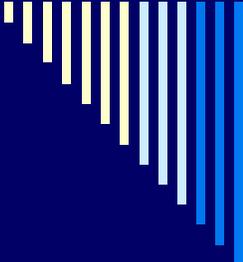
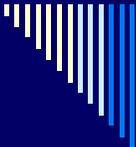


Carol M. Mangione, M.D.



Negotiation Strategies: Ask For It!

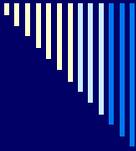
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UCLA
May 11 & 12, 2010



Outline

- Interest based negotiation
- Using emotions as you negotiate

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When are situations negotiable?

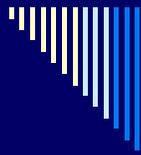
- Before faculty are hired there is an expectation that there will be a negotiation
- But what is negotiable once someone is on the job is much less clear
- Negotiations throughout the career:
 - Teaching load
 - University service
 - Compensation, space, computer upgrades



Negotiation Skills

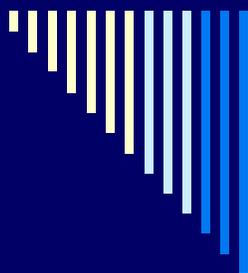
- Critical skill when selecting your first position or when considering a new position
- Influences every day of your working life
 - Convincing your chair that it is in his/her best interests to have you *not* serve on that committee
 - Negotiating with funding agencies, colleagues, and collaborators

Carol M. Mangione, M.D.



You should be negotiating all the time

- Making sure that your salary, space, and research infrastructure is adequate and fair
- Helping your patients accomplish behavioral change
- Motivating students to learn
- Convincing your 5 year old that eating breakfast before school is in her best interest



Interest Based Negotiations

From *Getting Past No: Negotiating In Difficult Situations.* W. Ury. Bantam Books 2007.

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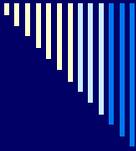
Glossary

- *Negotiation*: The process of back-and-forth communication aimed at reaching an agreement with others when some of your interests are shared and some are opposed.
- *Joint problem solving*: Instead of attacking each other you jointly attack the problem. Revolves around interests instead of positions. Face the problem not each other



Joint Problem Solving

- Identify each sides interests, needs, concerns, and desires that motivate your opposing views. Try to come to a mutually acceptable solution
 - Example: 3 years into your job you find out that you are paid 10K less than another faculty member who was hired at the same time and now you are meeting with your chair for your annual salary negotiation.



5 Barriers for Cooperation

- **Your reaction:** When you hear NO, you feel attacked, devalued and you may want to strike back!
- **Their emotion:** Behind the attack may be negative emotions such as jealousy or hostility
- **Their position:** In joint problem solving you try to face the problem together rather than taking opposite positions. The other side may have a long tradition of “digging in” and any outcome other than what they thought should happen before the conversation started is considered a failure on their part



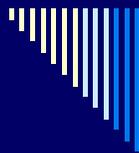
5 Barriers for Cooperation

- **Their dissatisfaction:** Your goal may be to reach a mutually acceptable solution, but the other side may not see *how* this will benefit them. Even if you satisfy their interests, they may fear losing face if they back down.
- **Their power:** People in power are competitive and if they view this as a lose/win proposition they will be determined to get their way.
- **To be successful you need to breakthrough each of these barriers.**



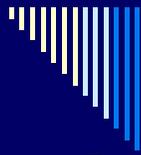
3 Natural Reactions

- *Striking back*: Leads to futile and costly confrontation. Rarely advances your interests and damages long-term relationships.
- *Giving In*: You appear weak and you reward the other side for bad behavior
- *Breaking off*: Usually a hasty reaction that you regret later.
- *Danger of reacting* : Lose site of our interests and objectivity



3 Unfair Tactics - recognition is the key to neutralization

- *Obstructive*: Stone walls, refusal to budge, leaves you with the impression that there is no flexibility
- *Offensive*: Attacks or pressure tactics designed to intimidate you and make you feel uncomfortable
- *Deception or tricks*: Ways to trick you into giving in. Takes advantage of the fact that you assume they are honest and acting in good faith



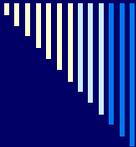
Strategies when you think you are under attack

- ❑ Put on your radar not your armor
- ❑ Make a mental note when you think there is a possible attack -- look for additional evidence, think about which of the 5 core concepts are involved (more on that later)
- ❑ Go to the balcony
- ❑ It may help to see the person as someone who doesn't know better
- ❑ Buy time to think, pause or rewind the tape: "Let me make sure that I understand what you are saying..."
Take a time out.



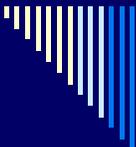
The Breakthrough Negotiation

- ❑ A five step strategy for breaking through each of these barriers.
- ❑ *Indirect Action*: Requires you to do the opposite of what you feel like doing in difficult situations
 - confronted with hostility --- don't argue
 - confronted with unreasonable positions -- don't reject
 - Confronted with aggression --- don't escalate
- ❑ ***Otherwise you are playing by their rules!***
- ❑ ***Your single greatest opportunity as a negotiator is to change the game.***



The Breakthrough Negotiation

- Rather than pounding your idea in, you encourage the person to reach for it from within.
- Rather than pressuring someone to change their mind, create an environment in which they can learn
- Only they can break through their own resistance, your job is to *help* them



Prepare!

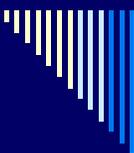
- Map out the way to an agreement
- Figure out your interests: needs, desires, concerns, aspirations. What problem are you trying to solve? Rank your interests and don't trade off an important one for a less important one
- Figure out their interests: Put yourself in the other person's shoes. Try to imagine what they care about most.

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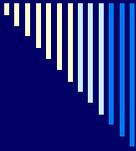
Prepare!

- The purpose of identifying interests is to see if you can devise options that satisfy them
- Don't dwell on a single solution
- Use "standards" -- a measuring stick that allow you to decide what a fair solution is
 - Your market value
 - Equal treatment
- Think ahead of time about the standards that you can appeal to in your negotiation



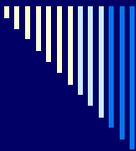
Alternatives

- Knowing what your alternatives are can determine your success in satisfying your interests
- Know your BATNA ...the walk away alternative
 - If you have a viable BATNA you have leverage!
 - The better your BATNA the more power you have



Identify your BATNA

- ❑ Keep your BATNA to yourself
- ❑ BATNAs don't exist they need to be developed...don't just threaten to go on the job market, get an outside offer
- ❑ Once you have a BATNA, decide if you want to negotiate
- ❑ Don't over-estimate how good your BATNA is!
- ❑ Don't agree unless it is better than your BATNA



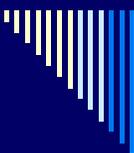
Have 3 proposals in mind

- ❑ What would satisfy my interests and at the same time meet enough of the other side's basic concerns that there is at least a chance that they would agree?
- ❑ What agreement would satisfy my basic interests sufficiently that I would be content?
- ❑ What would satisfy my interests marginally better than my BATNA?



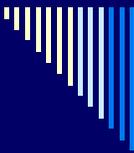
Rehearse!

- Ask a colleague to role play the other side
- Focus on:
 - Interests
 - Options
 - Standards
- Debrief: What worked? What didn't?
- Anticipate the other sides tactics



The 5 Steps

- The first barrier is your natural reaction -- suspend it! Regain your mental balance, don't lose sight of the goal. *Go to the balcony, distance yourself from your natural reaction*
- Overcome the other side's negative reaction -- don't get drawn into an argument. They expect you to be adversarial, instead try to listen, take their side, try to understand their position, be respectful. *Step to their side*



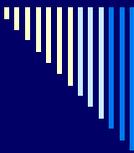
Step to their side

- Secret of disarming is surprise, do the opposite of what is expected
 - Listen - actively
 - Acknowledge - shows respect
 - Agree - even if only on small parts
- Once the other side has been heard they will be less reactive
- Project confidence, remain calm, make eye contact, accumulate “yeses”



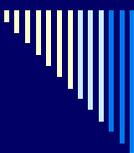
The 5 steps

- Try to tackle the problem together, this is hard if they are digging in. Accept what they say and *reframe it* as an attempt to deal with the problem. Ask questions about the problem. “Ok, I understand that the department is having financial problems this year and no one is getting raises, but this salary differential is not equitable, are there other sources for compensation that we could consider? ”
- Try to bridge the gap between their position and yours. Help them save face and make the outcome look like a victory for them. *Build a golden bridge*



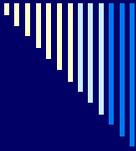
Reframing

- Don't reject -- change the game
- Redirect the other side's attention away from fixed positions toward the task of identifying interests, creating options, and discussing fair standards for selecting an option
- Ask problem solving questions
- How you ask is just as important as what you ask --- use "we"



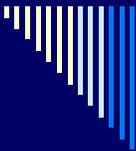
Obstacles to Agreement

- Not their idea
- Unmet interests
- Fear of losing face
- Too much too fast



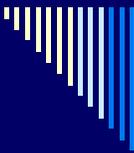
Build them a golden bridge

- Start from where they are and try to make it easy to get over the obstacles
- Involve the other side in finding a solution
- Ask for and build on their ideas
- Offer choices -- go slow
- Try to satisfy some unmet interests
- Help them save face



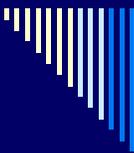
The 5 steps

- Despite your best efforts the other side may still refuse to cooperate believing that they can beat you at the power game. Use power not to escalate but to educate. Show them that they cannot win alone but only together and try to bring them back to the table.



Power to educate

- Teach that the only way for them to win is to win together
- Let them know the consequences of not reaching an agreement
- Ask reality testing questions
 - What do you think I will do if we don't agree?
 - Warn, don't threaten ...threats can backfire
- If it doesn't work you may need to demonstrate your BATNA



Breakthrough Strategy Crib Sheet

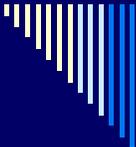
- Don't React: Go to the balcony
- Don't Argue: Step to their side
- Don't Reject: Reframe
- Don't Push: Build them a golden bridge
- Don't Escalate: Use power to educate



Why it is critical to acknowledge emotions when negotiating

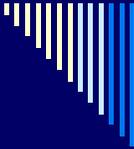
- **Unavoidable:** A negotiator cannot avoid emotions any more than he or she can avoid thoughts (Fisher and Shapiro 2005; Shapiro 2001). Suppressing the expression of emotions tends to consume mental resources, affect the cardiovascular system
- **Numerous:** In any single interaction, a negotiator may experience dozens of emotions such as anger, pride, frustration, and enthusiasm.

From *Beyond Reason: Using Emotions as You Negotiate*. Fisher and Shapiro. 2005.



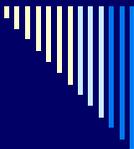
Emotions in Negotiation

- **Fluid:** Changing from moment to moment such as from annoyance to anger, excitement to anxiety, resignation to resentment.
- **Multi-layered:** You can feel multiple emotions at once, even multiple and opposite emotions. Such as love for your spouse and anger toward him or her for not consulting you on an important issue.
- **Varied in impact:** The impact of emotions varies from person to person, negotiator to negotiator. (Person A may be angered easily, while Person B may be more even-keeled.)



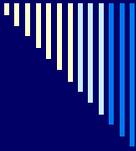
Frequent Effects of Emotions

Elements of Negotiation	Negative Emotions	Positive Emotions
Relationship	Tense, Distrustful	Cooperative, Working
Communication	Limited, Confrontational	Open, easy, 2-way
Interests	Ignored, clinging to extreme positions	Listening, learning about each others concerns



Frequent Effects of Emotions

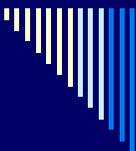
Elements of Negotiation	Negative Emotions	Positive Emotions
Options	My position and yours	Creates lots of possible options
BATNA	Will walk away even if the BATNA is worse	Agreement is achieved
Commitments	No agreement or committed to an unworkable plan	Clear, operational, realistic solution



Focusing in Core Concerns

- Provides a framework for circumventing the complexities of emotion.
- Rather than focusing on every emotion that arises in a negotiation, turn your attention to five core concerns, matters that are important to most of us much of the time.
- These core concerns can be used as a lens to understand the emotional terrain in a negotiation and as a lever to stimulate helpful emotions. As a result, cooperative behavior becomes more likely.

From *Beyond Reason: Using Emotions as You Negotiate*. Fisher and Shapiro. 2005.



5 Core Concerns

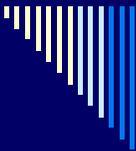
- **Appreciation:** Are our thoughts, feelings, and actions devalued, or are they acknowledged as having merit?
- **Autonomy:** Is our freedom to make decisions impinged upon, or is it respected?
- **Affiliation:** Are we treated as an adversary and kept at a distance, or are we treated as a colleague?
- **Status:** Is our standing treated as inferior to others, or is it given full recognition where deserved?
- **Role:** Are the many roles we play meaningless, or are they personally fulfilling?

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5 Core Concerns as a Lens

- Preparing for a negotiation: Use the concerns as a check list for sensitive areas to look for in yourself and others
- Conducting your negotiation: Awareness of the concerns may help you understand what is motivating the other person's behavior. With awareness you can tailor your actions to try to address their concern and with self awareness you may be able to diffuse volatility of escalating emotions. Rather than reacting to a perceived attack, you figure out which of your core is being devalued?



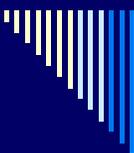
5 Core Concerns as a Lens

- Reviewing your negotiation: Use the core concerns to understand what happened emotionally in the conversation. If the other person got angry and cut off the negotiation, you can begin to understand which core concern was threatened, and you can think about how to address this if you have an opportunity to resume the conversation.



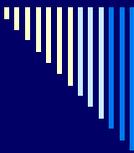
5 Core Concerns as Levers

- Each concern can be used as a lever to stimulate positive emotion
- You can say or do things to move the other party up or down in one of the core concerns such as status or feelings of autonomy. Ex: If your supervisor is insecure, you may have to reassure him that you realize that he is in charge and you are grateful for everything that he does for you.
- You can also use the concerns to shift your own emotions in a positive direction. Ex: To reduce the pressure on yourself by acknowledging that you do have autonomy and can walk away from a situation if you need to.



Express Appreciation

- Find merit in what others think, feel, or do ... and show it!
- To express appreciation you need to:
 - Understand each other's point of view
 - Find merit in what each of us thinks, feels or does;
 - Communicate our understanding through words and actions:
 - "I find your arguments persuasive"
 - "I value you what you do for all of us"



Appreciation

- To appreciate does not mean to give in.
- Whether or not you agree with someone you can find merit in their position
- Prepare a list of questions to learn about the other person's perspective
 - "Help me understand how you see things"
 - "Of all of the things that we talked about today, what do you see as the most important?"



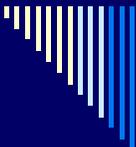
Help Others Appreciate You

- Don't get discouraged if this doesn't seem to just happen in the conversation
 - Propose a specific amount of time for them to listen to you
 - Tailor your message to be heard
 - Ask the other person to "reflect back" the merit in your point of view



Build Affiliation

- Affiliate: To adopt or receive into a family
- Look for:
 - Structural connections: find links with others through common memberships in groups, did you go to the same university, do you like the same music, do your children attend the same school?
 - Personal connections: Personal ties that make us feel closer or more distant from each other. Meet in person rather than by phone, discuss things that you care about. Politics, solicit advice on child rearing, etc. (Can be harder to do across gender lines especially if you feel very vulnerable or you do not have a lot in common)
 - From the onset treat the other person as a colleague



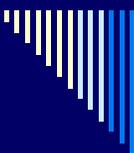
Build Affiliation

- Protect yourself from being manipulated
- Strong affiliations can lead to bad decisions, so check every proposal with your head. Don't feel so indebted that you can not reasonably walk away from a bad offer.
- Check every proposal with your gut.



Respect Autonomy

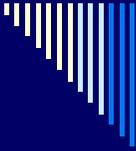
- Obstacles to using autonomy
 - We limit ours because we feel powerless in the negotiation
 - We impinge on the autonomy of others, try to include the people in the decision making process who will be directly impacted by our decisions. Consult with stakeholders.



Expand Your Autonomy

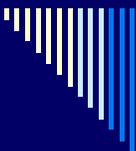
- What is the problem that I want to address?
- Who do I want to influence?
- What recommendations can I make?
- How can I get them to the decision maker?

- Be a proactive person who puts lots of options on the table.



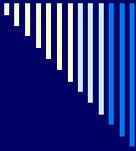
Acknowledge Status

- Status: Our standing in comparison to others. Status can elevate our self esteem and the esteem with which others view us.
- Acknowledge each person's high standing wherever deserved. Look for expertise on substantive issues that are relevant to the negotiation
- Recognize their status, but also yours. Your chair may be a leader in your field internationally, but it is likely that you have field specific expertise that is valued by the department.



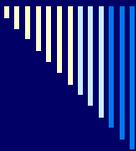
Choose a Fulfilling Role

- Your role needs to have a clear purpose
- It needs to be personally meaningful, try to expand your role to include meaningful activities.
- It is not a pretense, but rather what you are actually doing. Sometimes roles are in direct conflict. Ex: being the best parent possible and meeting work obligations



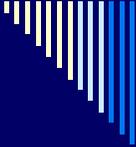
4 steps to shaping your role

- Name your current role
- List current activities within your role
- Nominate activities to make your role more fulfilling
 - Add new activities or modify current ones
- Consider deleting unfulfilling activities
 - No one has to do these?
 - Or should someone else consider doing them?



References

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