

# Introduction to Negotiations

## What is negotiations?

- Negotiation is a process, not a science. It is a process between two or more parties to reach a settlement on an issue or issues in which they disagree.
- Each negotiation is different and depends on the unique dynamics that result from the interaction of the individuals involved and the circumstances of the issue.
- There is no “right” settlement to any negotiation. The best outcomes are those where all parties feel some level of success (win-win) and the results come from a greater understanding of the needs of each other.

## Negotiation Principles

The most important commodity at the table is TRUST

- Treat all problems as “our” and not “their” problems.
- Where appropriate, ask about feeling or what their thinking.
- Do not lie or exaggerate.
- Where appropriate, expose weaknesses in the viability of the others’ expectations.
- Ask for information to verify statements.

Get beyond “positions” and work to understand each other’s NEEDS

- Never assume the other side see the issues as you do.
- Listen to understand. The best negotiators spend more time listening.
- Ask questions and confirm understanding.

Don’t be a fighter, be a PROBLEM SOLVER

- Start with reasons for agreeing; then disagree, not vice versa
- Avoid getting stuck on small points, put them aside.
- Explore alternatives to find solutions the best meet both your needs.
- Build inertial for difficult issues by getting many other issues resolved first.
- Look for other allies at the table on the different issues.

Nothing personal, its just BUSINESS

- Address the issue, not the person.
- Don’t counterattack when attacked.
- Use warnings, not threats.
- Ignore provocation and return to the substance.

### Speak with AUTHORITY

- Prepare ahead of time to understand the range of solutions that would be acceptable.
- Know your bottom lines and key issues.
- Before sitting at the table, agree on the roles of your team.
- Your teams should speak as unified group, any strategic changes should be debated away from the table.
- Even if you are not the final decision maker, show that you can get an answer quickly.
- Be prepared. More time is spent on preparing for the negotiations than actually negotiating.

### Other Tips

- Set negotiation conditions up-front
- Use caucus when necessary
- Time your release of information for the greatest affect
- Control the drafting of the settlement
- Develop an understanding of what and how information will be conveyed to outside parties
- Resolution of penalties should be address last
- Brief your stakeholders, who are not at the table, regularly
- Recognize that the government team will be held to a higher standard of ethics