

NEGOTIATION STRATEGIES

December '08

GETTING PAST RESISTANCE



■ Raphael E. Lapin

With today's economic challenges, effective, efficient and productive negotiation is a tool of survival. With developed skill and refined technique we can negotiate or renegotiate agreements that can be adapted to the current situation to help manage cash flow, supply management, employee cut-backs and customer relations.

Occasionally, we are faced with a stubborn person who refuses to engage in negotiation or problem solving. Before throwing up our hands in utter frustration there are techniques we can apply to help get us past that resistance and to guide the negotiation forward. In this month's column we offer three tips to help in this regard.

UNDERSTANDING THEIR RESISTANCE

When someone refuses to engage, consider their position as a tacit expression of a concern that they have with regard to participating. Work to uncover that concern so that you can address it appropriately. Instead of trying to engage him/her in the issue at hand, encourage them to talk about why they do not wish to engage. You might ask questions such as: "What are you most concerned with in talking about this?" Or: "What do you think is the worst that could happen if we discussed this?" He/she might say that they are concerned about being pressured into a commitment that they may regret. Having understood their concerns you can then propose an idea that addresses them. You could suggest, for example, an initial exploratory meeting with no expectations of commitment thereby

alleviating their fears. Even though they may initially be reticent in talking about their concerns, probe with perseverance and patience.

KNOWING YOUR ALTERNATIVE

Before entering into any negotiation, it is crucial to think about your alternative. Consider what the best thing is that you could do without the other's consent, should they refuse to engage. Perhaps it is escalating the issue to higher management, or getting HR to send a memo warning of possible termination should the individual's performance not improve. In external negotiations it may be researching alternative suppliers. This can then be used for leverage should it become absolutely necessary. For example, in the event that they are totally unyielding, you could say: "I am hoping we can come to an understanding because I don't think it would be good for either one of us if we had to escalate this to a higher level" Or "We have had a good business relationship and we certainly would not feel comfortable working with another supplier, but if we are not able to reach a mutually acceptable agreement, we may be forced to do that". There is always a certain degree of risk involved when introducing your alternative as leverage so use it only as a last resort. Also make it clear that your alternative is not your first choice. Remember, the purpose of introducing your alternative is to nudge the discussion back to negotiation, therefore always leave the door wide open for that.

RESPONDING TO THREATS

Think carefully about ways that the other party might try to threaten and pressure you. This should also be done in preparation

before negotiating. Then consider ways of how to make it harder for them to do or to persuade them as to how unwise it would be. An example of this is a corporation that contracted with a software company to develop customized software for their specific needs. After six months of research and development, the software company built the prototype and was to meet with the client's executives to finalize the deal. The software company's account managers prepared for the meeting by considering how the client might pressure them to discount the price. They anticipated that the executives will threaten to go to another vendor if they do not receive the requested discount. The account managers prepared their response by demonstrating how going with another vendor six months into the

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project would set the client back in time and expense considerably. In the meeting they were able to secure the deal on the original price without giving in to the client's threats. A little thought and preparation beforehand can make a big difference later.

As the adage goes, to be forewarned is to be forearmed.

Work to understand why they are resistant and explore your alternatives. Anticipate how they may pressure you and give thought as to how you might respond to that threat. You will then be prepared to manage the negotiation with grace and composure as you guide the negotiation towards a profitable outcome.

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