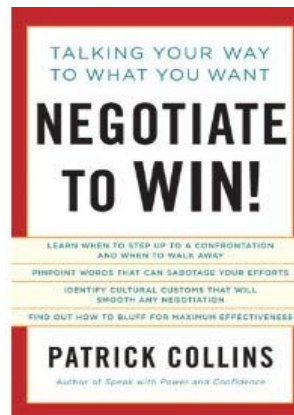


Making Telework Work

Talking Your Way to What You Want

About the Author/s

Patrick Collins is the president of Power Communication Strategies and has lectured and conducted seminars worldwide on negotiation and other communication topics. He is a professor of communications and a department chair at John Jay College of the City University of New York. Collins is the author of *Speak with Power and Confidence*.



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■ The Big Idea

In *Negotiate to Win*, Patrick Collins offers insight on both the art and science of negotiation.

- Negotiation has set principles, strategies, and rules that can be learned and used effectively. However, there is an art to negotiation that comes in knowing when to apply which strategies to maximize chances for success.
- To build an attitude of a successful negotiator, it is necessary to practice the skills. Whether it is an informal setting like a retail store or a formal setting like a contract negotiation, practice is what separates successful negotiators from the pack.
- People management skills are paramount for any successful negotiator. Good negotiators know how to deal with different behaviors while still remaining in command.
- Successful negotiators must understand the most effective strategies to reach an agreement, while also being well-versed in how to counter those tactics when faced with them.
- Knowing when to walk away from negotiations is just as important as knowing how to close the deal. No agreement is preferable to a bad agreement.

FEATURES OF THE BOOK

Reading time: 4 to 6 hours, 164 pages

From small negotiations to large complex issues, Negotiate to Win by Patrick Collins is a complete tactical guide for those who need to perfect their negotiating skills. Whether it is in the boardroom or the showroom, the ability to negotiate a good deal is important for both a personal bottom line and the profitability of a company as a whole. Being able to negotiate, and knowing when something is worth negotiation, is an invaluable skill for any business person.

The book would be valuable to those who are starting out in negotiations or are squeamish about the concept of negotiating. Collins offers basic training for negotiators, outlining how to hone negotiating skills in such places as furniture stores, car dealerships, or hotels. Learning in these informal situations provides valuable training in anticipation of more formal negotiations like vendor agreements or employment contract discussions.

The book offers in-depth and specific negotiating strategies and tactics that can be used in both formal and informal settings. Also included are specific strategies for complex negotiations and what actions need to be taken for cross-cultural negotiations. The book wraps up with a “Ten Commandments of Negotiation” list to help internalize the material and provide a handy reference guide.

Overall, the book gives valuable tips and tricks on how to negotiate and what countermeasures to employ when such tactics are used by the opposing side. For those who must negotiate contracts or other business transactions, this book acts as a great reference resource toward becoming a skilled negotiator.

INTRODUCTION

Whether it is buying a new car, or finalizing a business contract, knowing how to effectively negotiate is an essential skill. In *Negotiate to Win*, expert negotiator Patrick Collins offers training in both the art and the science of negotiation. Although human behavior is unpredictable and all negotiation situations are unique, there are certain principles, strategies, and rules that apply to all negotiations. Knowing the correct strategy to use often makes the difference between a successful negotiation and a failed one.

There are three constants in every negotiation:

1. The ability of the negotiator.
2. Management of the negotiation environment.
3. Tactics and strategies of negotiation.

To help both business and casual negotiators learn how to navigate these constants artfully, Collins offers tools and instructions to help overcome fear or resistance to negotiating. He includes guidance on how to handle people during negotiation, advice on countering typical negotiation strategies, and a special section on negotiating across cultures.

PUTTING THE “GO” IN NEGOTIATE

Most people do not attempt negotiation, even if the situation is as simple as a car or furniture purchase. Businesspeople, on the other hand, have no choice but to negotiate, whether it is a contract with a vendor or an agreement with an employee’s union.

The reasons people avoid negotiation are varied; they may feel they are not good at it, that they may lose and feel humiliated, or that they may not get the best deal. Others view negotiation as a confrontation that will produce a winner and a loser.

Negotiation, however, is not about winning and losing. Instead, negotiation is about reaching an agreement where both sides get at least part of what they want. Successful negotiation means that both sides feel they are gaining something and neither side makes a victory speech afterward.

To become a successful negotiator, readers must remember that everything is negotiable and the key is to overcome the fear of simply asking for a better deal. Asking gives someone the opportunity to say, “No,” but it also gives them the opportunity to say, “Yes.”

Collins outlines five secrets for successful negotiators:

1. Get around the rules: From school to business policies, rules are everywhere. Successful negotiators must question the rules, but must be sure to only question those who are really in charge and have the power to bend or break the rules.
2. Go straight to the top: Do not waste time talking with someone who cannot make a deal. Getting to the real decision maker is the key to a successful negotiation.
3. Do not get angry, get action: Being confrontational or obnoxious takes the focus off of the deal and puts it onto the bad behavior of the negotiator. Inappropriate behavior only makes negotiation more difficult and success unlikely. Being firm, yet polite, opens more doors.
4. Never negotiate in a crowd: Successful negotiation means that someone is going to make a concession and no one likes to do that publicly. If other customers hear what is going on, they will want the same deal. Talking privately with the decision maker breeds good will, and perhaps a sweeter deal.
5. Give in order to get: Negotiators must always be willing to give up something in order to get what they really want. The key is to give away something that is of little or no value to them but of some real or imagined value to the other party. Successful negotiators know what they want and what they are willing to sacrifice to get it.

GUERRILLA NEGOTIATION TACTICS

To perfect negotiating skills, Collins outlines some basic tactics that can be used in any negotiation, as well as counter measures to use when the negotiator finds themselves on the receiving end of these tactics. These include:

The Basic Ultimatum

The negotiator politely, but firmly, states an objection, followed by a strategic silence. This can be used when the negotiator believes they are getting less than expected, such as when a hotel delivers a subpar room. Be calm in the objection and never turn the ultimatum into a threat.

To counter this tactic, Collins advises negotiators to break the silence without making an offer. Restate the original deal and follow it again with a strategic silence. The other party may become irate, but the best countermeasure is to refuse to budge.

The Ultimatum Plus

Here the negotiator makes their objection followed by a specific demand, like a more suitable hotel room or a free meal. The key to success is to keep the demand reasonable.

To counter this tactic, a negotiator should respond calmly, do not concede or offer a better deal, and repeat that this is the best deal available. Repeat the bottom line if the other party continues to demand a better deal.

The Ultimatum Exit

This tactic is reserved for when the negotiator wants a larger concession, perhaps from a business partner who is resisting signing a contract or coming to an agreement. The priority is to solve the problem, but make sure an alternative is truly available before exiting the negotiation.

The countermeasure here is to let the other party walk. If the other party threatens to exit, they have probably already made up their mind to do so. If a negotiator gives in at this point, the other party will use this strategy again later on when they perceive another impasse. Prevent this by not giving in the first time.

Research and Destroy

Information is power. A successful negotiator does their homework before working out a deal. This tactic can be used when the facts prove that the other party is negotiating in bad faith. Be prepared to walk away from the deal with the facts, and do not “destroy” their position.

To counter this tactic, negotiators should fight facts with more facts. To disarm this tactic, agree with their facts, but point out why the deal on the table is better than another business could offer. Perhaps the current deal has more service options or a better warranty.

Goodwill Hunting

Service workers and customer-contact representatives are well versed on how to handle irate customers, but they have little training in how to deal with nice people. This presents an opportunity for a negotiator to appeal to the goodwill of others. Start by paying a compliment or getting the representative to talk about themselves, then follow that with a mild-mannered request for a better deal. If this soft-sell approach does not work, merely change tactics without withdrawing the compliments.

To counter this tactic, simply thank the person giving you the compliment and get back to business. Do not be lulled into a concession by kind words.

Solve a Problem

In this tactic the negotiator presents something that the other party gives up as the solution to a problem. The negotiator can be seen as presenting the other side an “opportunity” to get rid of extra inventory in exchange for a price break or other concession. The key here is to be gracious and not gleeful about getting the advantage.

If a negotiator encounters this technique, they should disagree that such a “problem” exists and deny the deal. However, only disagree if it is true. Denying the problem to gain a minor negotiation gain is bad business and the other party will be wary in the future whether or not negotiations are in good faith.

The Cash Flash

When paying cash is an option, stating a cash price upfront may encourage the other party to take the money and run. Only use the cash flash when the price has already been negotiated, then offer 60 percent (or less) than the agreed price in cash.

Negotiators who are faced with this tactic can simply reply, “A check would be fine.” The cash flash is a bluff, meant to get an emotional reaction. As long as logic rules, there is no need to fall for this strategy.

Silence

This is a very powerful negotiating tactic because people generally are uncomfortable with silences. In an effort to fill the void, they may make a concession or give away a bargaining position and relinquish their advantage.

To counter this tactic, a successful negotiator must be comfortable with the silence and must break it only to ask a question or comment on the silence itself. That puts the ball back in the other side’s court and shows that silence is an ineffective strategy.

The key to all of these tactics is for the negotiator to be confident enough to ask for exactly what they want, know what they can concede and stand firm on the rest. Do not be pressured into an agreement with the promise of a too-good-to-be-true deal or price. Instead, time is on the side of the successful negotiator, especially the one who has other options and can walk away from a bad deal.

NEGOTIATING WITH DIFFICULT PEOPLE

Negotiations involve more than just the tactics used. People are at the center of negotiation and they can be unpredictable and difficult. Being able to handle the different personality types around the table of any negotiation will not only make the process smoother, but make it more likely that negotiations will be successful for everyone involved. Collins has identified many of the distinct behaviors that people exhibit in negotiation and how to handle them.

Some of these include:

- **The Martian:** These are people who ignore or dismiss the facts and raise the question: “What planet are they from?” If they cannot be persuaded by the facts, there is no point in negotiating with them. Walk away because these negotiations are likely destined for failure.
- **The Bully:** These types of people believe that if they are loud or even profane, they will gain the upper hand. Their goal is to catch the other party off guard, get them to lose control and say things they should not, or give away positions prematurely. Handle the bully both verbally and nonverbally. Never deliver a loud response; normally the one who speaks loudest loses the advantage. Isolate the bully by directing responses to the rest of the team and refusing to make eye contact with the bully. If possible, physically turn away from the bully to isolate them further. Communicate clearly that the bully is all bluster and has no power.
- **The Bluffer:** This person’s game is to make an outrageous proposal. They win when the other party is insufficiently prepared and tries to reach middle ground on an outrageous offer. It is best to flatly refuse a bluffer’s offer and firmly restate the original position. The best defense against the bluffer is to be thoroughly prepared for the negotiation.
- **The Smiling Cobra:** This person will pretend that the negotiations are going smoothly before they strike by raising a large objection and stick to it. To counter the smiling cobra, charm the snake! Get them to talk about their discomfort and demonstrate that they are not a threat. If their points are reviewed with patience they may be charmed into agreement.
- **The Bozo:** This is someone at the table who has not spoken up at all but who will feel the need to say something despite how inane, irrelevant, or even destructive it might be. This person may not have been paying close attention to the negotiation but feels they cannot be left out. Another version of the Bozo is a late arriver who compensates by over-participating, no matter how meaningless their input may be. The Bozo is typically harmless unless their behavior is made into a big deal.

- **The Gadfly:** Similar to the Bozo, the Gadfly often has little substance to offer to the session, but feels the need to say something about everything. Collins advises negotiators to listen to the Gadfly because lurking in their soliloquies may be a good idea or sound position. They are searching for an audience; giving it to them may convert the Gadfly into an ally.
- **Johnny (or Judy) One-Note:** This is the person at the table who keeps trying to refocus the proceedings into one area or issue, or revisit an issue after it has been settled. The best way to deal with them is to agree and move on. Make eye contact with others in the room, but not the Johnny (or Judy) One-Note to effectively isolate them and bring the others along.

The above personalities work toward putting a negotiator off their game and perhaps pressure them into making a premature deal or a big concession. Despite the types of personalities involved in a session, a good negotiator must know their audience, be prepared to deal with each personality effectively, and always keep their cool.

THE STRUCTURE OF NEGOTIATIONS

Most business people will find themselves involved in negotiations that are much more formal than bargaining to get the best price in a store. In these cases, negotiations should have a formal structure to help all parties arrive at the best possible agreement.

An important part of the structure of negotiation is deciding upon the time and place that the parties will meet. This should be discussed by both parties up front, but Collins recommends meetings take place on neutral ground so neither side has a home-court advantage. Other things to consider include the size of the room and the arrangement of the seats; main negotiators should take prominence and backup staff should be relegated to the sidelines. Overall, both sides will work best in a comfortable setting that offers the fewest external interruptions.

Formal negotiations should begin with a “ritual conversation” which centers on topics such as the weather, restaurants or news events. Such seemingly banal chatter is a way to show a friendly side before negotiations begin. Making small talk can smooth the way if negotiations hit a snag later on.

Both parties should then define the main problem and decide exactly what is being negotiated. An “objectives statement” should be drawn up in advance with both parties agreeing on the basic content. This will ensure that everyone has a clear idea of what the goals are. Visually reinforce these goals by posting them in a place that is accessible to all parties. Posting a list of finalized agreements could also give both parties a visual reminder that progress is being made.

Just as Broadway shows do not open with their biggest number, the hardest issues should not be tackled first. Instead, start with minor items to help build momentum for the meeting. Try following this four-step sequence for negotiating each issue at hand:

1. **Position Statement:** If possible, allow the opposing party to speak first as position statements are shared. The advantage generally goes to the party that speaks second because they have had a chance to assess the other side's emotions and preparedness during their opening remarks.
2. **Response and Initial Proposal:** Each side will state their position on the agenda item based on prior preparation and in response to what they have already heard. The response may be immediate to the initial proposal, but if the negotiations are complex a recess may be required to allow the parties to generate a response.
3. **Discussion:** Although this is the heart of the negotiation, discussions should have a time limit to ensure each item can be thoroughly covered. Time limits can also help to deter personalities who spend hours talking about trivial issues.
4. **Counteroffer and Agreement Discussion:** A counteroffer is a signal of a genuine intention to come to an agreement. By the time this discussion takes place each side has made concessions and the question now becomes, "How can we agree?"

WATCH YOUR LANGUAGE

How a negotiator speaks during a session is important to creating an atmosphere where an agreement can be reached. Avoid using phrases like "your side," or "our side," or referring to those on the other side of the table as the "opposition." Such words and phrases can cause feelings of antagonism and make the negotiations difficult. Instead, negotiators should use words and phrases like "We believe that," or "All of us," to make the other party feel included.

How a negotiator speaks can also build either walls or bridges. Closed-ended language walls off avenues of negotiation, so avoid phrases like, "That is impossible," or "Take it or leave it!" Instead, use bridge building phrases like "It is difficult to meet those terms," or "This is a firm offer that we would be happy to clarify so there is no misunderstanding." There is certainly room for disagreement in negotiations, but language can make the difference between coming to agreeable terms and watching the other party walk away.

Language can also be a way to show respect for other parties who may be from a different culture. If the other culture is more "collectivist", where the feelings of the group are more important than the individual, inclusive language will work well. Collectivist cultures, including many Asian countries, are also interested in hearing about how an agreement will benefit the whole organization and not just a few key individuals.

Building relationships is absolutely vital whether a negotiator is dealing with a different culture or their own. People prefer to negotiate and do business with people they know, so getting to know the culture where negotiations will take place, as well as the people involved, will improve the chances for a successful negotiation.

WHEN TO WALK AWAY

Even the most expert negotiator does not always walk away with a successful agreement. Often, it is better to walk away from a negotiation if the problem cannot be resolved without serious disadvantages. A cooling off period may be required and overtures can be made to restart negotiations, but sometimes the problems can go too deep and frustrate any agreement. Do not make any deal under pressure; no agreement is preferable to a bad agreement.

Successful negotiators are those who thoroughly understand both the art and the science of negotiation, and are not afraid to ask for what they want while knowing what they are willing to give in return. Every negotiation situation is unique and negotiators should be well-versed on the issues at hand and prepared to deal with different types of human behavior. In the end, remembering that the point of negotiation is to get an agreement and not a victory will result in even more successful negotiations in the future.

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