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What Lies Beyond “Win-Win” Negotiations

How to Practice Transformative Negotiation

Presentation Title



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Learning Objectives

Negotiation is a way of life. **Transformative** negotiation moves beyond “win-win/getting-to-yes” paradigms with mindfulness. We will:

- ❖ Recognize our style and skills as a communicators
- ❖ Maximize the value of our preparations and
- ❖ Practice compassion in the face of negativity, judgment, and hostility

What is Negotiation?

From the Latin negotium "business" and "lack of leisure," neg= "not" + otium= "ease, leisure."

Old model: Extraction. Hide information. Win at all costs. Adversarial mindset. Creates conflict.



The win-win (integrative) approach with a cooperative mindset is better, but still **limited**.

What Makes Negotiation Transformative?

When it goes beyond a win-win exchange, using a holistic model that acknowledges our interdependence and interconnection.

3 Keys to **Transformative** Negotiation



Knowing: Yourself, what you want, and why you're negotiating. Ditto for your negotiation partner.

Connected: To yourself, your partner, and to the environment.

Mindful: In the moment, focused and flexible.

Identify (and close) Negotiating Gaps

Information: when you are unprepared or assume your partner knows what you know.

Communication: when listening habits and/or speaking patterns differ.

Cultural: when practices, attitudes, and beliefs collide.

Start With Why

What is the **purpose** of your negotiation?

We tend to ask for what we want (without explanation)

What real **problem** are you trying to solve?

We have a need that might go unexpressed



What might you **let go** of to reach agreement?

We have ideas about the desired outcome

Set realistic expectations, don't attach to outcomes

Unlock the No

Saying No gives you great freedom in a negotiation
Hearing No unlocks creative possibilities.

Both situations show that you are:

Not attached

Not needy

Not in control

Not taking it personally and...



...Not afraid

What Do You Know (and not know)

About yourself

- ❖ What you want/need
- ❖ Why you are negotiating
- ❖ How you communicate

About your partner

- ❖ Same as above
- ❖ Shared interests/common ground?
- ❖ No excuse not to use social media

Don't make assumptions!

How to Close Information Gaps



Be curious

Ask lots of questions

Share information

Try new things

Open (empty) your mind



How Do You Listen?

Listening: the art of being open, present, and engaged when your partner is speaking.

Not to control or gain advantage

Not to convince or persuade

Not to judge



Some listeners are active, and do not interrupt. Some listen sporadically and frequently interrupt.

Which one are you?

How Do You Speak?

Speech Patterns

Clear, try to avoid ambiguity


Direct, try to avoid misunderstanding



Language

Imparts information but also can elicit emotion

On a scale, will fall somewhere between

precise/logical  vague/ emotional

Not everyone has the same patterns!

Cognitive Gaps

Filters: how you hear, see, or process information.

Triggers: how you react to partner's behaviors.

Heuristics: your experiential mental shortcuts (may lead to stereotyping).

Biases: your unconscious judgments (may lead to closed mind syndrome).



What baggage do you bring on this journey?

Culture Gaps (Internal)

Linear (mostly Western cultures)

- ❖ Task-oriented
- ❖ Confronts with logic

Multi-Active (a mix of cultures)

- ❖ People-oriented
- ❖ Confronts emotionally

Reactive (mostly Eastern cultures)

- ❖ Respect-oriented
- ❖ Avoids confrontation



[Classifications based on *When Cultures Collide*, by Richard D. Lewis]

Culture Gaps (External)

Western/European

- ❖ Hierarchical decision-making
- ❖ Individualistic behavior
- ❖ Short term focus



Eastern/Native

- ❖ Consensus decision-making
- ❖ Familial/Communal behavior
- ❖ Long term focus

Beware of cultural stereotyping. It can block the energy of negotiations!

How to Close These Gaps

Walk in Your Partner's



Shoes

Create Optimal Situations

Negotiate when mentally and physically ready

Remember to pause and breathe



Stay flexible and balanced

How Do You Trust?

High Trust individuals

- ❖ Assume others play by the same rules
- ❖ Trust until partner proves unworthy

Low Trust individuals

- ❖ Rules are more flexible
- ❖ Partner must earn trust



Which type are you?

How to Build Trust

Low trust entities operate at a deficit, i.e., a transactions tax
High trust entities operate at a surplus, i.e., a dividend.

Partial list of trust-building behaviors:

- ❖ Listen First
- ❖ Talk Straight
- ❖ Clarify Expectation

- ❖ Demonstrate Respect
- ❖ Keep Commitments
- ❖ Extend Trust

[Adapted From Stephen R. Covey's 13 Behaviors <http://www.leadershipnow.com/CoveyOnTrust.html>]

Re-Framing

Framing is a way of setting up the negotiation to achieve the best result.



Re-framing is not being limited by existing frames.

Use of Leverage

What is it? The power/ability to act or influence people, events, decisions.

Common form of leverage

- ❖ Money
- ❖ Competition for Money



Sometimes your level of optimism or pessimism can be leverage, as can a change in your perspective.

Forms of Leverage

Unapproved forms of leverage:



Leverage ≠ Blackmail

Leverage ≠ Ultimatum

Leverage ≠ Lies

Unusual forms of leverage:

Ice Cream Case Study

Having Difficult Conversations

Prepare for the Conversation

Visualize how the negotiation will likely proceed. Know your purpose and goal.

Be Clear and Direct in Speech

Use precise words and deliver the news concisely to allow for maximum understanding at the outset.

Strike a Neutral Tone

Observe your body language and tone of voice to minimize negative reaction to news.

Use Temperate Phrasing

Goal is to make sure your partner understands the message.

Managing Emotions

Reduce the Emotional Charge

Usually anger. What underlies it? Loss of face? Fear?
A sense of unfairness? Of not being heard?
Find the trigger and address that.

Use a Mirror to Deflect

Don't let the vitriol continue. Use a phrase,
“I can't hear you when you're shouting,” to stop it.

Cultivate Compassion

With empathy for your partner's suffering, listen, try to
resolve the underlying issue. Don't judge the behavior.



Walking Away

Willingness to walk away from a negotiation if it isn't **aligned...**



...or will result in **negative outcome**

Thank you!



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