



THOUGHT • ACTION • RESULTS

Negotiation: From Theory to Practice



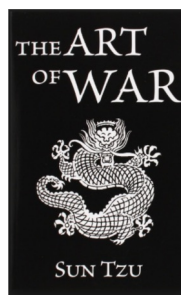
Negotiation = Influence

Anytime I am trying to influence someone (*their thoughts or actions*), or they are trying to influence me, we are negotiating.

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History of Negotiation Theory

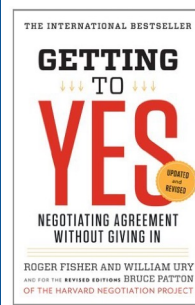
Traditional
Negotiation
Theory
~2000 years ago



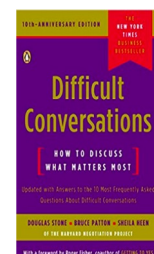
However, modern negotiations are rarely that simple:

- Complex multiple issues
- Tangible and Intangibles on the table
- Long-Term Relationship matters

1981
"Interest-Based
Negotiation"



2000:



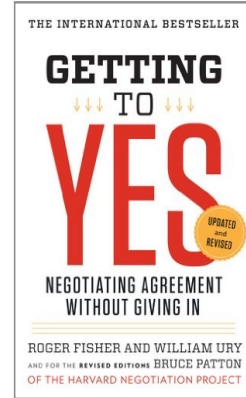
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The Seven Elements of Negotiation*

1. Interests
2. Options
3. Objective Criteria ("Legitimacy")
4. Commitment
5. Communication
6. Relationship
7. Alternatives (BATNA = "Best Alternative to a Negotiated Agreement")



*As developed by the Program on Negotiation at Harvard Law School 1981

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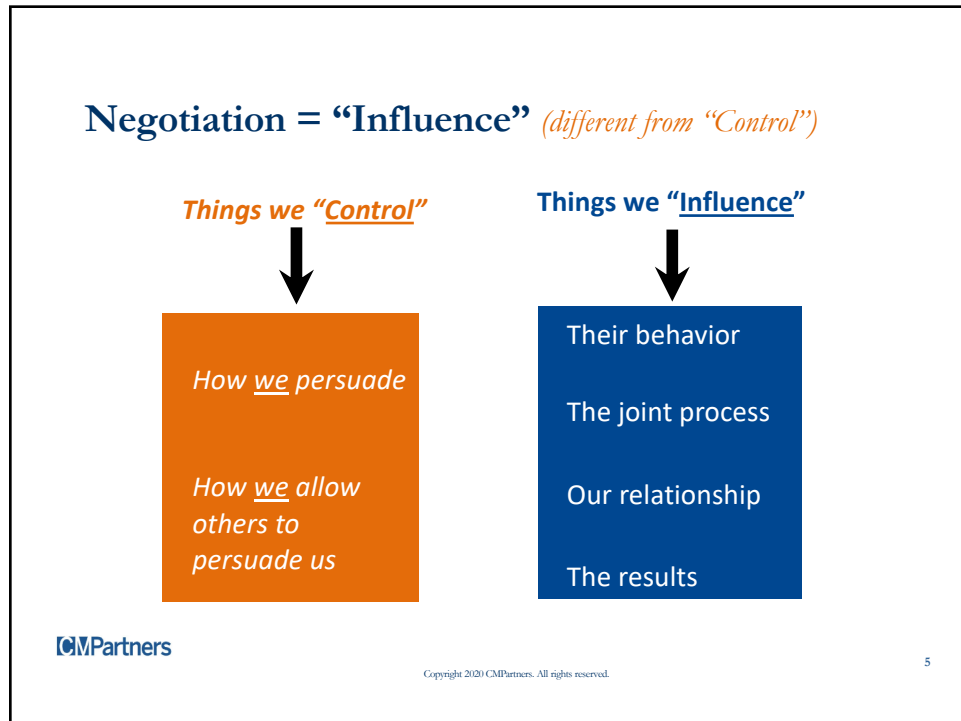
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INTEREST - BASED NEGOTIATION THEORY: Needs often lie beneath the surface

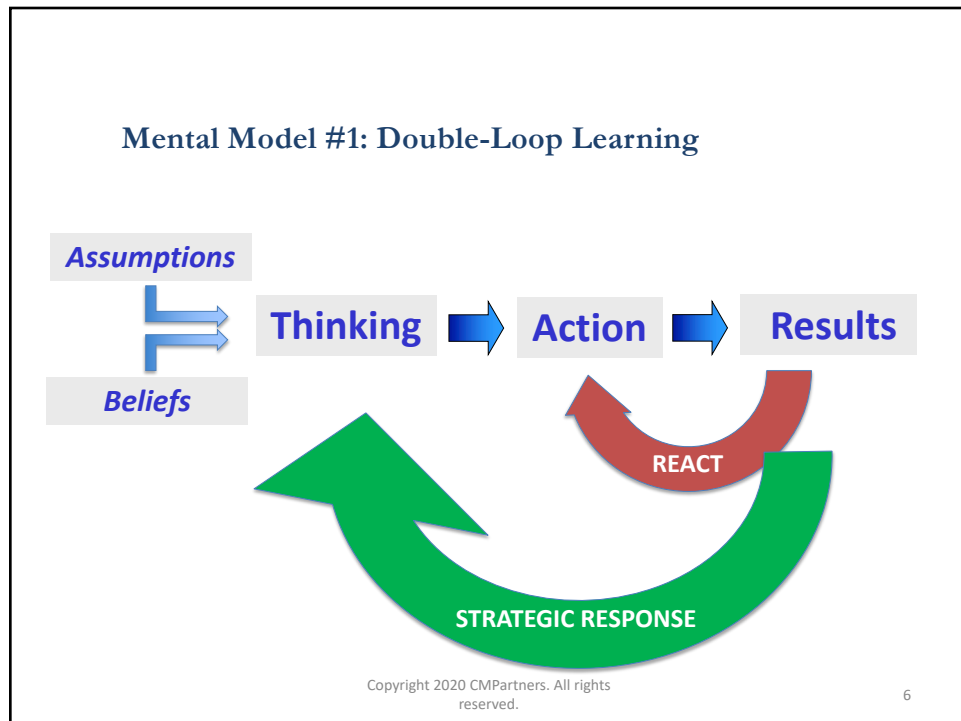


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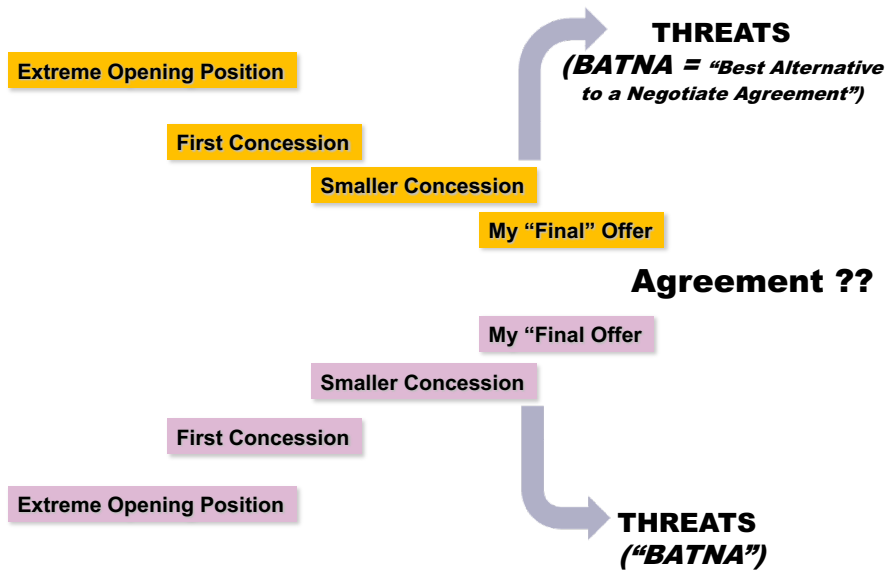


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Mental Model #2: “Old School” Classic Bartering



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Common Errors of Classic Bartering:

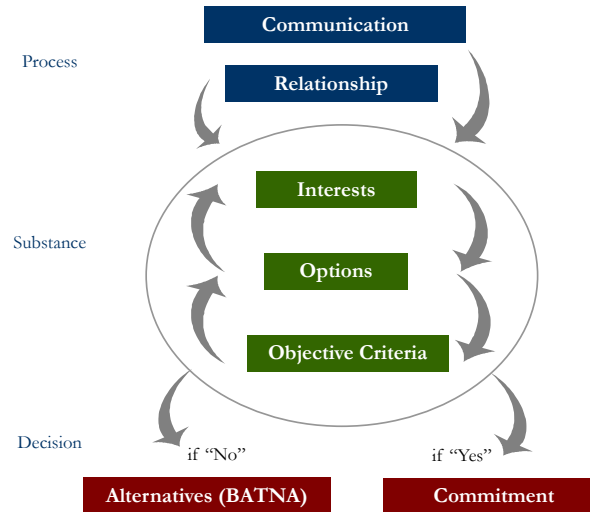
| BAMBI | RAMBO |
|--|-------|
| <ul style="list-style-type: none"> • Assume a choice; RELATIONSHIP or substance • Focus on positions, ignores INTERESTS • Ignore LEGITIMACY • Mix inventing and deciding - limits OPTIONS • Place COMMITMENT before listening • One-way COMMUNICATION • Ignore real world ALTERNATIVES | |

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Mental Model #3: The “Strategic Compass”

Optimize the value of your relationships and agreements



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The Seven Elements

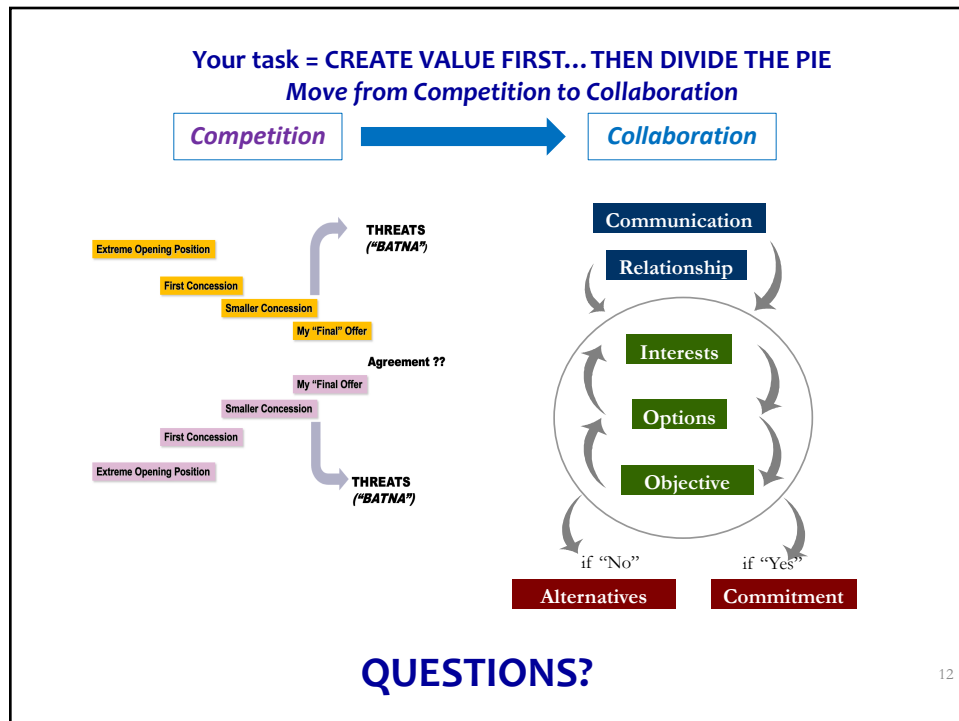
| The Seven Elements | The Checklist |
|---|---|
| 1. Interests: The concerns, wants, needs, hopes and fears that underlie and motivate our positions, demands, and contentions | <ul style="list-style-type: none"> ✓ We satisfy underlying needs ✓ Ours well ✓ Theirs at least acceptably ✓ Others at least tolerably |
| 2. Options: All possibilities for agreement; an agreement is best if it explores all possible solutions | <ul style="list-style-type: none"> ✓ We explore possible joint agreements ✓ We consider and capture the best of all available options, thus leaving no value behind |
| 3. Objective Criteria: Fairness as measured by legitimacy, benchmarks, principles, laws, regulations, standards, practices | <ul style="list-style-type: none"> ✓ Objective criteria inform wise decision-making ✓ Each party can explain the outcome as fair or reasonable |
| 4. Alternatives: Available walk-away possibilities; neither party should agree to a deal that is worse than its "Best Alternative to a Negotiated Agreement" (BATNA) | <ul style="list-style-type: none"> ✓ Consider our walk-away alternatives ✓ Agreement exceeds each party's "Best Alternative to a Negotiated Agreement" (BATNA) |

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| The Seven Elements | |
|--|---|
| The Seven Elements | The Checklist |
| 5. Commitments: What we will or won't do; good agreements are well planned and crafted to be practical, durable, understood, and verifiable | ✓ We make mutually understood and operational commitments |
| 6. Communication: How we convey information; we understand each other even if we disagree, and we minimize resources spent in coming to agreement | ✓ Efficient and two-way communication facilitates learning, understanding, and process efficiency |
| 7. Relationship: Pattern of interaction among parties; interactions should improve, not damage, our relationships | ✓ We preserve or even enhance the ability to work together ✓ Strong working relationships empower us to deal well with our differences and create value generating opportunities |

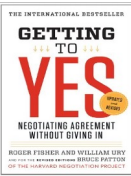
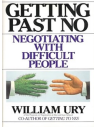
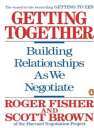

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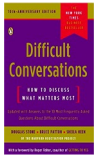

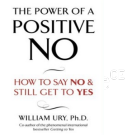
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For Further Reading:

1. **Difficult Conversations: How to Discuss What Matters Most**, Douglas Stone, Bruce Patton, and Sheila Heen (NY: Viking, 1999)
2. **Getting Past No: Negotiating with Difficult People**, William Ury (New York: Bantam Books, 1991)
3. **Dealing with an Angry Public**, Lawrence Susskind and Patrick Field (NY: The Free Press, 1996)
4. **Getting Together: Building Relationships as We Negotiate**, Roger Fisher & Scott Brown (Houghton Mifflin, 1988)
5. **Power of a Positive No**, William Ury (NY: Bantam Books, 2007)



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THANK YOU!!

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