Basics of “Getting to Yes”

Negotiating Agreement without Giving In

7 Elements of Negotiation

1. Interests: What do we & they really want?
2. Options: What are possible agreements or bits of an agreement?
3. Alternatives: What will I do if we do not agree?

4. Legitimacy: What criteria will I use to persuade each of us that we are not being ripped off?
5. Communication: Am I ready to listen and talk effectively?
6. Relationship: Am I ready to deal with the relationship?
7. Commitments: What commitments should I seek or make?

Need Both Sides to “Win”

• Focus on “interests”, not positions: Options for mutual gain
  • Concentrate on the problem, not the personalities or the emotions.
  • Be reasonable in how you analyze the problem.
  • Break the problem into its smaller parts and decide what can be managed.

4 Major Obstacles to Developing Options for Mutual Gain

1. Premature judgment
2. Searching for a single answer
3. Assumption of a fixed “pie”
4. Thinking that “solving the problem is Their problem”
Re-Framing the “Question”

• How are you framing the interaction?
• Is there an opportunity for you to turn a negative into a positive?
• Are there hidden opportunities?
• Can you find something in the interaction you can re-frame to make you feel better.

Use Objective Criteria

*Fair standards & Fair Procedure*
1. An outside standard defuses the conflict and can set reasonable, common goals
2. Frame each issue as a joint search for objective criteria or benchmarks
3. Be Reasonable: which standards are most appropriate? How they should be applied?
4. Never yield to pressure, only to principle

Use a “Third Party” Mediator

• Sometimes just discussion with a third party has the ability to settle an interaction: Mediators or Facilitators
• Someone who has greater authority that can add value to the interaction, or someone that has such authority their ruling will end all discussion.

Negotiation: A Form of Conflict Resolution

• Focus on Interests, Not Positions
• You need to discover what is important to the other party
• You need to define your boundaries, your “walk-away” position
• Allow for Face Saving
  * Do not back the other person into a corner

Your Worksheet for Negotiating

• Your interests
• Their interests
• Creative options
• Your best option, other than negotiating
• The least you will live with

“SUDDEN PREP”
Things I should be ready to put “on the table”

*My Interests:*
What I really care about.
My wants, needs, concerns, hopes & fears.
1.
2.
3.
4.
“SUDDEN PREP”
Things I should be ready to put “on the table”

**Options**: Possible agreements that we might reach.

1. 
2. 
3. 
4. 
5. 

Legitimacy: External Standards or precedents that might convince one or both of us that a proposed agreement is fair.

1. 
2. 
3. 
4. 
5. 

Their Interests: What I think they really care about. Their wants, concerns, hopes & fears.

1. 
2. 
3. 
4. 
5. 

My Walk-Away alternative: What can I do if I walk away without agreement? Which is the best? What would I really do?

1. 
2. 
3. 
4. 
5. 

Commitment: If we reach agreement, we commit to some option.

An Unconditionally Constructive Strategy

Do only those things that are both good for the relationship and good for us, whether or not they reciprocate.

1. **Rationality**: Even if they are acting emotionally, balance emotion with reason.

2. **Understanding**: Even if they misunderstand us, try to understand them.

3. **Communication**: Even if they are not listening, consult with them before deciding on matters that affect them.
An Unconditionally Constructive Strategy

4. **Reliability.** Even if they are trying to deceive us, neither trust them nor deceive them; be reliable.

5. **Non-coercive modes of influence.** Even if they are trying to coerce us, neither yield to that coercion nor try to coerce them; be open to persuasion and try to persuade them.

An Unconditionally Constructive Strategy

Acceptance

Even if they reject us and our concerns as unworthy of their consideration,

accept them as worthy of our consideration,

care about them, and

be open to learning from them.