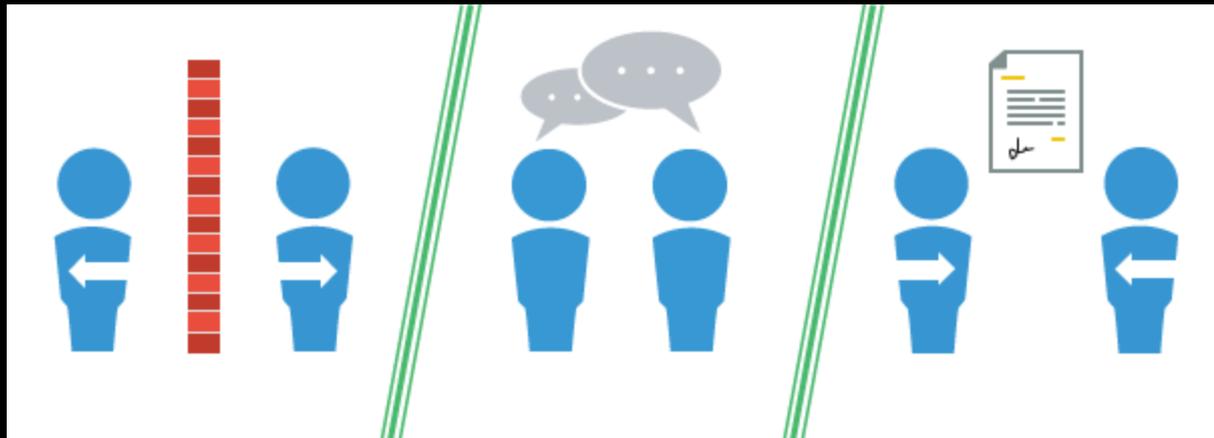


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INTRODUCTION TO NEGOTIATING SKILLS

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Agenda

- Context
- Content and Case Examples
 - TKI Five Modes of Managing Conflict
 - JOHARI Window
 - Heads of Agreement
- Applications

ne·go·ti·a·tion

/nəˌɡoʊʃiˈeɪʃ(ə)n/

noun

discussion aimed at reaching an agreement.

"a worldwide ban is currently **under negotiation**"

synonyms: discussion(s), talks, deliberations; conference, debate, dialogue, consultation; mediation, arbitration, conciliation

"the negotiations resume next week"

- arrangement, brokering; settlement, conclusion, completion, transaction
- "the negotiation of the deal"

- A dialogue between two or more people or parties intended to reach a beneficial outcome.
- A method by which people settle differences.
- A process by which compromise or agreement is reached while avoiding argument and dispute.

Classes of Negotiation

- **Proactive** – where you initiate; e.g., to:
 -
 -
 -
- **Reactive** – where you respond; e.g.:
 -
 -
 -

Classes of Negotiation

- **Proactive** – where you initiate; e.g., to:
 - Land a new job; ask for a raise; ask for a promotion.
 - Make a sale.
 - Get someone to do something.
 - Make a purchase.
 - ...
- **Reactive** – where you respond; e.g. when someone tries to:
 - Sell you something.
 - Take something from you.
 - Get you to do something.
 - ...

Thomas-Kilmann Conflict Mode Instrument

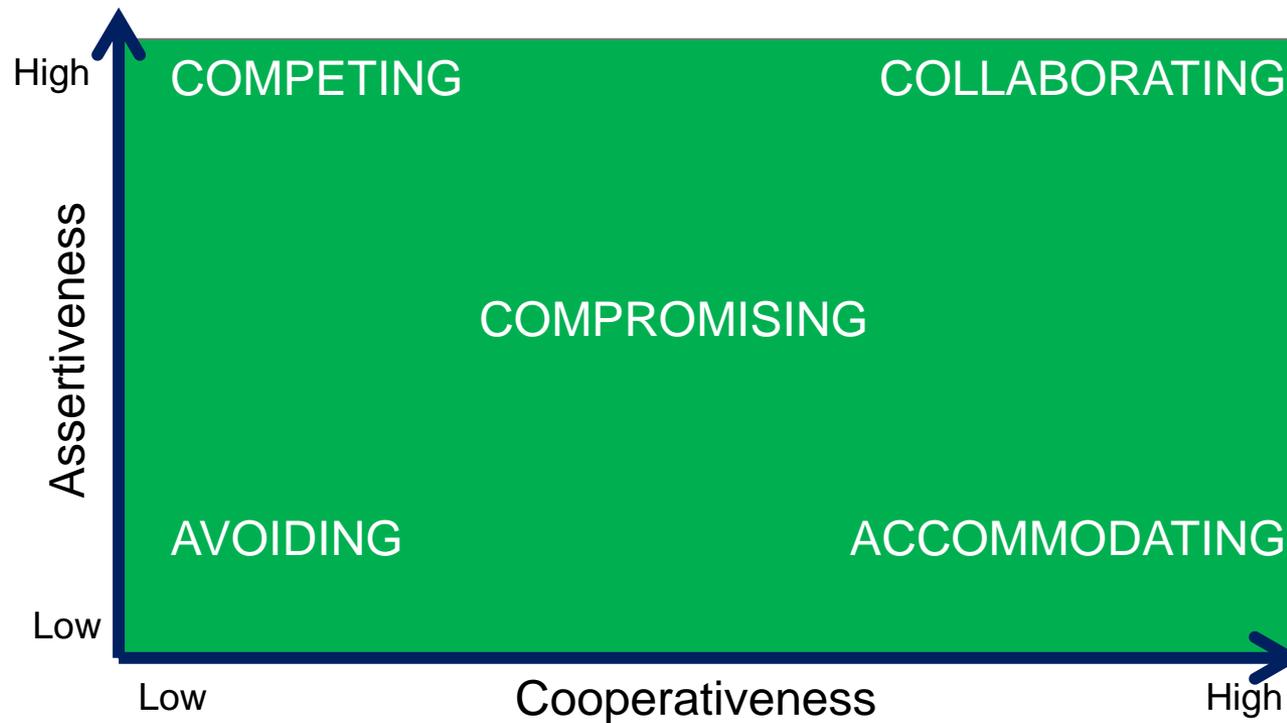
AKA: The TKI (Mountain View, CA: CPP, Inc.)

- No two people have the same expectations and desires so conflict is natural.
- Consider behavior when the concerns of two people appear to be incompatible along two dimensions:
 - **Assertiveness**, the extent to which the person attempts to satisfy his own concerns.
 - **Cooperativeness**, the extent to which the person attempts to satisfy the other person's concerns.
- See for more: <http://www.kilmanndiagnostics.com/>

Exercise-1: It is late at night on a dark street...

- Consider a Mugger and Dog Seeker.
 - Read a line from the Mugger script.
 - Read a line from the Dog Seeker script.
- Does what was read sound *cooperative* or *assertive*?
- Repeat the process until all lines are read.
- What do you notice?

Five modes of responding to conflict situations



Exercise-1: It is late at night on a dark street...

- Repeat the exercise:
 - Read a line from the Mugger's script.
 - Read a line from the dog walkers script.
 - Identify which mode is exemplified by each line.
 - Repeat the process until all lines are read.
- What do you notice?

TKI considers five modes of responding to conflict situations.

- **Competing** is assertive and uncooperative—individual pursues own concerns at the other expense. Use whatever power seems appropriate to win your position—ability to argue, rank, economic sanctions. Competing means "standing up for rights," defending a position", or simply trying to win.
- **Accommodating** is unassertive and cooperative—opposite of competing. Neglects own concerns to satisfy the concerns of the other; self-sacrifice; selfless generosity or charity, obeying another person's order when you would prefer not to, or yielding to another's point of view.
- **Avoiding** is unassertive and uncooperative—neither pursue own concerns nor those of the other. Does not deal with conflict. Diplomatically sidesteps or postpones issue until a better time, or simply withdraws from threatening situations.
- **Collaborating** is both assertive and cooperative—opposite of avoiding. Attempts to find solution that fully satisfies all concerns. Digs in to pinpoint underlying needs and wants of both. Explores disagreement to learn from each other's insights or tries to find a creative solution.
- **Compromising** is moderate in both assertiveness and cooperativeness. Find expedient, mutually acceptable solution that partially satisfies both. Gives up more than competing but less than accommodating. Addresses issues more directly than avoiding, but does not explore in as much depth as collaborating. In some situations, compromising might mean splitting the difference between the two positions, exchanging concessions, or seeking a quick middle-ground.

Key Points

- We all use all five conflict-handling modes. None of us has a single style of dealing with conflict.
- Some people use some modes better than others and most people tend to rely on one or two modes more heavily — whether because of temperament or practice.
- One's conflict behavior in the workplace is a result of both personal predispositions and the requirements of the situation.
- **Know your *go-to* mode and *decide* which to use in a given situation.**

Exercise-2 Trouble Parking Part-A

- After driving for two hours through horrible traffic all morning, you are late for a job interview at the Fairmont on Nob Hill.
- You spy a parking spot right across the street from the front door. Just as you pull into the space another car comes out of nowhere and backs into your spot before you can do anything about it.
- You are furious and raging mad.
- You hop out of the car and so does the driver of the car that has taken your space.
- You walk towards each other with untoward passion to confront.
- What do you do and say?

Exercise-2 Trouble Parking Part-B

- Same as case A except that you realize as soon as you take the first step that the person you are about to confront is **the brother of your best friend** who you met just this past weekend at a party on campus.
- What do you do and say?
- Which mindset is likely to lead to the best result for both parties?
- When you are in negotiation notice what your go-to mindset is and *decide* whether to use it or another one.

Key Point

- Roger Fisher in *Getting Together*. The odds of a better result improve if good intentions are assumed.

Thesis: Rational actors with the same data will make the same decision.

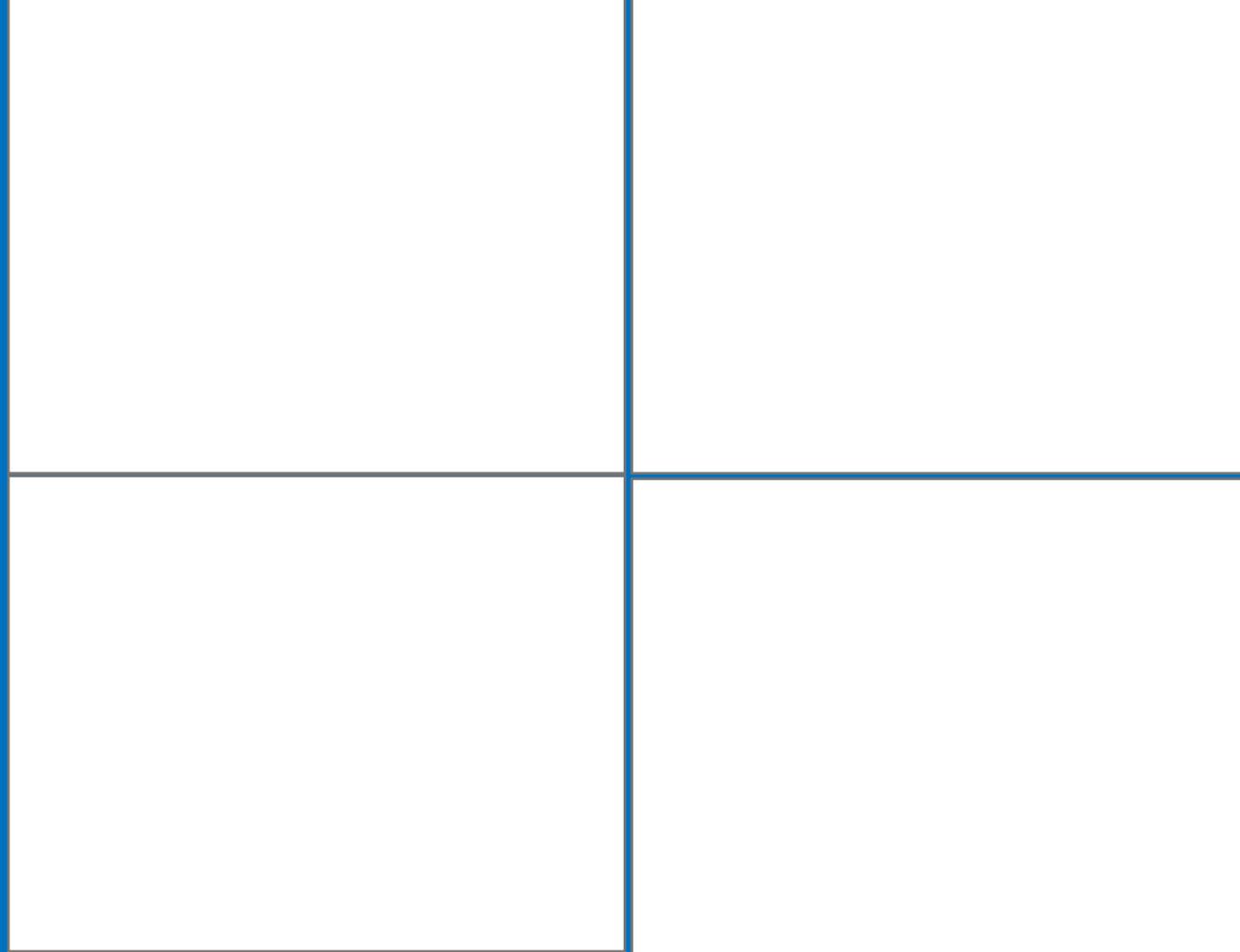
- Discuss the Thesis; when might it be true?
- Review Orange example from Roger Fisher's: Getting to Yes.
- In light of the thesis and example what might be a good strategy in any negotiation?

JOHARI WINDOW

Others' Knowledge

Unknown to Others

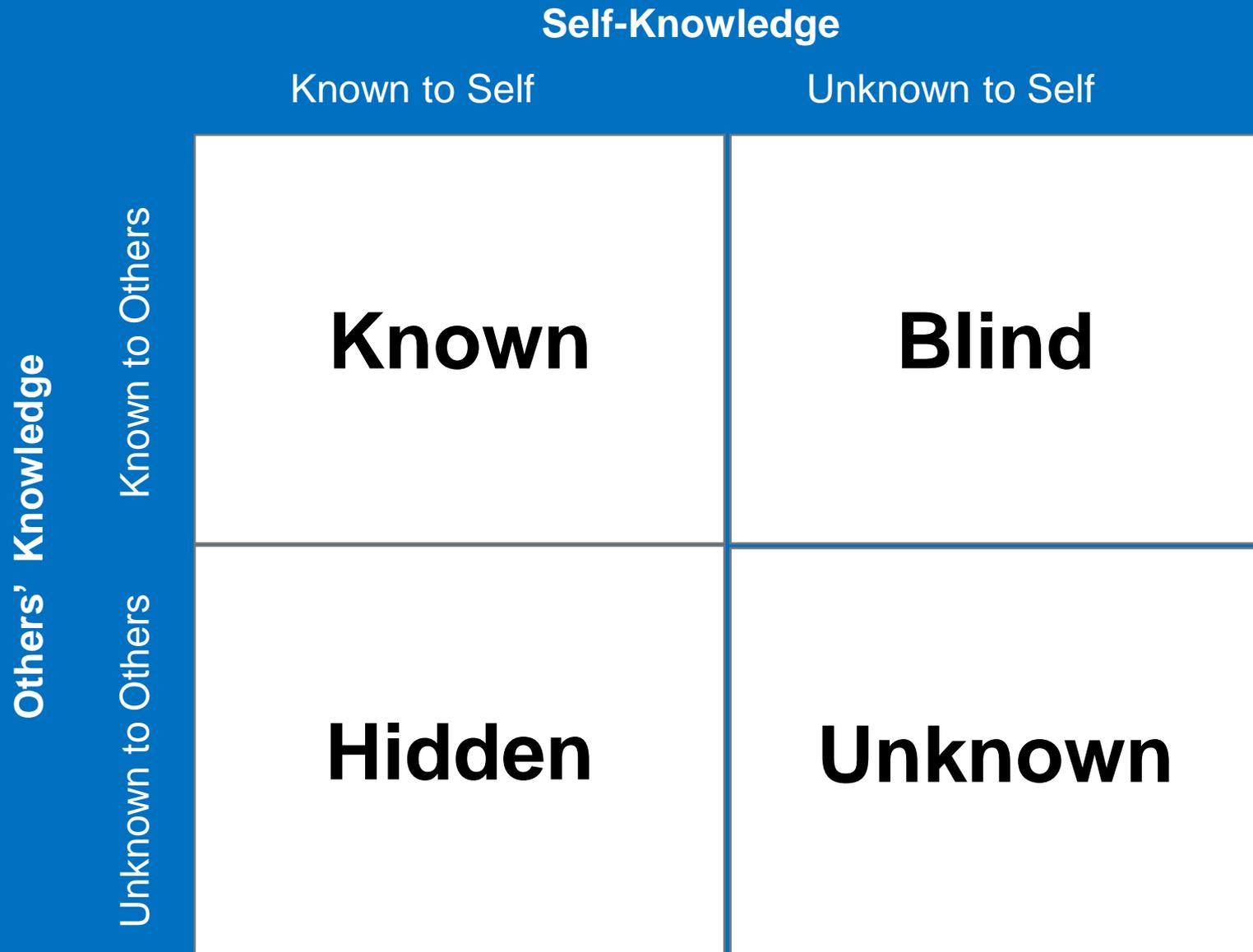
Known to Others



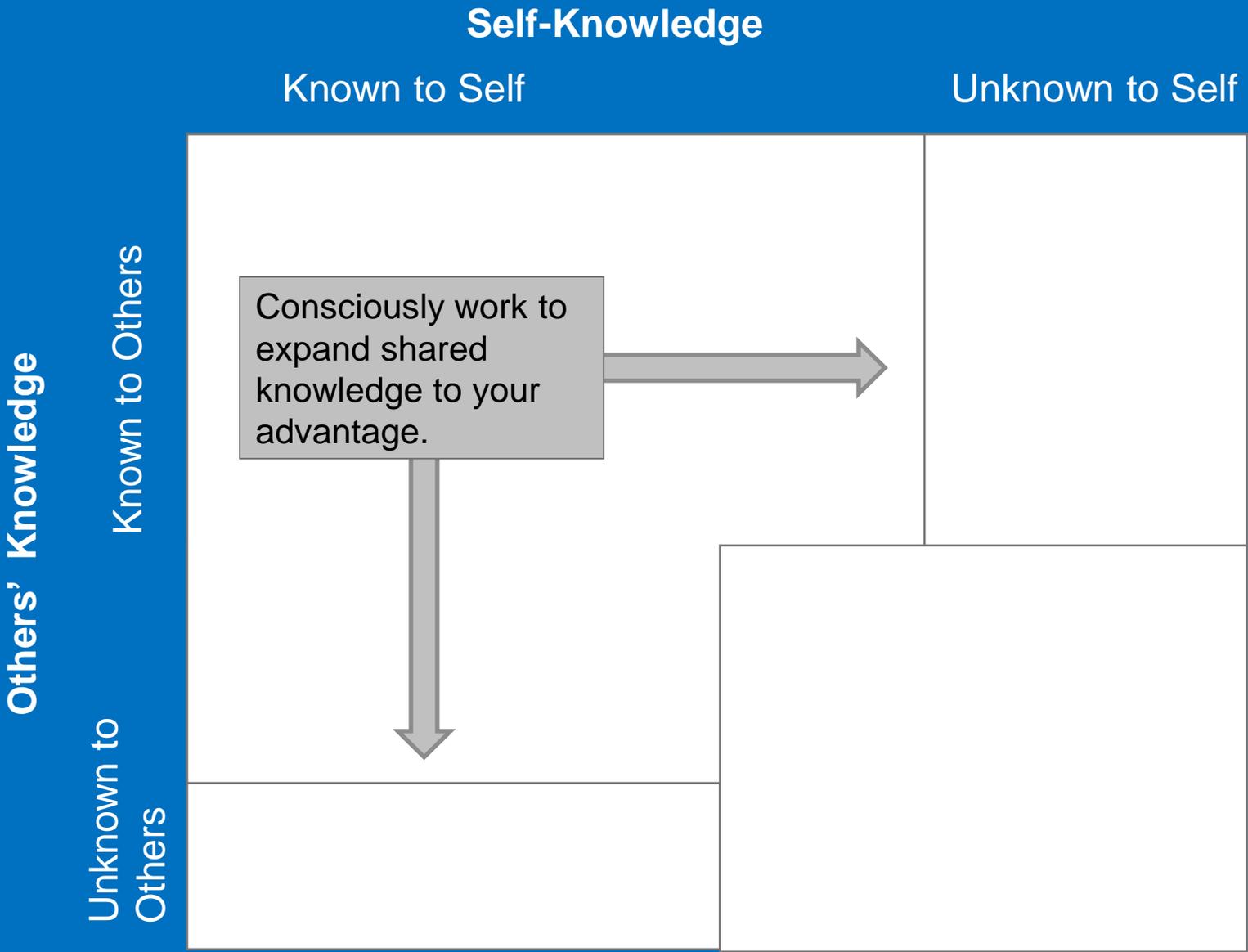
Known to Self

Unknown to Self

JOHARI WINDOW



JOHARI WINDOW



Exercise-3 Two Sisters and an Orange

From Roger Fisher's: Getting to Yes

- Two young-adult sisters are fighting over who gets to have the one orange left in the fruit bowl.
- Their mother enters the room and decides to resolve the dispute.
- What would you do if you were their mother?

Exercise-3 Two Sisters and an Orange

- Mother cut the orange in half and gave one half to each.
- Neither was happy.
- Why might this be?
- The first sister wanted to zest the orange rind for a cake recipe.
- The other sister wanted the juice for a drink.
- The needs of both could have been accommodated but neither was.

Key Point

- Know what each party wants before negotiating.

The Heads of Agreement turns *negotiating into problem solving.*

- Articulate each party's circumstances from their own and the other's perspective.
- State objectives from their own and the other's perspective.
- State what each will do, and what each is counting on the other to do, from their own and the other's perspective.

Use Heads of Agreement Format to negotiate ... *PRIOR* to contracting

	Party-1	Party-2
Situation		
Objective		
What I will do		
What we will do		

Example Heads of Agreement



PROPOSED
Heads of Agreement
Between **DaTran Media Corporation** and Intwine, Inc.
June 1, 2004

Parties:

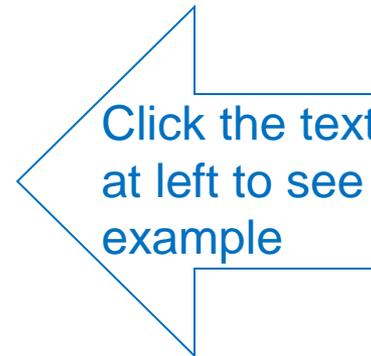
- **DaTran Media** is a database marketing and list management company that makes heavy use of technology.
- **Intwine** is a Microsoft .net business applications consulting and systems development company that has built and supports much of the software DaTran uses to operate its business.

DaTran Media seeks:

- A reliable and ample supply of trained, committed, and responsive personnel to efficiently:
 - Understand, implement, and roll-out upgrades to its current and prospective business support systems.
 - Upgrade its existing system to be made increasingly immune to failure and easier to operate.
- To synchronize its short and long term objectives with those of its most critical partners, including Intwine.

Intwine seeks:

- To build a stable, growing, profitable company that is "built to last".
- Longer, larger engagements that provide a stable platform for growth.
- To develop domain expertise in specific areas including direct marketing.



Key Points:

- Each party has a default mode that is not necessarily the most likely to lead to the best result.
- Be who you need to be. I.e., DECIDE which mode to adopt based on circumstances and preferences.
- Reveal what is unknown to the other party that may be helpful to you.
- Seek to find out what you do not yet know that will be helpful to you.
- Document your understanding, assumptions, and terms before going to contract.

Discussion

How do conflict and negotiation show up for you?

What will you do differently going forward knowing what you now know?"

Readings

- IntelliVen Post: How Rational Actors Can Reach Agreement
- Thomas Kilmann: *Conflict Mode Instrument* — AKA: the TKI (Mountain View, CA: CPP, Inc., 1974–2009)
- Roger Fisher:
 - Getting to Yes: Negotiating Agreement Without Giving In
 - Getting Together: Building Relationships As We Negotiate

IntelliVen Resources

Free to all

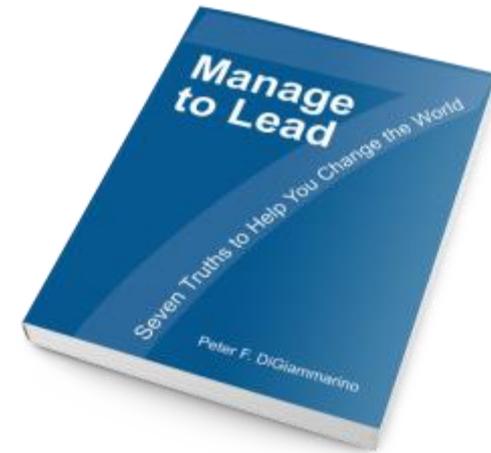
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Free to you

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Thank you.

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