


# Negotiation

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# What is Negotiating?

## ne·go·ti·a·tion


/nəˌgōʃhēˈāʃhən/ 

*noun*

discussion aimed at reaching an agreement.

"a worldwide ban is currently **under negotiation**"

*synonyms:* discussion(s), talks, deliberations; [More](#)

- the action or process of negotiating.  
"negotiation of the deals"
  - the action or process of transferring ownership of a document.
- 

# What is Negotiating?

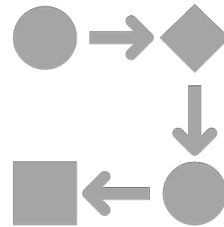
“Negotiation is a process which takes place when two or more interdependent parties who have different needs and goals, work together to find a mutually acceptable & beneficial outcome”

*‘Often involves both parties making concessions’*

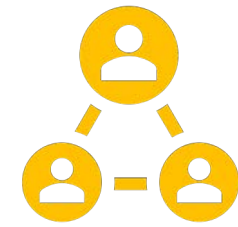
# 3 Areas of Interest in Negotiation



Substance

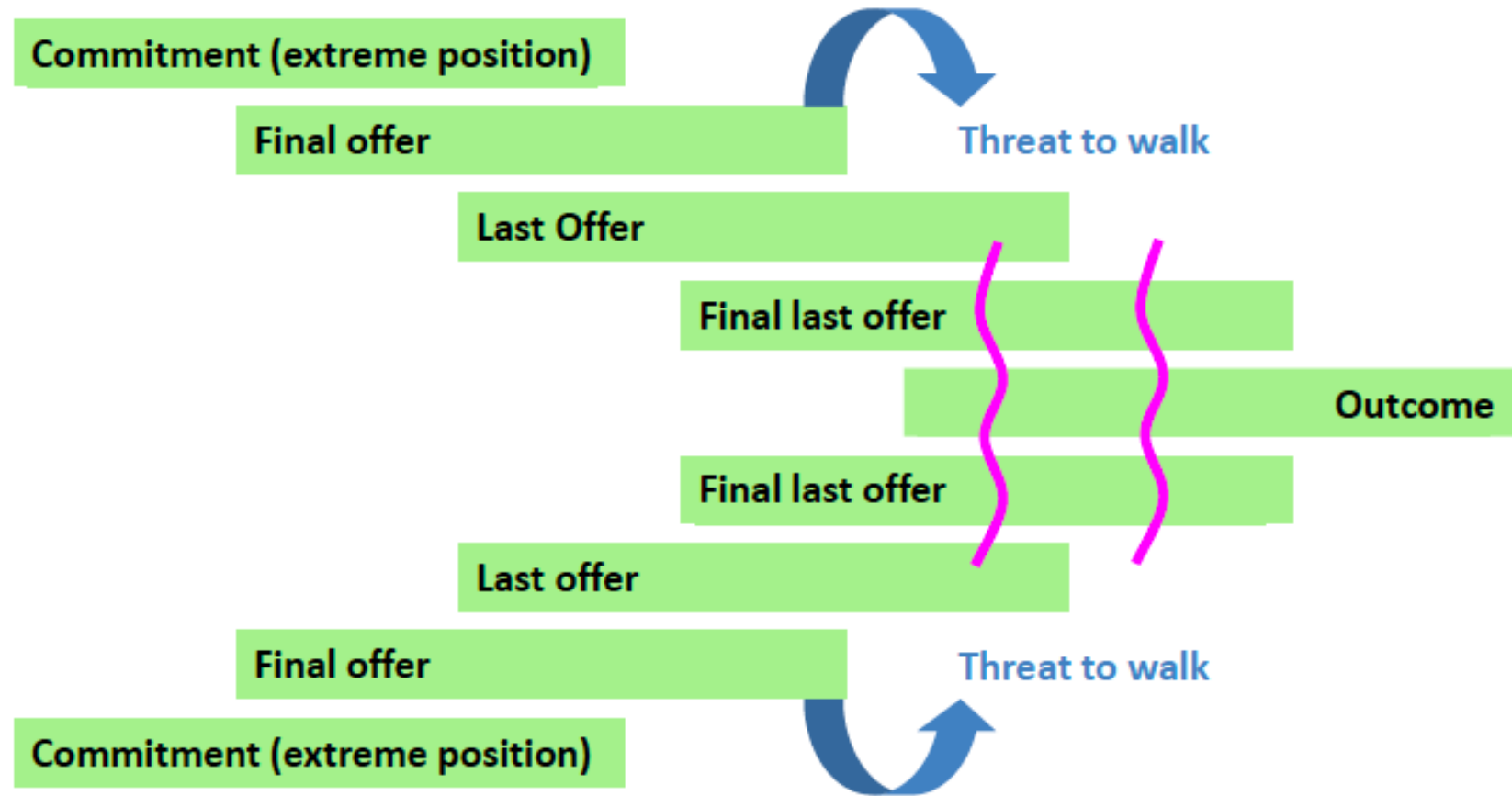


Process



Relationship

# Traditional Negotiation



**I'D SAY THE NEGOTIATIONS WENT MUCH BETTER THAN EXPECTED.**



**BEDTIME WAS PUSHED BACK 10 MINUTES.**

# Alternatives to Negotiating?

- **PERSUASION**
  - convincing the other party
- **GIVING IN**
- **COERCION**
  - threatening
- **PROBLEM-SOLVING**
- **INSTRUCTION**
- **ARBITRATION**
  - seeking fairest 3rd party ruling

# Why Do Negotiations Fail?



Getting too emotional

Focus on personalities, not issues

Not trying to understand the other person

Focus on our own needs

Wanting to win at all costs

Regard negotiations as confrontational



A successful  
negotiator  
needs to be....

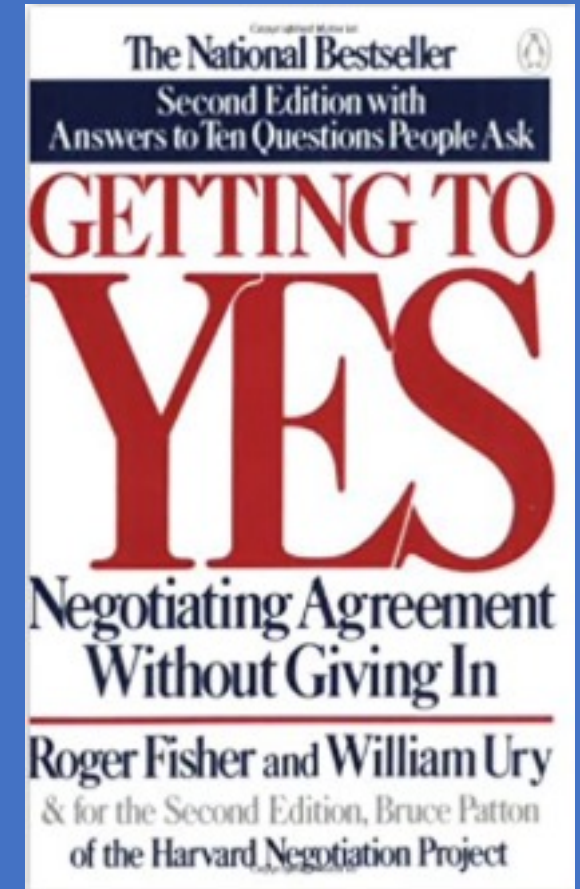
- Professional
- Confident, Relaxed, at ease
- Open, honest, sincere & credible
- Respectful of other people's values
- Show empathy and understanding
- Committed to a WIN:WIN result
- Continually enhancing their skills

## 7 Elements of a Negotiation

- Interests – What do people really want?
- Options – What are the sources to be gained?
- Alternatives (BATNA) – What will I do if we do not agree?
- Legitimacy – Always ask yourself, is that true?
- Relationship – Can I separate people from the problem?
- Communication – Am I listening effectively?
- Commitments – Have we considered the steps to implementation?

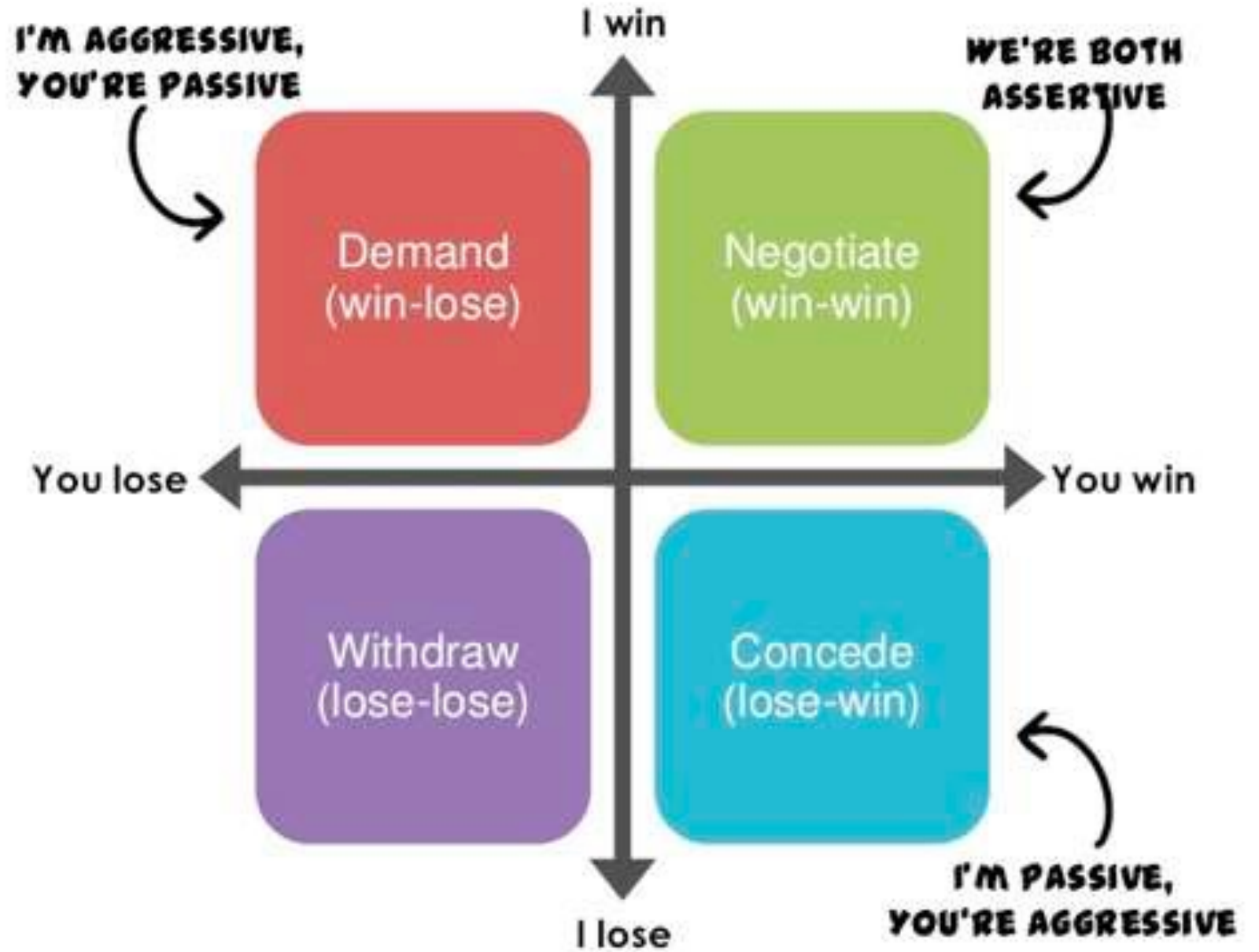
BATNA

Best  
Alternative  
to a Negotiated  
Agreement



	<b>Definition</b>	<b>Measure of Success</b>	<b>Advice</b>
<b>Interests</b>	Needs, concerns, goals	Satisfies parties' interests	Probe for interests; ask Why/Why Not?
<b>Alternatives</b>	BATNA	Better than your BATNA	Improve your alternative before negotiations begin; make their alternative less appealing
<b>Options</b>	All possibilities	Expands the pie	Separate option generation from evaluation and commitment
<b>Legitimacy</b>	External criteria	Established standards	Criteria = sword/shield
<b>Communication</b>	Exchange of info and thought	Message sent = message received	Tone-match to audience; advocate AND inquire
<b>Relationship</b>	Connection between parties	Relationship improves or is not harmed	Be constructive; problem vs. people
<b>Commitment</b>	Agreement to will/will not	Specific, firm, implementable	Use both process and substance commitments; not too early

# 4 outcomes of Negotiation



# What does success look like?

- Meets our interests well, theirs acceptably, and others tolerably enough to be **durable**
- Is the best of *many* **Options**.
- Is *better than our BATNA*.
- Is **Legitimate**, supported by objective criteria.
- **Improves**, or at least does not damage the **Relationship**
- Is based on **clear communication**
- Commitments are **specific, firm, & implementable**

A row of wooden figures, with one red figure in the center, symbolizing negotiation. The figures are arranged in a line on a light-colored surface, with a soft blue background. The central figure is a vibrant red, while the others are a natural wood color. The text "The 4 stages of negotiation..." is overlaid in white, centered over the figures.

The 4 stages of negotiation...

# The 4 stages of negotiation...



PREPARATION



INFORMATION  
EXCHANGE



BARGAINING



CLOSE AND SETTLE



# Preparation

## Be clear about your objectives—what you are trying to achieve

- The LIM Model:
  - Like to Achieve (most favored option, ideal settlement)
  - Intend to Achieve (expected result, realistic settlement)
  - Must Achieve (fall back position, bottom line)
- Work out your tactics...how best to put your case
- Try to figure out the other parties' objectives
- Gather background information
  - personalities involved
  - power balance
  - attitudes etc.

# Preparation



Negotiators with high aspirations consistently outperform those with low aspirations



A high aspiration base creates sufficient room to make and request the necessary concessions



High aspirations generate positive psychological energy and prevent rigidity and defensiveness



A high aspiration communicates confidence and generally prevents irrational negotiation behavior



High aspirations require the other negotiating party to expend more energy in trying to lower aspirations, thus not focusing on promoting its own aspiration

# Preparation Questions...

What is the reason for this negotiation?

What are the topics?

What is my perception of the issue?

Perception on the other side?

What resources can I draw on?

What do I know about my department/division?

What do I know about the other negotiator?

What are our interests?

What are our shared common interests?

What are the opposing interests?

Why are they talking to me?

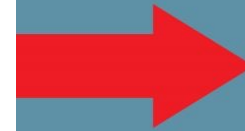
Why do they need something from me?

What prevents them doing it another way?

What is my baseline? What is an ideal win?

# Prepare your baseline

- Define your range
- Starting position
- Identify your Target
- Walkaway
- Know your BATNA



# Information Exchange

This is the single most important stage of negotiation.

Both parties will be trying to find out and understand the other's position and requirements

Successful negotiators ask twice the number of questions and spend twice the time acquiring and clarifying information as average negotiators

# Bargaining

If a number or term is mentioned, you have moved out of information exchange and into bargaining....

## Reject constructively

- Do not offend
  - “I’m afraid we can’t possibly agree”
  - “That is a ridiculous offer”

Retain a constructive atmosphere

# Bargaining

Be firm on broad issues but flexible on specifics

Look for the agreement signals:

- Certain words indicate that agreement is close
  - If...then....
  - Let's put that in round numbers
  - Well, that's hardly worth holding us up...

Note the moving baseline:


- As each issue is agreed upon, acknowledge and summarize it
- Move to the next point after you have noted the agreement

# Close & Settle

- Is this the best and final offer? If yes...
- List the agreement in detail
- List the points of explanation, clarification, & interpretation
- Record agreed upon summary with all parties
- Re-start negotiations if there is any dispute over the agreement



# THE NEGOTIATION CANVAS

1) My Desired Outcome 		2) Their Desired Outcome 	
3) My Key Interests 	7) My Bargaining Chips 	8) Their Bargaining Chips 	4) Their Key Interests 
5) My Walkaway Alternative 	9) Possible Solutions 		6) Their Walkaway Alternative 
10) Agreement 			



Or Hard?

Soft?

Are your  
negotiation  
skills

# Negotiator Types

## Soft negotiator

- Tends to see negotiators as friends
- Sees agreement as the goal
- Prepared to make concessions to cultivate the relationship
- Is willing to trust the other side
- Is willing to modify position at an early stage
- Discloses “bottom line” early in discussions
- Avoids contests of will on particular points
- Concedes to pressure

## Hard negotiator

- Sees negotiators as opponents or adversaries
- Sees victory as the goal
- Demands concessions to establish a relationship
- Tends to mistrust the other side
- Is reluctant to alter position in any way
- Misleads as to “bottom line”
- Expects to win contests of wills
- Applies pressure

# The winning combination...

## Separate

### personality & issues:

- The issues do not reflect on your personality – hard or soft.
- Make important points with conviction, and without fear of image

## See

### cases unemotionally:

- Maintain objectivity about your case, and the case of your opponent

## Avoid

### confrontation:

- Bad for both sides
- hard negotiators—lose face by accepting compromise or walk away when it is not in their best interests
- soft negotiator is more likely to succumb to pressure from an aggressive counterpart

# Negotiator Types...

## The Avoider

- Dislikes conflicts

## The Compromiser

- Fair-minded, interested in maintaining relationships

## The Accommodator

- Resolves interpersonal conflicts by resolving the other persons problem

## The Competitor

- Winning is all that matters

## The Problem Solver

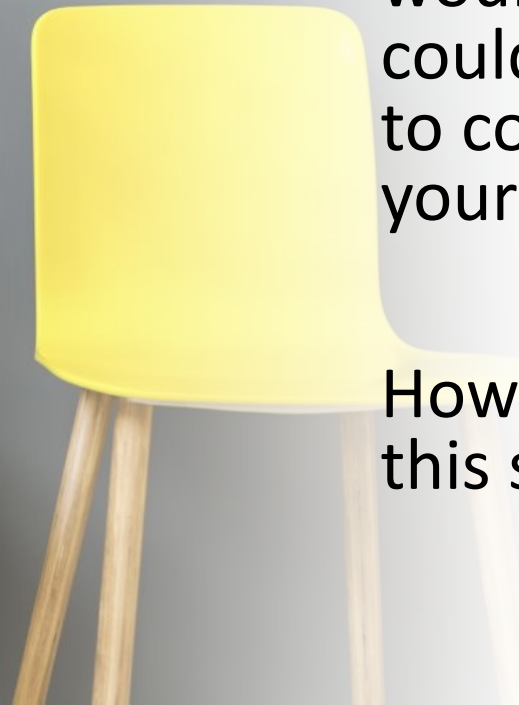
- Seeks to find the underlying problem, brainstorms to solve

# Negotiation Type Assessment

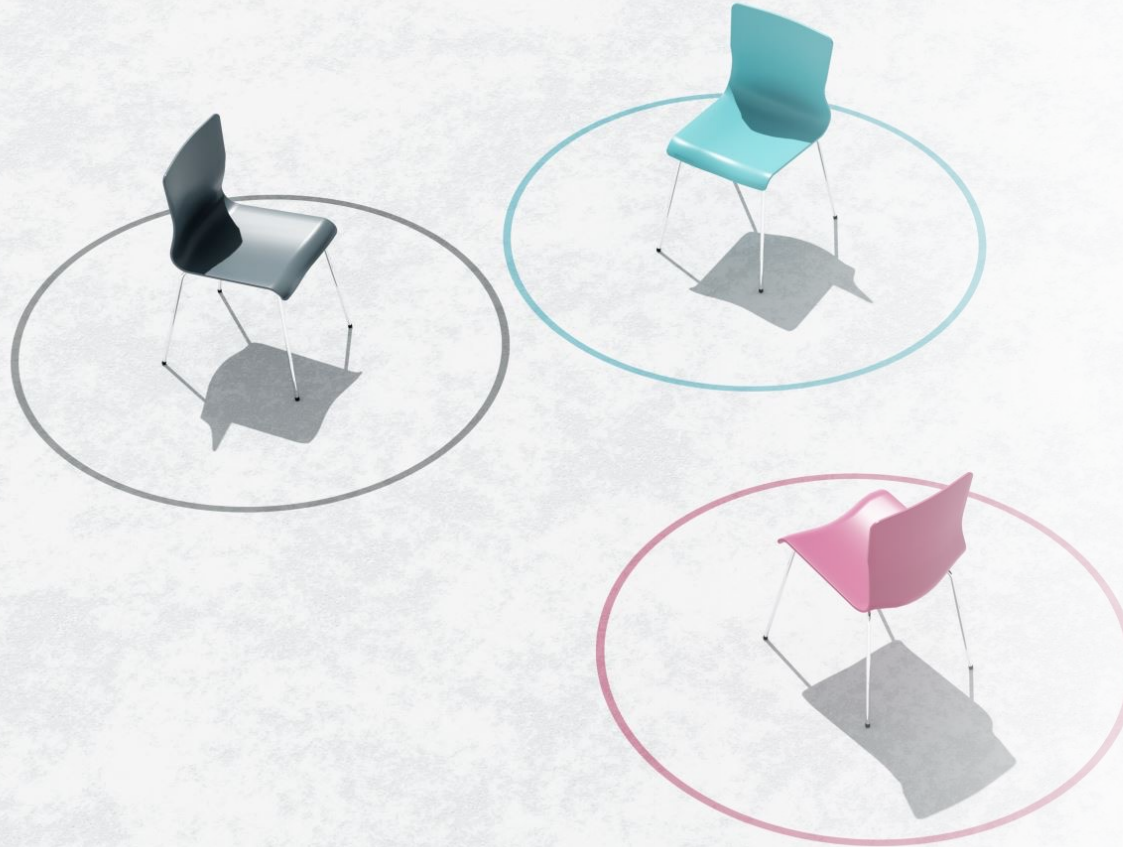
Divide into pairs

What if you were told you would get a \$1000 if you could persuade your partner to come and stand behind your chair

How would you negotiate this situation?



# Which one are you?



## The Avoider

- I don't want to play, look foolish

## The Compromiser

- Offers \$500 to both and runs to the other side

## The Accommodator

- Runs to the other side, and negotiates later

## The Competitor

- Sits tight, demands the other person moves
- The Problem Solver
  - Suggests both get behind each other's chair, thinks both can make \$1k

# Negotiator Behaviors



# Body Language



# Personal Communication



7% SPOKEN WORDS



38% TONE OF VOICE



55% BODY LANGUAGE

# IT'S WHAT YOU **DON'T SAY** THAT COUNTS!



LEARN TO **READ** AND **INFLUENCE** PEOPLE THROUGH **NONVERBAL COMMUNICATION.**

# Learn to read your opponent

**1.** Raised eyebrows often signal discomfort.

**2.** If their voice goes up or down, they're most likely interested.

**3.** Eye contact shows interest – both positive and negative.

**4.** But if they look into your eyes for too long, they might be lying.

**5.** Crossed legs are usually a sign of resistance and low receptivity.

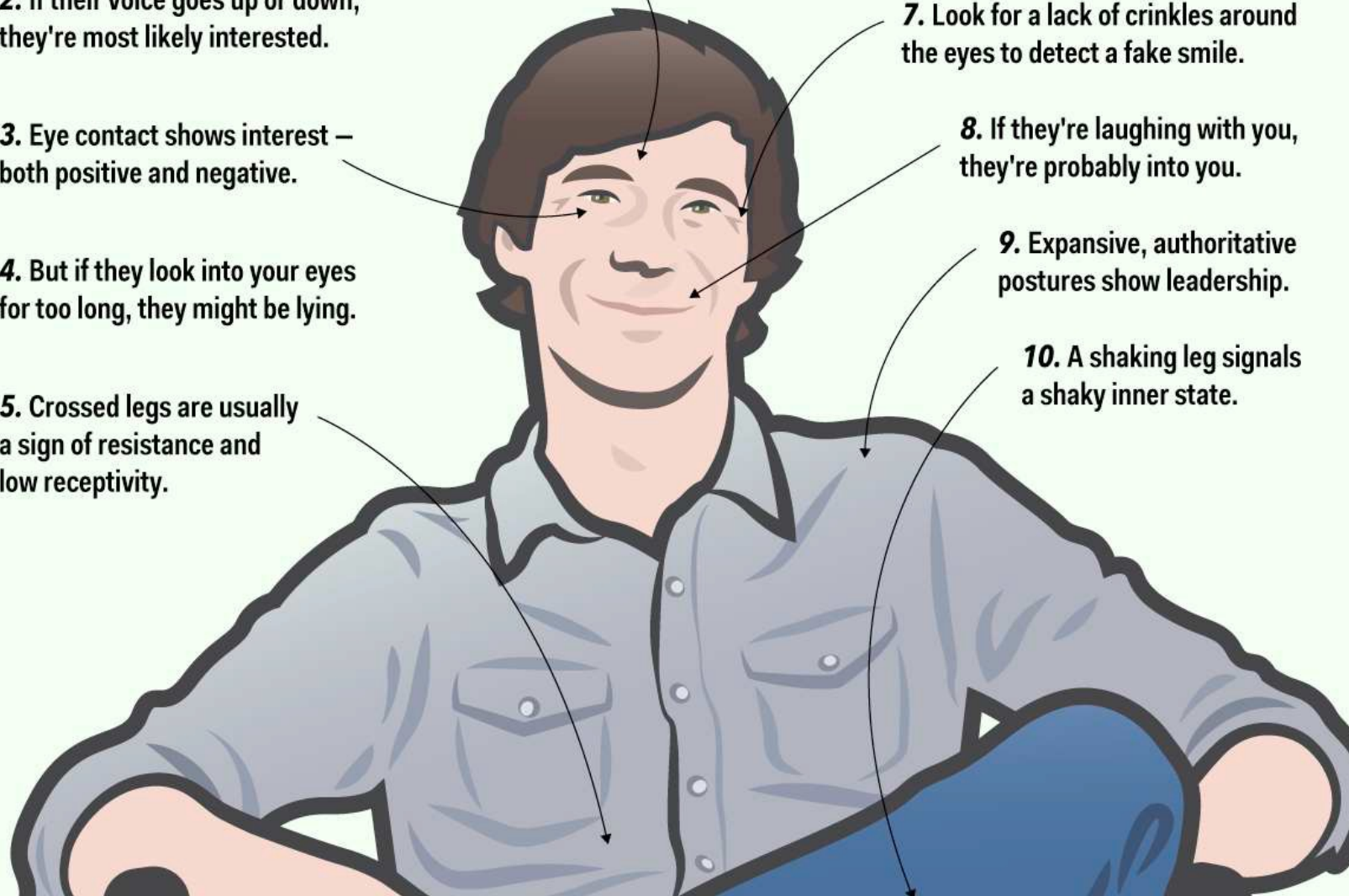
**6.** If they mirror your body language, the conversation is probably going well.

**7.** Look for a lack of crinkles around the eyes to detect a fake smile.

**8.** If they're laughing with you, they're probably into you.

**9.** Expansive, authoritative postures show leadership.

**10.** A shaking leg signals a shaky inner state.



## Arms Akimbo

Putting your hands on your hips with elbows out could say that you are displaying dominance, authority, or self-confidence.

## Feet Facing Directly Towards Someone

Facing someone with feet forward could say that you are interested in what someone is saying.

## Mirroring

Mirroring someone or imitating someone else's body language could say that you are interested in that person and also comfortable with their presence.

## Shaking your Legs

Moving your legs a lot could say that you are nervous, impatient or anxious.

## Lowering your Head

Lowering your head could say that you're ashamed of something, or that you're shy, or maybe hiding something, like the truth.

## Power Posing



## Arched Eyebrows

Raised Eyebrows could say that you are intrigued with what the person is saying.

## Direct Eye Contact

Looking into a persons eyes could say that you are interested in what they are saying

## Blinking to much

Blinking your eyes to much could say that you are nervous or anxious.

## Squinting

Squinting your eyes could say that you feel threatened or unhappy.

## Arms Crossed

Crossing your arms in front of you could say that you are uncomfortable or defensive.



# Top Tips



Develop negotiation  
consciousness

Successful negotiators are  
assertive and challenge  
everything.

They know that  
everything is negotiable!



Become a  
good  
listener



Negotiators are detectives.  
They ask probing questions  
and then remain silent. The  
other negotiators will tell  
you everything you need to  
know

*All you have to do is listen*

# Listen to Learn

- Active listening – to what they mean....maybe not what they say
- Step to their side
  - Open ended questions
  - Ask what is bothering them
  - Sum up what you have said in their own words
- Go to the balcony
  - Step away rather than get angry
- Disarm them—express genuine curiosity
- Change the game
  - Don't reject—reframe
- Make it easy to say YES
- Make it hard to say NO

# Listen to Learn

- **Decided**
  - means there are options
- **Ly-words**
  - ( Normally, Typically, Usually )
- **Because**
  - the reasoning portion of the conversation
  - When you advocate for the values that will accrue to others, you are more powerful



# Give them a Golden Bridge

Let your opponent save  
face by allowing them to  
view the outcome as a  
partial victory

Capitalize on shared  
interests

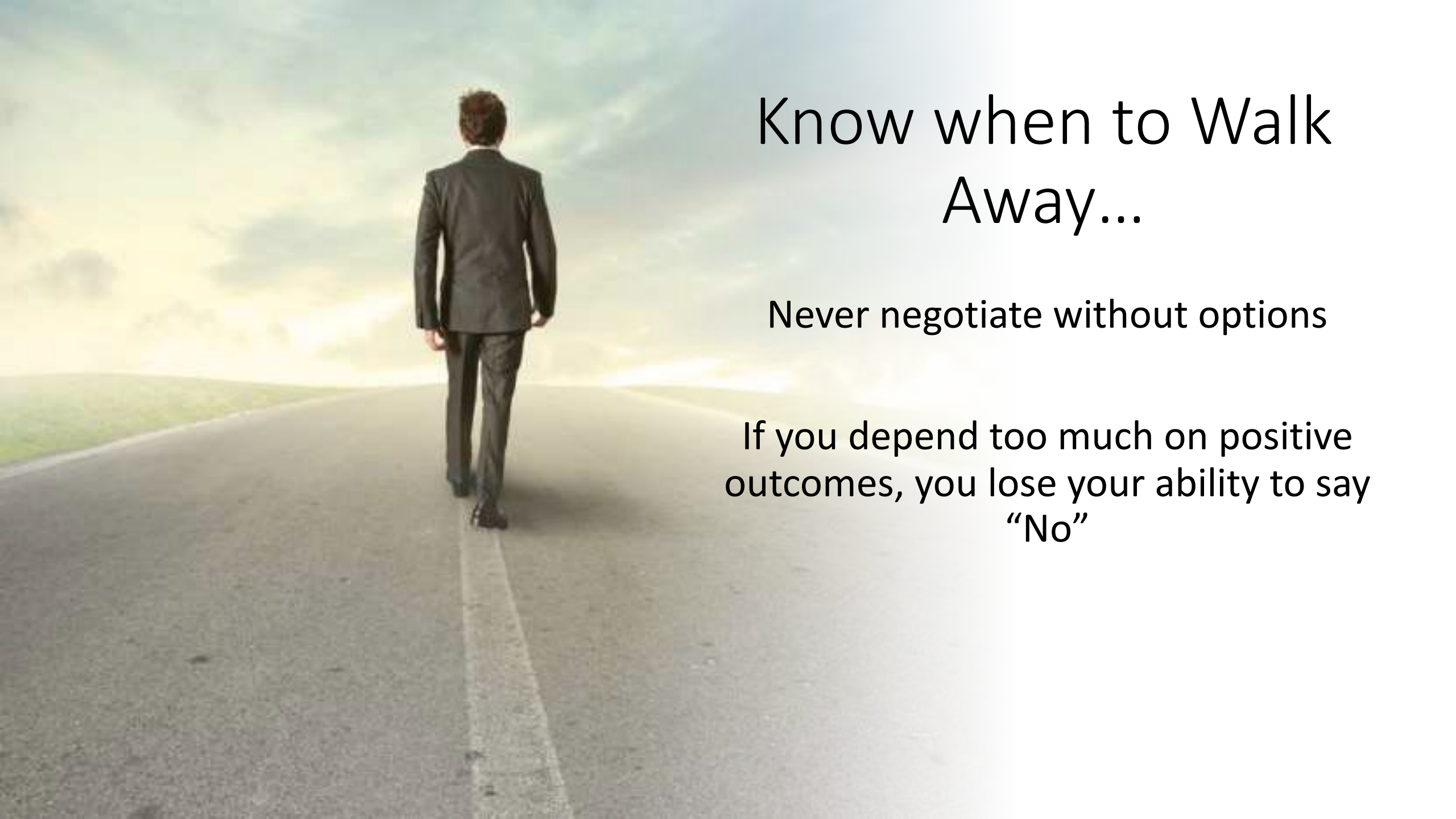
# Be Prepared

- Gather pertinent information before the negotiation
  - What are their needs?
  - What pressures do they feel?
  - What options do they have?
- Doing your homework is vital to success



Be Patient!





# Know when to Walk Away...

Never negotiate without options

If you depend too much on positive  
outcomes, you lose your ability to say  
“No”

