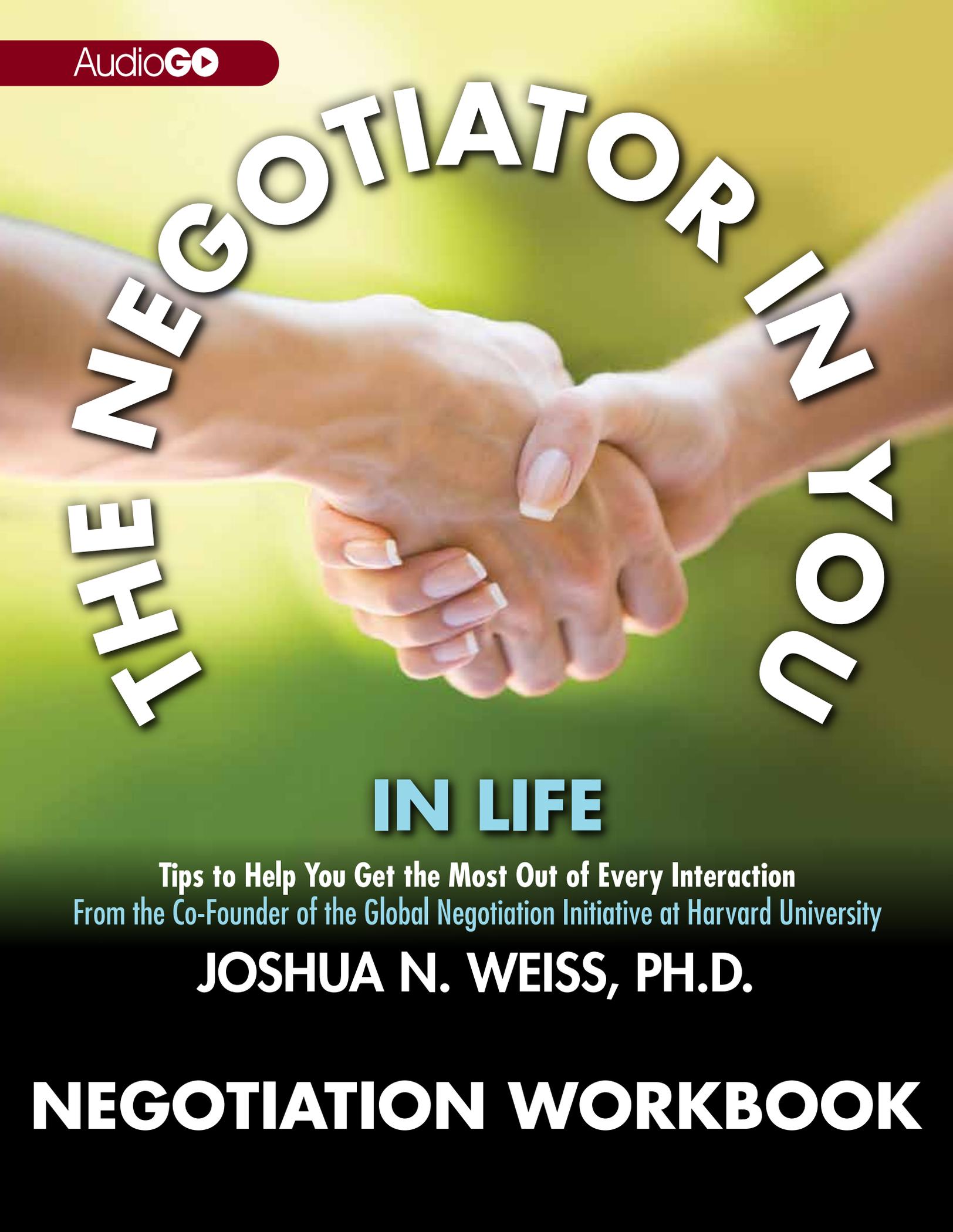


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THE NEGOTIATOR NOT YOU IN LIFE

Tips to Help You Get the Most Out of Every Interaction
From the Co-Founder of the Global Negotiation Initiative at Harvard University

JOSHUA N. WEISS, PH.D.

NEGOTIATION WORKBOOK

CONTENTS

- 2 OVERVIEW
- 2 INTRODUCTION
- 3 GETTING THEM TO PLAY YOUR GAME:
From Competition to Cooperation
- 5 YOUR INALIENABLE RIGHT:
Being Assertive
- 7 SHOULD I OR SHOULDN'T I:
Making the First Offer
- 9 YOUR MONEY OR YOUR LIFE:
Valuation in Negotiation
- 11 I'LL TAKE THAT ONE, THAT ONE, AND THAT ONE:
Negotiating big purchases - houses and cars
- 13 THEY HUFF AND THEY PUFF AND . . . :
Negotiating with Companies as the "weak" consumer

OVERVIEW

The Negotiator in You is a broad introductory course designed to help everyone discover the negotiator that lies within each of us. This workbook is broken into three modules—at work, at home, and in life—and serves as an accompaniment to the original audio series. The workbooks will help remind you of key points from each section and important questions to ask yourself as you prepare for your negotiations.

There are some important skills that are useful to note, which cut across each module and apply to virtually all negotiations. These include:

1. The importance, and challenge, of listening effectively;
The ability to ask questions that gather information in a non-confrontational manner;
2. The competency to empathize with the other so you can be persuasive to them and speak to their interests;
3. The skill and ability to assert your interest so you don't give away what is most important to you.

With these factors always in mind, let's find the **Negotiator in You**.

INTRODUCTION

This document is intended to serve as an accompaniment to the audio series the Negotiator in You in Life. Before discussing the specific issues related to negotiating in life, it is important to understand how the context in life is different from other realms, such as at work and at home. In life we negotiate in a context where we have to deal with some of the following challenges:

- The culture of negotiation in many places, including across the United States, is still based primarily on competition. While this is changing it is still a reality with which we have to cope;
- Our reputation in life follows us around and the impact of this on our negotiations in life is significant. If we do not handle negotiations in life well we usually suffer the consequences.
- Most of our negotiations in life are long-term endeavors. This often pushes against the competitive approach and the desire for short-term gains.

There are many other challenges when negotiating at life, but not all can be addressed in this worksheet. However, the issues below examine a number of critical negotiations in life and provide questions and templates to help you prepare for these kinds of negotiations.

ISSUE 1

GETTING THEM TO PLAY YOUR GAME: FROM COMPETITION TO COOPERATION

There are different games to be played in negotiation. One game to play is competitive and the other cooperative. In thinking about which to use in our life's negotiation it may be useful to turn to an authority on competition and cooperation, one Charles Darwin. As he stated, "In the long history of humankind (and animal kind, too) those who learned to collaborate and improvise most effectively have prevailed." Perhaps he was on to something...as it relates to negotiation.

Start with this tip: You cannot change someone else's mind. You can only change the environment that they are in and help them to change their own mind.

When it comes to getting them to play your game, remember these key points:

- Use a cooperative approach when a long-term relationship is the pretext for the negotiation.
- The best tool at your disposal to get the other to play a more cooperative game is to use your Best Alternative To a Negotiated Agreement (BATNA) to send them a signal that you won't play their competitive game.
- If they will not play your game consider whether you should continue the negotiation in less than optimal conditions.

Questions to ask yourself:

- Is a cooperative approach the best one for me given the context and situation in this negotiation? If so, why?
- If you do not have a good BATNA is there a way to improve it?
- What is their BATNA and how does it compare to yours?

ISSUE 2

YOUR INALIENABLE RIGHT: BEING ASSERTIVE

For many, being assertive in negotiation is a very difficult challenge. And yet being assertive is critical if one wants to be an effective negotiator because you have to be able to explain clearly to the other what you want and to do so with conviction. In order to be assertive one has to start with the belief that you are as entitled to what you want as the other negotiator.

Start with this tip: Being assertive starts and ends with one's mindset and should not be influenced by what the other negotiator does or says.

When it comes to being assertive in negotiations, remember these key points:

- Assertiveness is defined as standing up for your needs without feeling the need to harm the other.
- Remind yourself of the importance of what you want and why. It is your right to what you want just like the other negotiator has a right to what they need.
- If you are prone to accommodation, and as a result waiver when you should be assertive, develop a technique to remind yourself not to stop asserting in the heat of the moment.

Questions to ask yourself:

- Am I really clear about my interests and what I am trying to achieve in this given negotiation?
- Have I really convinced myself that I am genuinely entitled to my interests?
- Do I understand the distinction between assertive and aggressiveness? Do you know when you are crossing the line?

ISSUE 3

SHOULD I OR SHOULDN'T I: MAKING THE FIRST OFFER

Making the first offer in negotiation. This is a subject that gets a lot of discussion and everyone seems to have an opinion about it. The reality is that if you make a first offer, you should do it strategically and if you choose not to make a first offer, you should understand how to counteract the other negotiators initial proposal.

Start with this tip: Neither making the first offer or always making the first offer are the right approaches. Different negotiations require different rationale and logic when it comes to first offers.

When it comes to making the first offer, remember these key points:

- ❑ Do your homework and beware of the Winner's Curse—making an offer that is immediately accepted and was clearly too low.
- ❑ Don't get so entrenched in the idea of making a first offer (or not) that you won't make it at any cost.
- ❑ You should not make the first offer in a negotiation if you are unclear as to what you want.
- ❑ If the other makes the first offer don't get anchored. Ask questions and offer counter proposals that have merit and logic.

Questions to ask yourself:

- ❑ Ask yourself if it will benefit you to try to anchor the negotiation with a first offer?
- ❑ Is this a one-time negotiation? If so, it probably makes sense to make the first offer to try to anchor the situation.
- ❑ On what are you basing your first offer? Do you have logic and rationale if asked by the other?

ISSUE 4

YOUR MONEY OR YOUR LIFE: VALUATION IN NEGOTIATION

People value many things. In negotiation we often focus on the money as the source of value, but as we all know, money is not everything. People also value time, respect, and other intangibles that are a critical part of any negotiation process.

Start with this tip: If you are unable to find a solution to a negotiation you are in and can't understand why, it is likely that you have not found what the other values. When you do, progress will be made.

When it comes to valuation in negotiation, remember these keys:

- ❑ Valuation comes in many forms. Try to find all the sources of value in a given situation.
- ❑ Finding common and uncommon places of value is how creative negotiation solutions are found and maximum value is attained.
- ❑ If you find that you and the other negotiator value different things, then your job becomes easier because trade-offs are possible.

Questions to ask yourself:

- ❑ What do I value in this negotiation? Think broadly here about all the things that matter to you.
- ❑ Are some of things that I value intangibles, such as respect and equality?
- ❑ Do I know what the other negotiator values and if so, can I easily give them what they want and vice versa?

ISSUE 5

I'LL TAKE THAT ONE, THAT ONE, AND THAT ONE: NEGOTIATING BIG PURCHASES – HOUSES AND CARS

To make big purchases in life we usually have to negotiate. The kind of negotiation that happens around this type of transaction is often uncomfortable for a lot of people. We can play a positional game of negotiation well and still be consistent with our values.

Start with this tip: Expect a positional, high-low negotiation and play the game the right way. Prepare so that you ultimately know where you want to land in this negotiation and adjust your concessions as needed. Understanding where you want to end up will help you to make the difficult decisions in this kind of negotiation.

When it comes negotiations around big purchases, remember these key points:

- ❑ Doing your homework and preparing for these kinds of negotiations is critical to your success. In this case, information is power and the internet has leveled the playing field between buyer and seller.
- ❑ Make sure you investigate all the standards used in these kinds of negotiations (i.e. for cars, Keller Blue Book and Galves). While it is fine for the other person to use a certain standard there are other standards out there that might better fit your perspective and you should not hesitate to raise those and actually negotiate the standards to be used.
- ❑ Watch the “good cop bad cop” approach that many sellers use in negotiations. Let them go through their routine while you keep your goal in mind. As long as you end up where you want to it does not matter what games the other side plays.

Questions to ask yourself:

- ❑ What do I want to pay for this item and how can I justify my price? What criteria will I use to support my perspective?
- ❑ What standards are out there for me to find when it comes to buying a house or a car? And which one is best for me given the context of this negotiation?
- ❑ How will I handle pressure tactics, the use of deadlines, and other tricks so that I don't become susceptible to them?

ISSUE 6

THEY HUFF AND THEY PUFF AND . . . : NEGOTIATING WITH COMPANIES AS THE “WEAK” CONSUMER

Many big companies nowadays believe that the consumer is king...until a problem arises. Then the customer as king becomes subject to policies and other rules the company has made up so they don't need to negotiate. This frustrates the consumer to the point where they simply give up or give in.

Start with this tip: If you view yourself as the weak consumer without any options at your disposal that is what you will become. Think of yourself as someone with options and be creative about how to approach your negotiations. If you take a creative and alternate approach the company is not expecting it will pay dividends.

When it comes to negotiating with big companies, remember these key points:

- ❑ You have options – find them.
- ❑ Rules and policies that a company has are not written in stone. Challenge the veracity of the rules or policies if they do not make sense or seem unfair.
- ❑ If you speak to a customer service representative and are getting nowhere don't be afraid to ask to speak to a supervisor. Often customer service representatives are given strict rules to follow while their supervisors have more leeway to be creative.
- ❑ Do some homework and investigate the company policy with regard to the issue in question.

Questions to ask yourself:

- ❑ What do I want from this negotiation? Am I clear about what is wrong and what I am asking them to do?
- ❑ How can I improve my BATNA in this situation? Is there an advocacy group that can help me to level the playing field?
- ❑ What power does the company hold over me and is there a way of creatively challenging that?
- ❑ How can I convey to the company that I hold some power in this negotiation and unless my claim is taken seriously, I will consider exercising that power?

