



Office of the Ombudsman  
Center for Cooperative  
Resolution

National Institutes of  
Health

## **Negotiation Skills**

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*OITE Career Symposium*

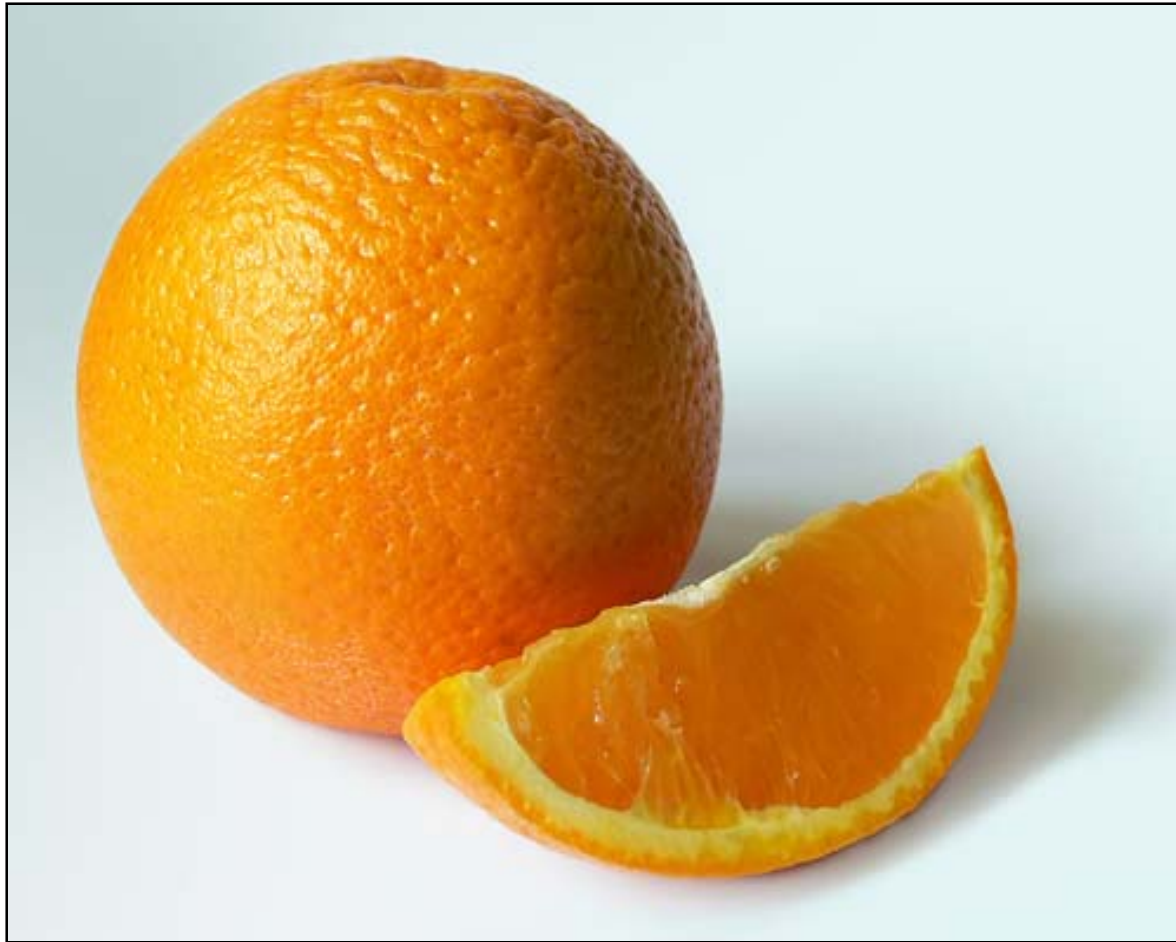
*May 19, 2009*



# Training Objectives

- Basic negotiation concepts
- Approaching negotiation
- Stages of negotiation
- Answer specific questions

What would you do?



# Philosophy of Negotiation



Negotiation is a process by which we attempt to influence others to help us achieve our needs while at the same time taking their needs into account.

**The goal: Try to find a way to solve the *other* person's problem, while you solve your own.**



# Philosophy, continued

Satisfying underlying interests costs less and yields more satisfactory results than determining who is right or who is more powerful.

Rights and power will always be present, especially in places like a scientific lab, but focusing on interests may allow for the discovery or development of more creative possibilities for resolution.

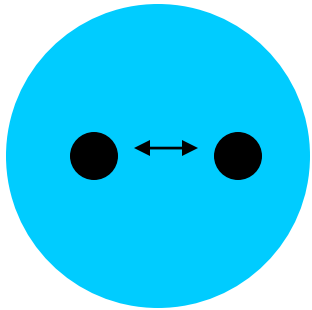
# Spectrum of Dispute Resolution Processes



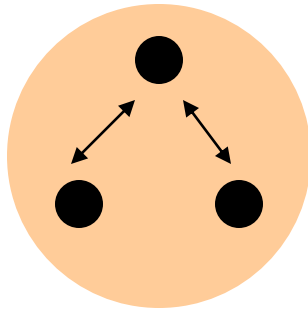
**PRIVACY**

**POWER OF INDIVIDUAL: PARTIES DECIDE THE OUTCOME**

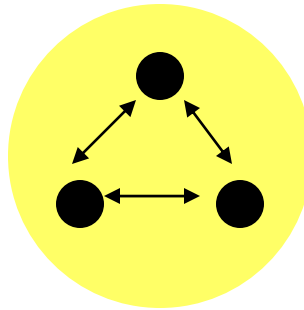
**DIRECT  
NEGOTIATION**



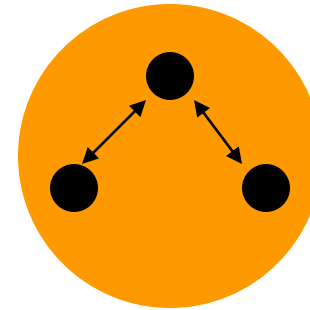
**CONCILIATION**



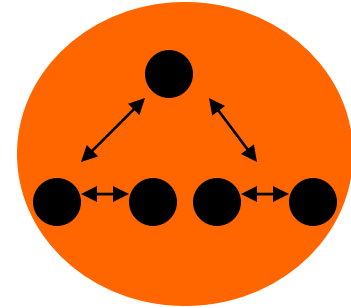
**MEDIATION**



**ARBITRATION**



**LITIGATION**



**POWER OF COERCION:**

**PARTIES LOSE CONTROL OVER THE PROCESS**



# Types of Negotiation

## The HOW and the WHAT of conflict

- **Distributive Negotiation**

Claiming all the profit, or the maximum share, for oneself: winning it all.

- **Integrative Negotiation**

Creating value (“expanding the pie”) and finding solutions that best meet the needs of all or most parties – especially over time.



# Principles of Negotiation

1. Separate the people from the problem
2. Focus on interests, not positions
3. Invent options for mutual gain
4. Insist on objective criteria





# Positions v. Interests

**Security**

**Respect**

Positions	Interests
I want access to an instrument	Contribute to a paper
I need my mentor/supervisor to read my paper	More guidance in a specific area of research
I need time to job hunt, go on interviews	Support self and family
I won't share my data	Concern about integrity of other's work; recognition of own work

**Identity**

**Autonomy**



# Negotiation Considerations

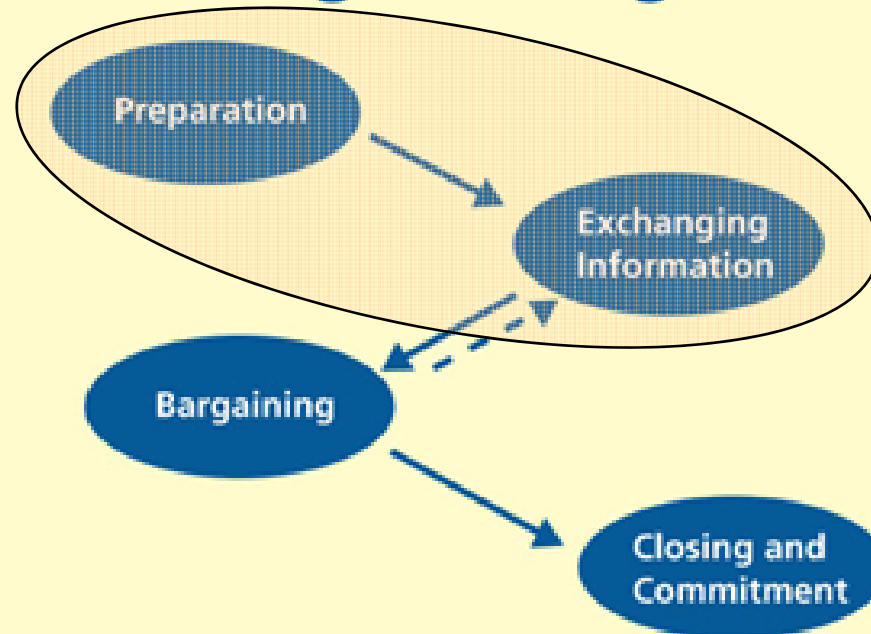
When determining how, and whether, to approach negotiation, consider the following criteria:

- Effort and resources required
- Effect on the relationship
- Importance of specific outcomes
- What is the relative importance of the relationship vs. the outcome?

# Negotiation Strategies



## Four Stages of Negotiation



From Shell, Richard. *Bargaining for Advantage: Negotiation Strategies for Reasonable People* (Penguin 1999)



# Preparing for Negotiation and Exchanging Information

1. Outline your objectives.
2. Plan how you would like to structure the meeting: where, when, how
3. Gather information: Understand the knowledge and desires of the other party
4. Consider/learn about the other party's cultural background and its potential impact on the negotiation
5. Consider your deal-breakers, and those of the other party
6. Determine where you can be flexible, give something
7. Identify your BATNA (Best Alternative to a Negotiated Agreement) and the BATNA of the other party.
8. Determine whether you and the other party have authority to sign off on a deal.
9. Suggest ground rules. Set expectations.



# Bargaining, Closing and Commitment

1. Clarify and define the issues
2. Identify interests behind issues, including intangibles
3. Allow time to vent
4. Agree on standards to evaluate options
5. Generate options and alternatives
6. Make offers and concessions
7. Evaluate options using agreed-upon criteria
8. Agree on solution(s) (note: check *authority*)
9. Implement plan



# Bargaining: Helpful Ideas

- Avoid speaking as if to convince a third party of one's position. Instead, tie messages to what you need, not as an argument to prove who is right or wrong.
- Share your motivation and commitment to working together
- Define the problem without attacking the other person, try to cite a common goal
- Focus on the primary issues
- Avoid discussing solutions until you fully understand the problem
- Signal flexibility and willingness to hear the other person's side; value their opinion
- Make sure you both feel heard: summarize what the other has said and confirm your understandings.



# Questions?

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# Bibliography

Babcock, Linda and Sara Laschever. *Women Don't Ask: Negotiation and the Gender Divide*. Princeton: Princeton University Press, 2003.

Cohen, Carl and Suzanne Cohen. *Lab Dynamics: Management Skills for Scientists*. Cold Spring Harbor, New York: Cold Spring Harbor Laboratory Press, 2005

Fisher, Roger and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. New York: Penguin Books, 1983

Lewicki, Roy J., David M. Saunders, and John W. Minton. *Negotiation* (5th Ed.). Boston: Irwin McGraw-Hill, 2007

Shell, Richard. *Bargaining for Advantage: Negotiating Strategies for Reasonable People*. New York: Penguin Books, 1999

Stone, Douglas, Bruce Patton and Sheila Heen. *Difficult Conversations: How to Discuss What Matters Most*. New York: Penguin Books, 1999