

Effective Negotiations

Being able to negotiate effectively is an important skill because almost everything is negotiable. The ultimate goal is to reach an agreement where both parties feel as if they have won something. Typically people don't like to negotiate because they have doubts about their skills. Negotiation takes a lot of work and practice.

With some advanced planning and strategies, you don't have to be a hard bargainer who aggressively articulates his or her position or a soft bargainer who makes too many concessions to preserve the relationship. Using the following four concepts can help find a middle ground:

Separate People from the Problem. You want to be hard on the problem but soft on the relationship. Everyone sees things differently. Try to understand the other person's perspective and the facts they're focusing on. Be cognizant of your emotions and take a break if you need time to calm down. If the other party becomes angry, acknowledge the anger and then redirect it at the problem. Actively listen to the other side by summarizing what they say and clarify if they don't think you understood it correctly. Whenever possible, hold negotiations face-to-face to take advantage of body language. The least effective communication is email. Follow up with a phone call to clarify any misunderstandings. Building rapport is key; it's not a waste of time because communication is based on how well you know the other person.

Focus on the Interests and Not the Positions. Before starting to negotiate, really think through your position. What are your interests and what are you trying to accomplish? Set very focused aggressive goals. Anticipate what the interests of the other side are. Get as much information upfront and then clarify. Leave your ego at the door and try to listen more than you speak. Use silence as a tool to gather by pausing before you speak; people will often say more to *fill* the air. People often get hung up on positions. Think about your BATNA (Best Alternative to a Negotiated Agreement) as well as what the other party's might be. Control and increase leverage by improving your BATNA.

Invent Multiple Options for Mutual Gain. Talk about options and define as many as you can. Don't think of the situation as rigid and fixed. It's often possible to satisfy both sides.

Insist on Using Objective Criteria. Define and figure out what a fair objective standard is.

Source: *Essential Skills for Effective Negotiations*; Rebecca Hicks, Esq. of Hicks Law Group PLLC; 120th NACM Credit Congress.