objective standards**



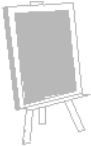
In this session, we'll identify the skills which help to put these principles into practice.

## C. The Phases and Skills of a Negotiation

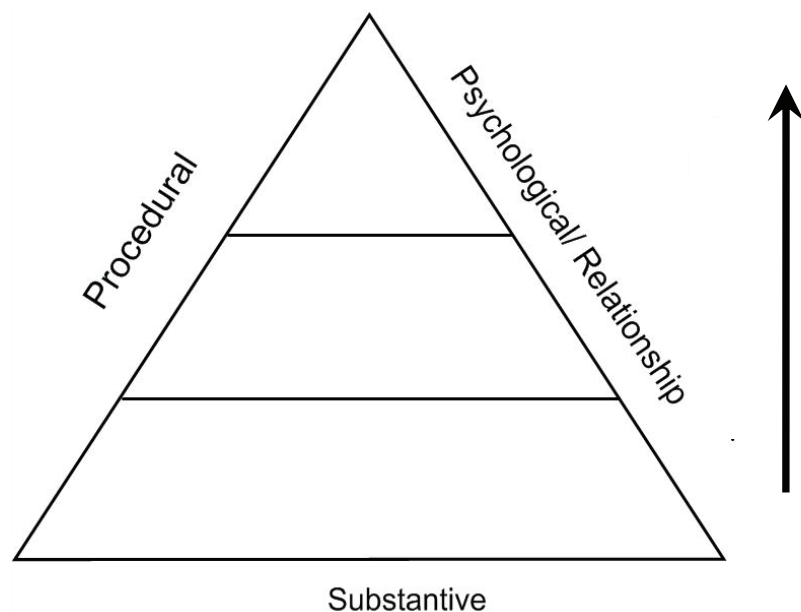
(35 minutes)

For a negotiation to be successful resulting in agreements to which people feel committed, we need to take account of the range of people's needs. These needs will be both tangible and intangible.

Draw and write on the board:



### SATISFACTION TRIANGLE



*The Satisfaction Triangle above is adapted from CDR Associates: **Papers from "Negotiation and Mediation. They Won't Cost the Earth"** a seminar held in Sydney, Australia, 10 October 1990.*

Substantive needs refer to tangible needs for money, time, goods, resources, territory, products etc.

Procedural needs are those that relate to specific types of procedures and behaviours, "the way something is done".

Psychological/Relationship needs are those that refer to how people feel, how they want to be treated and the conditions for the on-going relationship.

Concern for all these needs provides us with a win/win framework for the negotiation.

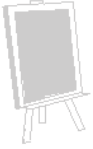
It can be useful to think of a negotiation proceeding through three phases.



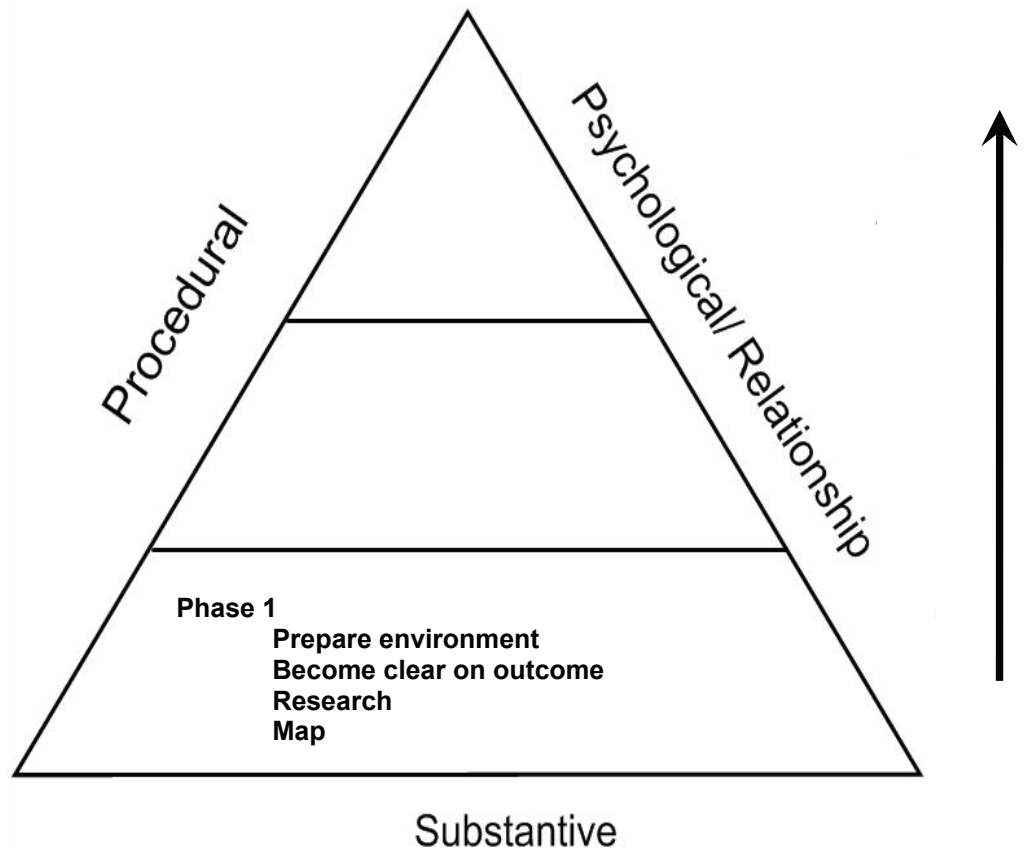
## PHASE 1: PREPARATION

There are four key activities in the preparation phase.

*Write on the board from the bottom up, discussing as you go:*



### SATISFACTION TRIANGLE



**Question:** Why would we map the negotiation?

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- to identify our needs and concerns, and to speculate on those of the other parties
- to assess the needs which are most important, so that these are given priority in the negotiation.

**Question:** What might be included in research?

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- gathering information on facts, costs, precedents, protocol etc.
- identifying currencies. What can we trade? (What is it easy for one person to give and valuable for the other person to receive?)



- finding out what it is possible for the other parties to do, making it easy for them to say "yes"
- identifying the behavioural style of the parties, using DISC, so that we can prepare and present a case in ways that are appropriate to the other parties' needs.

**Question:** **What do you think is meant by becoming clear on the outcome?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- identifying what it is we want to achieve
- defining it in such a way that there is room to negotiate.

We often call this: being clear on the outcome and flexible on the route.

As an adjunct to becoming clear on our outcome, it is wise to develop both a **BATNA** and a **WATNA**.

BATNA is the Best Alternative to a Negotiated Agreement and

WATNA is the Worst Alternative to a Negotiated Agreement.

BATNA is the best we can hope for if negotiations don't succeed; and WATNA is the worst we can realistically fear. For example, when purchasing a car, the BATNA might be to accept the best deal I can get at a different dealer. The WATNA might be to accept a car with fewer of the features I would like.

**Question:** **How would having a clear idea about BATNAS and WATNAS help in negotiation?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- they protect us from accepting very unfavourable agreements or rejecting reasonable offers because we know what our alternatives are
- we know what are the consequences for us if we can't reach a satisfactory agreement
- they help us to maintain a flexible approach. Any proposal can be compared with our BATNA or WATNA to see which meets our needs better
- some of our bargaining strength in negotiating comes when the other person needs us to reach an agreement and we are indifferent to whether or not we do. A clear plan to minimise the disadvantages and to maximise advantages of a failed agreement stops us feeling so desperate that we must accept the other person's terms.

**Question:** **What could we include in preparing the environment?**



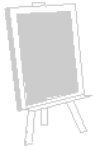
**Discussion:** Draw out participants' responses. In addition, you might consider:

- choosing a place where all parties feel comfortable
- arranging tables, chairs, flipcharts and refreshments appropriately.

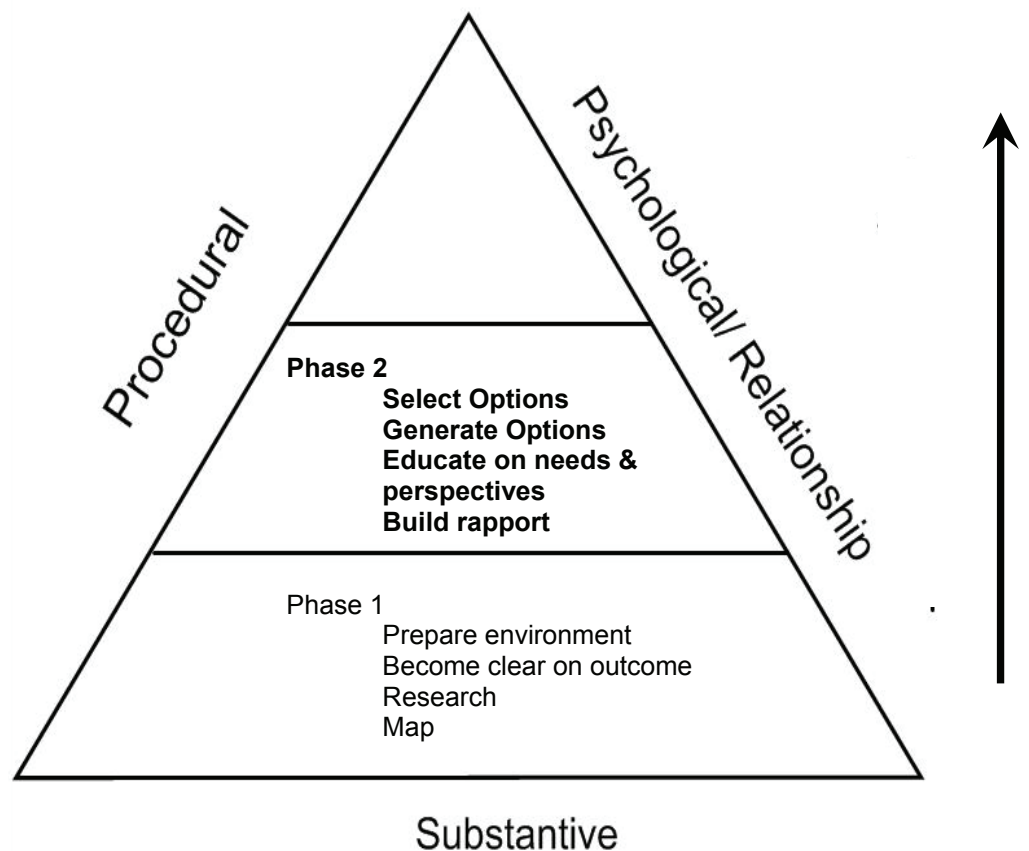
## PHASE 2: INTERACTION

There are four key activities in the interaction phase.

Write on the board:



## SATISFACTION TRIANGLE



**Question:** Why would we want to build rapport?

**Discussion:** Draw out participants' responses. In addition, you might consider:

- to encourage trust
- to understand each other's point of view
- to establish the negotiation as an exercise in partnership and joint problem-solving





- to help maintain an approach which is soft on the person and hard on the issue.

**Question:** **What skills would be particularly useful to build rapport?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- active listening
- asking questions
- being aware of behavioural styles (DISC)
- using inclusive language: AND not BUT
- identifying areas of agreement.

Skilled negotiators give priority to establishing and building common ground before confronting areas of difference. This is particularly valuable in the early stages of a negotiation; and it is also very important whenever differences receive so much emphasis that the parties start losing sight of the similarities and, therefore, of their partnership.

**Question:** Why is educating each other on needs and perspectives important?

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- to confirm a win/win approach of needs first, solutions later
- to establish common ground
- to clarify differing perceptions of the issue, facts etc.
- to expose where needs can interlock.

**Question:** **What skills would be particularly useful to educate each other about needs and perspectives?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- "I" Statements
- mapping the situation together
- managing emotions
- asking questions
- active listening
- inclusive language: AND not BUT.

**Question:** **What skills would be particularly useful in generating options?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- brainstorming



- chunking the problem into smaller parts
- identifying ways of "expanding the pie" such as longer timeframe, more resources etc.
- using inclusive language: AND not BUT
- re-framing the problem to clarify and explore details and direct attention to the positive.

**Question:** **What skills would be particularly useful in selecting options?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- assessing how well the options meet the needs of the parties
- trading by using currencies. What is it easy for one person to give and valuable for the other person to receive?
- using objective standards and criteria to establish what is fair, reasonable, or fits within the guidelines or rules
- assessing the options in comparison with a BATNA and a WATNA.

**Question:** **What do we understand by the term "currencies"?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- Currencies are what we trade in.
- Currencies which we wish to receive could include money, services, goods, security, recognition, or esteem.
- Currencies we trade away in exchange for the currencies we wish to receive could include effort, time, support for colleague, or our expertise.
- Some currencies are easy for us to give and valuable for the other parties to receive. We can offer these during negotiation; and we can ask the other parties to give us what is low cost for them and valuable for us.

### **Important Points to Cover:**

Throughout this interaction phase, it is crucial to:

- listen carefully
- identify areas of agreement, and
- be explicit in looking for ways to meet needs of all parties.

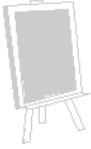
As negotiators, in order to solve our own problems, we need to solve the other person's problems also.



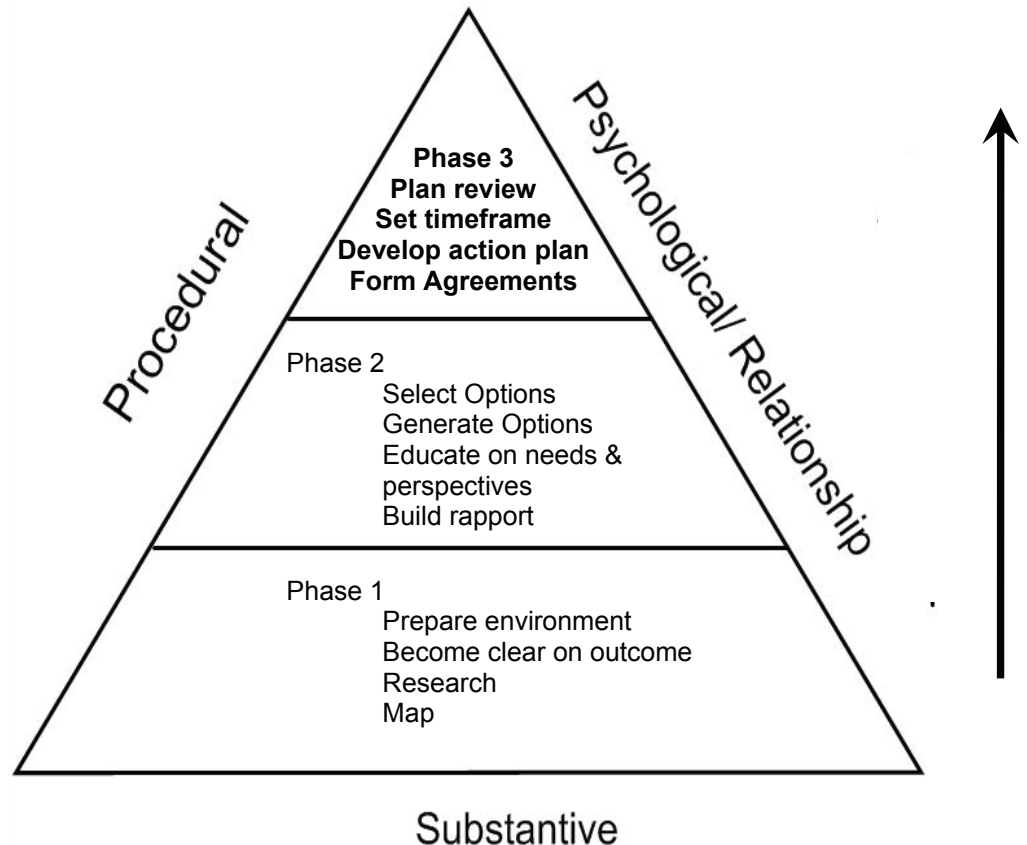
### PHASE 3: CLOSE

In the closing phase, there are four key activities.

Write on the board:



## SATISFACTION TRIANGLE



We need to make clear agreements. Depending on the situation, this may involve a spoken agreement, a show of hands a handshake or a written contract. Then we need to develop an action plan and timeframe for implementing the options. Without these, the difficulty which brought us to the negotiating table may persist, and people may lose faith in the negotiation process. Similarly, establishing a review process ensures that the implementation of the options and the satisfaction of the parties can be monitored.

Give out the **handout**: "**The Skills of Negotiation**".



## D. Responding to Resistance from Others

(35 minutes)

*If you have already covered this material in a session on power, move directly to Section E below. (See Chapter 5. Co-operative Power: Section K. p 5.22 and p A5.16)*

A major block during the interaction phase of a negotiation can be resistance by some or all of the parties to shifting from their positions.

**Question:** **How might parties in a negotiation show their resistance to shift from their positions?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- use resistant body language (e.g. arms folded, fist on the table)
- say directly that they want a particular solution chosen
- repeatedly steer discussion to focus on their positions
- argue their solution is best (e.g. most effective, most efficient, meets most needs etc.)
- react negatively to any other solution or idea that is proposed
- refuse to attend discussions.

Let's consider specific ways in which people react negatively to a new idea or proposal.

**Question:** **Imagine you are wanting to introduce a new policy or practice, and you're confronted with strong resistance from others. What might be some of the negative responses that you could hear?**

**Discussion:** *Draw out participants' responses. In addition, you might give the following examples:*

- "We've tried that already".
- "It's too expensive".
- "You're being naive – that's not how the system works".

We'll now spend some time exploring specific strategies to deal with this type of negativity.

**Group Activity:** ***Responding to Resistance from Others:*** *working in groups of three, or of six, participants practise dealing with negativity and resistance. The simulation includes three rounds. The first round is run before the material on using questions to reframe resistance has been discussed. Then Round 2 is run. The third round (Variation 2) is run during Section E below. (See Chapter 5 Co-operative Power Activities: Responding to Resistance from Others, p A5.16.)* (30 minutes)



## E. Opening a Negotiation

(30 minutes)

Sometimes we find ourselves in the midst of a negotiation, when we weren't even planning one. However, as we have already noted preparing carefully for a negotiation may result in it being more effective.

One aspect of preparation is working out how to open the negotiation. If we are able to introduce our idea in a way that captures the interest of the other person, we may succeed in:

- setting a positive tone for the negotiation
- pre-empting some objections
- decreasing resistance and negativity from the other person.

**Question:** **When we're opening a negotiation, what sort of things would we need to focus on to capture the interest of the other person?**

**Discussion:** *Draw out participants' responses. In addition, you might consider:*

- the main thrust of the idea
- the benefits to the other person and/or to the organisation
- a way to involve that person.

In identifying benefits, we need to step into the shoes of the other person. "What would he/she consider a benefit?"

An opening statement needs to be kept to about thirty seconds. It's like a headline in a newspaper: short and snappy to gain the person's attention. It provides a bridge from the preparation phase to the interaction phase.

*Give out the **handout: "Thirty Second Opener"**. Check that participants understand the three steps of:*

1. Engaging interest.
2. Stating the objective.
3. Inviting a response.

**Group Activity:** *Choose one of the two activities below.*

**Responding to Resistance from Others:** *Round 3, variation 2: working in groups of three or of six, one or two participants practise writing and presenting thirty second openers. (See Chapter 5. Co-operative Power Activities, Responding to Resistance from Others p A5.19) (Round 3 variation 2 only: 10 minutes)*

**Opening a Negotiation:** *working in pairs, participants practise preparing and presenting thirty second openers for negotiations they identify. (See Negotiation Activities, p A.10.5.) (15 minutes)*



## F. Using DISC to Understand Negotiation Styles

(45 minutes)

**Question:** How would an understanding of the DISC model help us in negotiations?

**Discussion:** Draw out participants' responses. In addition, you might add:

- it would help us assess our own style of negotiating. This assessment could highlight both the strengths and the pitfalls of our style and indicate areas that need special attention
- it would remind us that differences we have with other participants in negotiation may arise from differences in styles, as much as from holding different viewpoints or wanting different outcomes
- it would assist us in preparing for the negotiation, particularly in identifying the procedural and relationship needs of the other person
- when we're wanting to adopt a win/win approach, we want to turn opponents into partners. The DISC model helps us to identify and value other people's strengths. In a negotiation our own skills may be complemented by someone else's skills. Together, we could become a powerful problem-solving team
- in a multi-party negotiation, it may help us choose a balanced team to represent our case.

**Group Activity:** **Assessing Negotiation Styles:** working in small groups of four, participants identify features of each DISC style, relevant to negotiation. (See below for details.) (30 minutes)

*Divide into groups of four.*

*Give out the **handout: "DISC Negotiation Styles"** and refer participants to the **handout: "DISC Model"** that was given out during Empathy.*

*Ask participants to discuss and complete each section of the **handout**.*

*Allow 20 minutes.*

**Discussion:** Ask each small group to share their answers with the large group. After exploring their responses, you might add points from the table over the page.

### Important Points to Cover:

As is always true with the DISC model, we need to realise that our style varies according to the situation. In family negotiations, we may tend to adopt one style, while at work we tend to adopt another.

Becoming aware of the styles we tend to choose means that we are able to pay special attention to skills and approaches, which capitalise on the strengths and avoid the pitfalls of those styles.



## CONSCIENTIOUS

### Strengths

Task-focused  
Attentive to detail  
Concerned that the solution is comprehensive

### Pitfalls

May overlook variety of options and people's needs and concerns  
May be so concerned with details that may not sufficiently heed the bigger picture  
May appear unwilling to be flexible

### Areas needing special attention

- thinking laterally
- being flexible
- listening sensitively
- allowing more time for exploration of feelings and concerns

## DIRECT

### Strengths

Task-focused  
Straight to the point  
Concerned with ensuring a result occurs

### Pitfalls

May overlook some people's discomforts and concerns  
May be so focused on the appropriateness of own outcome, that may not hear others' suggestions  
Others may hear own suggestions as demands

### Areas needing special attention

- listening attentively
- showing empathy
- giving constructive feedback
- including others in decision-making

## STABILISING

### Strengths

People-focused  
Supportive  
Concerned that everyone is satisfied with the negotiation

### Pitfalls

May overlook the requirements of the task  
May not participate fully in the process  
May be too ready to give up own needs in a compromise

### Areas needing special attention

- making "I" Statements
- setting limits on others talking
- ensuring that adequate attention is given to the task
- encouraging note-taking

## INFLUENCING

### Strengths

People-focused  
Persuasive  
Concerned that agreement is reached

### Pitfalls

May overlook necessary details and procedures  
May be slow to attack the problem  
May falsely believe that others have been persuaded to own point of view

### Areas needing special attention

- preparing thoroughly
- focusing on the task
- putting sufficient emphasis on others' concerns.
- listening carefully to others' comments

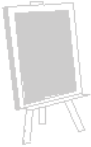


## G. Responding to "Unfair" Tactics

(25 minutes)

**Question:** What tactics used by people during negotiation have you found difficult to deal with?

**Discussion:** Draw out and write participants' responses on the board. You might consider:



- introduction of irrelevant or misleading information
- personal attacks
- the addition of conditions after agreement has been reached
- manipulative timing or agenda-planning (includes leaving important discussion points to last in a busy agenda; and pushing through seemingly small, but often important, agreements at the last minute when everyone is tired)
- negotiation of unrealistic positions so that a later position, in comparison, looks very generous or reasonable
- introduction of past events and hurts in the relationship
- accusations regarding integrity and motivations of parties in the negotiation
- emotional blackmail (e.g. stirring up guilty feelings)
- statement of ultimatums
- referral to higher authority (indicating during the negotiation that any agreements made will need to be checked with other, more senior people)
- persistence with finalising details on one issue, thus delaying proceeding to the other issues some of which may be relevant to the first issue.

**Group Activity:** *Responding to Unfair Tactics: working in small groups of four, participants consider strategies for responding to unfair tactics which will neutralise their effect without further damaging the relationship.*  
(15 minutes)

*Divide into groups of four.*

*Give out the **handout: "Strategies for Responding to Unfair Tactics"**.*

*Ask participants to identify four "unfair" negotiation tactics, and then develop strategies for responding to them.*

**Discussion** *Ask small groups to share their strategies with the large group.*

*Then give out the **handout: "Responding to Unfair Tactics"**. Highlight strategies that participants have not already considered.*





## Important Points to Cover:

Using a win/win approach to negotiation leads to a particular set of responses to unfair tactics. The aim is not to out-trick the other party.

Rather, the aim is to neutralise the effect of the tactics in a way which maintains the relationship with the other person while resolving the issue.

In broad terms, the response to an unfair tactic is always to re-direct attention back to the issue.

## H. Practising Negotiation

**Group Activity:** *Negotiation in Practice: working in pairs, participants practise the skills of negotiation using a given scenario. (See Negotiation Activities, p A.10.7)* (20 minutes)



# Negotiation Activities

## Buying and Selling

### Trainers' Information Only

<b>Context:</b>	Although we negotiate frequently, many of us are unaware of our negotiating approaches and of how we respond before and during a negotiation. As a stimulus activity, this exercise highlights participants' approaches to negotiation. In a mixed skill level group, do not let it run over time as advanced participants will want to move on quickly (See <i>Chapter 10 Negotiation: Section A</i> )
<b>Time:</b>	20 minutes
<b>Aim:</b>	To introduce negotiation in an active and relevant way
<b>Requirements:</b>	<b><i>"Simulation – Buying and Selling a Car: Seller's Notes" and "Buyer's Notes"</i></b>

**Instructions:** In this activity, we're going to work in pairs to negotiate the price of a car.

*Divide the group into pairs.*

Partner A is selling a car.

Partner B wants to buy a car.

I will give each of you notes to guide your negotiation. Don't show your notes to your partner.

***Give out "Simulation: Buying and Selling a Car: Seller's Notes" and "Buyer's Notes", to Partners A and B respectively. (See attached sheets p A.10.3 and p A.10.4.)***

*Ask participants to read through the notes.*

*Allow 2–3 minutes.*



Now, you have about 5 minutes to negotiate the price and sale of the car.

Allow 5–7 minutes.

**Discussion:**

How did the negotiation process work out from the buyer's perspective?

How did the negotiation process work out from the seller's perspective?

How would you have felt to be in the opposite role?

What were your main concerns in the negotiation?

Were you concerned about how the other person felt?

Were you focused on the money?

Were you wanting to ensure that you got a fair deal?

Did you find out anything about the other person from the transaction?

Did you finally agree on a price? If so, what was it? How would you define a win in this negotiation?

(After participants have responded, you might add: A win could be defined in money terms or it could be defined in satisfaction terms i.e. how satisfied both parties feel with the negotiation.)

In money terms:

- If the price was greater than \$6,650, the seller "won" and the buyer "lost".
- If the price was less than \$6,350, the buyer "won" and the seller "lost".
- If the price was between \$6,350 and \$6,650, both parties "won".
- If a price was not negotiated, both parties "lost".

*The trainer can suggest to participants that they reflect on their own responses to this negotiation exercise by considering the following questions:*

Did you approach this negotiation in the way that you often approach negotiation?

What do you feel when you have to negotiate? Does it vary depending on the relationship, the subject, and the stake you have in it?

What do you think you do well in negotiation?

What would you like to do differently?



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# Simulation

## Buying and Selling a Car

### Seller's Notes

You're going interstate and will be given a company car, which will replace your present car.

You've been offered \$5,400 by a used car yard, and hope to get a better price by advertising it yourself.

As you're due to leave in two weeks, you really need to sell it this weekend.

You have placed an advertisement in the weekend newspaper. You have asked \$7,000 in the ad, but a friend who is familiar with used car prices has said that you're more likely to get between \$6,350 and \$6,750.

The details of the ad are as follows:

FOR SALE

Daihatsu Sirion 2000 – 1.0L Super economical this five door, dark blue metallic paint, AUTOMATIC hatchback is surprisingly roomy. 67,000 kms, five months registration, air conditioning, good condition tyres, excellent condition, \$7,000.

**Your task is to negotiate yourself a good deal.**

*Someone has read your ad and made an appointment to see the car. The doorbell rings. He/she has arrived.*

*Please return this sheet to the trainer at the end of the activity.*



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# Simulation

## Buying and Selling a Car

### Buyer's Notes

You've been needing a second-hand car for some time and have not seen what you want.

You have become very frustrated looking at second-hand car yards, and so you have decided to try the private sales.

You have seen a classified ad in the weekend newspaper which seems to be what you're after. The asking price is \$7000.

You are hoping to pay less than that, as it stretches your budget too far. The most you can pay is \$6650. You'd like to get it for \$6250.

The details of the ad are as follows:

FOR SALE

Daihatsu Sirion 2000 – 1.0L Super economical this five door, dark blue metallic paint, AUTOMATIC hatchback is surprisingly roomy. 67,000 kms, five months registration, air conditioning, good condition tyres, excellent condition, \$7,000.

**Your task** is to negotiate yourself a good deal.

*You have made an appointment to see the car, and you have just arrived. You ring the doorbell.*

*Please return this sheet to the trainer at the end of the activity.*



# Negotiation Activities

## Opening a Negotiation

### Trainers' Information Only

<b>Context:</b>	In negotiations, a thoughtfully prepared opening statement will often set a positive framework for further discussion ( <i>See Chapter 10 Negotiation: Section E</i> )
<b>Time:</b>	15 minutes
<b>Aim:</b>	To practice preparing and presenting a "thirty second opener" for a negotiation
<b>Handout:</b>	<b><i>"Thirty Second Opener"</i></b>

**Instructions:** In this activity, we'll practise preparing and presenting a thirty second opener for a negotiation. To begin with, we'll work individually and then in pairs.

*Ask participants to think of examples of negotiations in which they have recently been involved or which are likely to occur soon.*

*Offer the following situations, if necessary.*

You might be trying to negotiate:

- a roster to answer telephones over the lunchtime period
- a week's leave before you're due for holidays
- relief from your usual share of household chores while you prepare for exams, complete an assignment, or meet a deadline for an important work proposal
- a different deadline for paying back money to a friend or parent; or for completing a report.

*Ask participants to use the **handout: "Thirty Second Opener"** to record and structure this opening statement.*

*Allow 5 minutes.*

*Then, divide into pairs.*

In our pairs we will take it in turns to present our thirty second openers. We'll each give feedback on the opener and then help each other polish it.



Before you present the opener, explain your relationship with the person with whom you are negotiating, and give any other necessary background information (e.g. this is the second occasion on which you've raised this issue; it involves a break with company policy; it is a stated issue of concern to the Managing Director etc.)

In this explanation, don't include anything which you will be presenting in the thirty second opener.

Once you've presented the thirty second opener, ask your partner for feedback and try to polish the statement further.

*Allow 5 minutes.*

*Then reverse roles.*

**Discussion:**

What are the difficulties in preparing and presenting thirty second openers?

How do you think a thoughtfully prepared thirty second opener would help in a negotiation? *(After participants have responded, you might add: decreases resistance from the other person; establishes a framework for constructive discussion; helps us to focus our attention, not just on our objective but also on the needs and concerns of the other person.)*



# Negotiation Activities

## Negotiation in Practice

### Trainers' Information Only

<b>Context:</b>	Negotiation, within a win/win framework, draws on a wide range of conflict resolution skills. Participants need the opportunity to practice drawing these together. (See <i>Chapter 10 Negotiation: Section H.</i> )
<b>Time:</b>	40 minutes
<b>Aims:</b>	To practice the skills of negotiation To become aware of the value of careful preparation To identify strengths of individual negotiating styles, and highlight areas that need attention.
<b>Handout:</b>	<b><i>“Negotiation: Preparation Phase”</i></b>
<b>Requirements:</b>	<b><i>“Simulation – Career Advancement” pages 1 and 2</i></b> <b><i>“Simulation – Fundraising and Publicity” pages 1 and 2</i></b>

**Instructions:** We are going to practise a negotiation in pairs. I will give each person details of a scenario. Do not show your partner the details I give you.

*Choose one of the two following scenarios as a simulation in which participants practise win/win negotiation tactics.*

#### **Scenario 1**

An employee wants to negotiate with a Manager about measures to improve his/her career prospects.

#### **Scenario 2**

A Fundraising Officer for a local neighbourhood centre wants to negotiate with the Publicity Officer to establish a new publicity committee.

*(See attached Sheets – “Simulation: Career Advancement” pages 1 and 2, p A.10.9 and p A.10.10 or simulation: Fundraising and Publicity pages 1 and 2, p A.10.11 and p A.10.12.)*

*Divide the group into pairs. Give a copy of page 1 of the simulation used to one person in each of the pairs. Give a copy of page 2 of the simulation used to the other person in each of the pairs.*





Then give out the **handout: "Negotiation: Preparation Phase"**.

Read through the scenario and your role. Then try to answer the questions on the **handout: "Negotiation: Preparation Phase"** in readiness for the negotiation. You have about 5 minutes.

Allow 5 minutes.

Remind participants of the phases and skills of negotiation by drawing attention to the **handout: "The Skills of Negotiation"**.

Now, start your negotiation. You have 10–15 minutes.

**Pair Discussion:** Ask participants to share their thoughts on the negotiation with each other.

**Discussion:** What progress did you make in the negotiation?

Did anyone reach agreement or settle on any options? What were they?

What worked in the negotiation? What particular skills did you use?

Who found a thirty second opener valuable?

Did anyone consider DISC? How was that helpful?

Were you able to use questions to reframe the discussion? What are some examples?

In what ways did you build rapport?

Were you able to use "and" not "but"? How was that useful?

What did you do to close the negotiation?



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# Simulation

## Career Advancement –

### Page 1

You are Paul/Pauline Campbell. You have been with the company for four years as Team Leader of a Divisional Sales Team. You're keen to have a new challenge at work. Your goal is to become part of the Senior Management team of the company. This would also meet a number of personal needs. To do this you believe you need to get a broad base of experience in different areas of the company.

You're attracted to marketing. Twelve months ago, you completed a six session evening course on introduction to marketing. You've now found that the National Institute for Research and Marketing runs a highly regarded and intensive course in marketing over a twelve week period, from 4.00 pm – 7.00 pm on Wednesdays. It would also require a commitment of time to work on a work-based marketing exercise.

You believe completion of the course would be an asset to you in a transfer to the Marketing Division. As well, it would assist you in applications to other companies.

You have asked for a meeting with the Manager of State Operations, Toni/Tony Michaels, to discuss your career prospects with the company.

*Please return this sheet to the trainer at the end of the activity.*



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# Simulation

## Career Advancement –

### Page 2

You are Toni/Tony Michaels. You have been with the company for seven years. For the past two years you have been the Manager for State Operations. You are keen to move upwards into National Office.

Paul/Pauline Campbell, a Team Leader of a Divisional Sales team, has asked for a meeting to discuss his/her career prospects with the company.

You regard Paul/Pauline as a good employee, and consider that he/she has a promising future.

His/her performance appraisals reveal strengths in interpersonal communications and presentation skills. Because of recent company restructuring, it would be possible to offer Paul/Pauline a transfer to the Human Resources Division, and this would seem particularly well suited to his/her skills. Apart from this, there are few other opportunities for movement within the company in the near future.

This transfer would include Paul/Pauline attending in-house training in the maintenance of corporate climate and the development of company policies, as well as Human Resource practices.

*Please return this sheet to the trainer at the end of the activity.*



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# Simulation

## Fundraising and Publicity –

### Page 1

You are Francis/Frances Hopkins. You are the Honorary Fundraising Officer at your local neighbourhood centre. The centre's main fundraising activity this year is a spring fete. Planning for this fete is progressing well. Numbers of people have already been assigned to look after stalls.

One aspect of the fete organisation which still concerns you is publicity. The neighbourhood centre has an Honorary Publicity Officer. You are often concerned by the Publicity Officer's approach to publicity. You certainly feel that publicity is less extensive, and more conservative, than you would like to see.

Because the spring fete is such an important event, you want the publicity to be very effective. You believe that relying on the Publicity Officer won't be adequate so you are keen to establish a Fete Publicity Committee, which you would convene. This Committee could devote its attention to publicising the fete. This would mean that the Publicity Officer would be free to continue with the routine publicity requirements of the centre.

You have arranged to meet with the Publicity Officer, Robin/Robyn Leslie, to discuss publicity for the fete. At the meeting, you intend to propose the Fete Publicity Committee.

*Please return this sheet to the trainer at the end of the activity.*



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# Simulation

## Fundraising and Publicity –

### Page 2

You are Robin/Robyn Leslie. You are the Honorary Publicity Officer at your local neighbourhood centre.

Francis/Frances Hopkins, the Honorary Fundraising Officer, has asked to meet with you to discuss publicity for this year's major fundraising activity, a spring fete. You're happy to meet with Francis/Frances as he/she has requested it, although you don't feel that it is necessary.

Francis/Frances has plenty to do in organising the fete itself; and you are willing to look after all the publicity without requesting time and effort from others. You believe that Francis/Frances likes to involve him/herself unnecessarily in areas that fall outside of his/her responsibility. This results in time-wasting and excess effort.

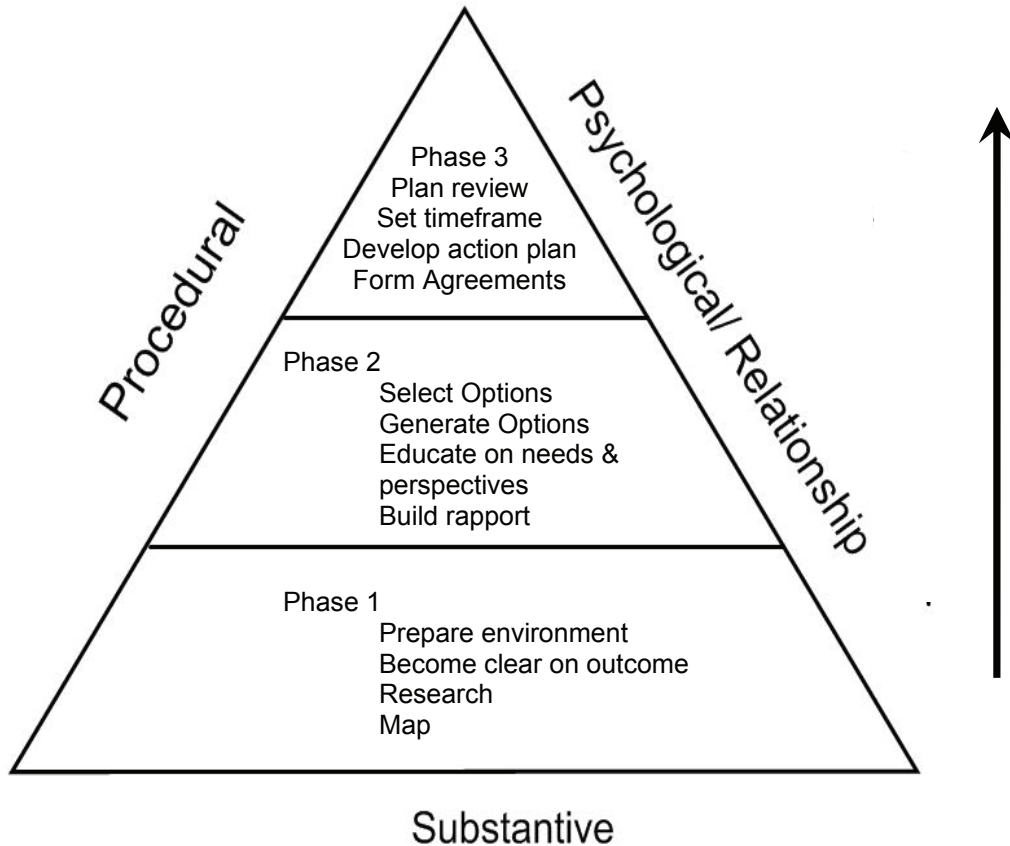
You are looking forward to the fete. The publicity needs are straightforward: you will organise the usual letterbox drop, poster displays in shop windows, free community service advertisements on local radio, and an article on page three of the local newspaper.

*Please return this sheet to the trainer at the end of the activity.*



# *The Skills of Negotiation*

## SATISFACTION TRIANGLE



Negotiation calls on all of the skills of conflict resolution.  
You may find these skills useful in any of the phases.  
When working with a win/win approach:

**Be hard on the problem**

**Be soft on the person**

**Focus on needs, not positions**

**Emphasise common ground**

**Be inventive about options**

**Make clear agreements**

*The Satisfaction Triangle is adapted from materials of CDR Associates, 100 Arapahoe Avenue, Suite 12, Boulder CO 80302 USA*



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*Negotiation H.10.1*

# ***Thirty Second Opener***

Write a 30 second statement as an opener to a negotiation.

## **1. Engage Interest**

What would make this person interested? How might they benefit?

## **2. State Objective**

What do I want to achieve?

## **3. Invite Response**

Where do we go from here? How will I invite the next step?

*After presenting a "thirty second opener," consider:*

- Was the statement concise and clear?
- Did the other person feel that his/her needs had been addressed?
- What additional information might he/she have needed?
- Did you say or do anything which encouraged a "no" rather than a "yes" response?



# ***DISC Negotiation Styles Worksheet***

## **CONSCIENTIOUS**

**Strengths**

**Pitfalls**

**Areas needing special attention**

## **DIRECT**

**Strengths**

**Pitfalls**

**Areas needing special attention**

## **STABILISING**

**Strengths**

**Pitfalls**

**Areas needing special attention**

## **INFLUENCING**

**Strengths**

**Pitfalls**

**Areas needing special attention**





# ***Strategies for Responding to Unfair Tactics***

The aim is not to out-trick the other party. Rather, the aim is to maintain the relationship while resolving the issue. Broadly, re-direct attention back to the issue.

<b>Unfair Negotiation tactics</b>	<b>Strategies for Responding to Them</b>



# ***Responding to Unfair Tactics***

The win/win approach includes these components. Use them to steer a negotiation in a positive directions and particularly whenever an unfair tactic has been used.

## **Reframe**

Ask a question to reframe.

Request checking of understanding. ("Please tell me what you heard me/them say.")

Request something she/he said to be restated more positively or as an "I" Statement.

Re-interpret an attack on the person as an attack on the issue.

## **Respond not React**

Centre. Manage your emotions.

Let some accusations, attacks, threats or ultimatums pass.

Make it possible for the other party to back down without feeling humiliated (e.g. identify changed circumstances.)

## **Re-focus on the Issue**

Maintain the relationship and try to resolve the issue.

Summarise how far you've got. Review common ground and agreement.

Focus on being partners solving the problem, not opponents.

Divide the issue into parts.

Address a less difficult aspect when stuck.

Invite trading currencies ("If you will..., then I will...").

Try for agreement in principle.

Explore best and worst alternatives for a negotiated agreement.

## **Identify Unfair Tactics**

Name the behaviour as a tactic.

Expose the feelings that the tactics have exposed.

Use "I" Statements.

Address the motive for using the tactic.

Ask about underlying principles and commitments.

## **Change the Physical Circumstances**

Have a break. Change locations, seating arrangements etc.

Go into smaller groups. Meet privately.

Call for meeting to end now and resume later, perhaps "to give opportunity for reflection".



# ***Negotiation: Preparation Phase***

## **Needs and Concerns**

What are my needs and concerns?

Am I really committed to using a win/win approach? How will that affect my aims and actions?

What behavioural style (DISC) do I and the other parties involved usually adopt?

What are the needs and concerns of the other parties involved?

What information do I need and what information do others need?

## **Options**

What agenda items do I wish to raise, and what are my preferred outcomes?

What are my preferred options for meeting that outcome?

What other options could be considered?

What is my best alternative to a negotiated agreement?

What is my worst alternative to a negotiated agreement? Can I reduce its negative effect?

In what currencies can I trade? What can be easy for me to give and valuable for the other parties to receive? What can I ask for that is helpful for me and low cost for them?

## **Anticipating the Actual Meeting**

What are the physical conditions in which I want the negotiations to occur?

What emotions of my own may I have to manage?

What emotions in others may I encounter and have to respond to?

In what ways will I manage and respond to these emotions/

