

15

Not getting what you don't want

AIMS

- Types of negotiator
- Rejecting
- Dealing with conflict
- Ending the negotiation

1 Types of negotiator



The delicate art of negotiation

Try to remember the three different types of negotiation described in Unit 13. We may also speak about three types of negotiator: the fighter, the creative negotiator and the one who looks for independent advantage (see the Skills Checklist for this unit).

To find out which one you are, answer the following questions and check your answers with the key at the end.

What type of negotiator are you?

- 1 Your aim in a negotiation is ...
 - a) to find the greatest area of agreement in the joint interests of both parties.
 - b) to win and to make the other side lose.
 - c) to find the best deal for your side.
- 2 When the other side is talking, you ...
 - a) use the information you are hearing to identify weaknesses in the other party.
 - b) plan what you are going to say next.
 - c) listen with maximum attention.
- 3 You think that ...
 - a) part of the available time must be spent socialising and getting to know the other side.
 - b) goodwill is important but the speed of the meeting should be quick and businesslike.
 - c) the meeting should get down to business as soon as possible and reach quick decisions.
- 4 When you speak in a negotiation you ...
 - a) make bold and forceful statements, possibly banging the table.
 - b) make carefully-considered statements in a calm, controlled voice.
 - c) are occasionally forceful and inflexible.
- 5 If the other side disagree with you, you ...
 - a) try hard to find a creative position by modifying your position.
 - b) repeat your demands and will not concede – your objective is to make the other side give in.
 - c) reshape your offer without *fundamental* changes.
- 6 If the other side state an opinion you disagree with, you ...
 - a) tentatively suggest an alternative.
 - b) ask for clarification and explanation.
 - c) ridicule it with sarcasm.

To see which kind of negotiator you are, calculate your total based on the following system.

1 a) 3 b) 2 c) 2 2 a) 1 b) 2 c) 3 3 a) 3 b) 2 c) 1
 4 a) 1 b) 3 c) 2 5 a) 3 b) 1 c) 2 6 a) 3 b) 2 c) 1

If you score 15 or more you are a **creative negotiator**. 11–14 you negotiate to independent advantage.
 7–10 you are a **fighter**! Less than 7 you should get a gun licence!

2 Dealing with conflict




What causes conflict in a negotiation?

- 1 Read the text below. How many ways are suggested to reduce conflict in a negotiation?
- 2 Match each of the following to a phrase in the text with a similar meaning:
 - a) highlight the disadvantages of failing to reach a deal
 - b) think of new benefits for both sides
 - c) alter parts of what is on offer
 - d) take a break to consider positions
 - e) have the negotiation in a different place
 - f) change the individuals involved
 - g) ask an independent person to come and help you reach agreement
 - h) have an informal meeting to talk things over.

Conflict may sometimes be an unavoidable step on the road towards agreement. However, in some cases conflict leads to the breakdown of negotiations as one or both sides realise that agreement is not possible. In many cases this is better than agreeing to something which would be against the interests of the people concerned.

- 5 When conflict arises, there are several possible actions which may help to resolve conflict in a negotiation:
 - leave the problem, go on to a different topic and return later to the point at issue
 - summarise progress and areas of agreement
 - emphasise the benefits available to both sides
- 10 • emphasise the loss to both sides of not reaching agreement
 - restate the issue and wait for a response
 - change the package
 - invent new options for mutual gain
 - offer *conditional* concessions
- 15 • adjourn to think and reflect
 - fix an off-the-record meeting
 - change location
 - change negotiator (personal chemistry?)
 - bring in a third party (mediator?)
- 20 • consider walking away.

Adapted from *The Pocket Negotiator* published by Gottschalk Hartley-Brewer (1989).

-  3 Listen to a recording of five different statements. All of these are ways of dealing with conflict. Match each statement with one of the following strategies.

- a) Adjourn to think and reflect. ☐
- b) Summarise progress and areas of agreement. ☐
- c) Leave the problem, discuss something else, come back later to the problem. ☐
- d) Emphasise the loss to both sides of not reaching agreement. ☐
- e) Offer a conditional concession. ☐

- 4 In pairs, use the given prompts to suggest a response to the statements.

Situation 1

The problem is that we have never offered the kind of warranty you are looking for.

Suggest leaving the point and returning to it later after discussing other issues, i.e. training for technical staff.

Situation 2

There's a number of issues on the table. We seem to be a long way from an agreement.

Suggest changing the package on offer (variables include price, shipment costs, payment terms).

Situation 3

The price you are asking is rather high, quite a lot higher than we were expecting.

Send a signal that you could offer better payment terms.

Situation 4

There are several problems. We think there is quite a lot of negotiation ahead before we can agree on a common strategy.

Suggest advantages of reaching agreement: more global influence, better prospects for the future.

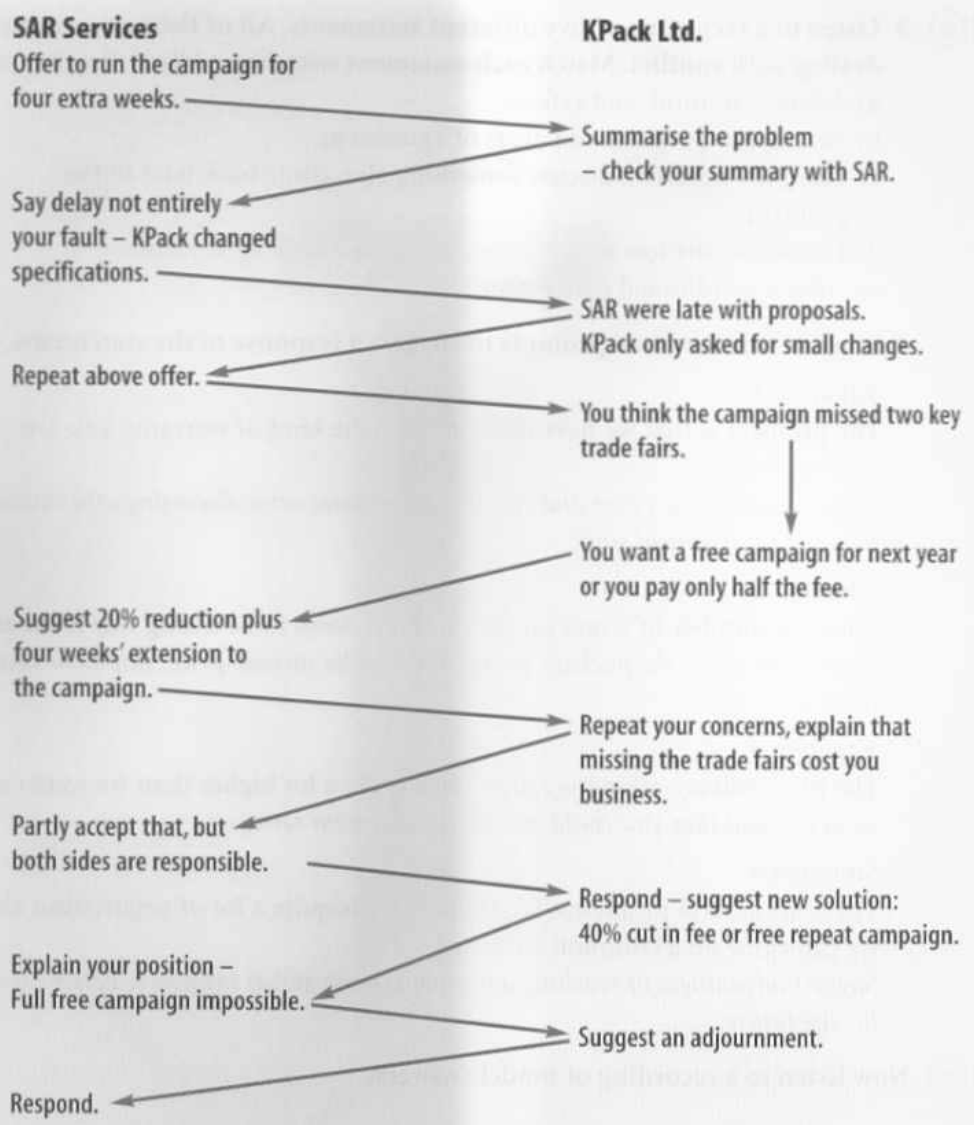
-  Now listen to a recording of model answers.

Practice 1

A year ago an advertising consultancy, SAR Services, agreed to design and run a twelve-week magazine advertising campaign for KPack Ltd. using specialist journals.

KPack are not happy with the campaign. The first advertisements were a month late, missing two important trade fairs. The advertisements did not appear in two key industry journals. Now KPack are refusing to pay the whole fee for the campaign.

Construct part of the dialogue using the flow chart below.



Now listen to a recording of a model dialogue.

3 Rejecting



- 1 Group Image, a commercial photographic company, is planning to buy new processing equipment. For two days they have been negotiating with Photolab Ltd., a supplier of photographic processing equipment. Photolab have made an offer.



- 2 Listen to a recording of a final summing up from Peter Cawood of Photolab Ltd. and three alternative responses from Group Image.

- Comment on each response.
- Decide which is the most appropriate.
- Give reasons for your decision.

- 2 Complete the following phrases with suitable words. If in doubt, listen again to the last two responses in Exercise 1 above.

- a) Thank you for the efforts you have made, but _____ very _____.
- b) We do not _____ at this stage to _____ your offer.
- c) Obviously, we have _____ it very carefully.
- d) We are not entirely _____ that the technical advantages _____ the high cost.
- e) We hope you'll _____ us again with future offers.
- f) I think we are _____ to give you a formal _____ today, but we will _____ to you and tell you of our _____ in a day or two. Then we'll _____ what the next step should be. So, thank you very much.

- 3 Match a phrase on the left with a phrase on the right which could be used in a similar situation.

- | | |
|--|--------------------------------------|
| a) Not just now. | I'm afraid not. |
| b) Not really. | Not at the moment. |
| c) I shouldn't think so. | I'm afraid we just couldn't do that. |
| d) I'm sorry but that's not realistic. | I doubt it. |

Practice 2

Below are four offers or requests. Reject each one, using the information in the prompts.

Situation 1

Let me make a suggestion. If you agree to buy 100 units every month for the next twelve months, we'll agree a 10% discount.

You don't know how many units you will need in six and twelve months. It might be more or less.

Situation 2

The price we are offering excludes installation costs but does include a twelve-months guarantee.

Other suppliers offer free installation and a two-year parts and labour warranty.

Situation 3

I think the absolute minimum investment in advertising must be \$40,000, otherwise we cannot reach enough of our market. It's not much to ask for.

You cannot spend more than your budget.

Situation 4

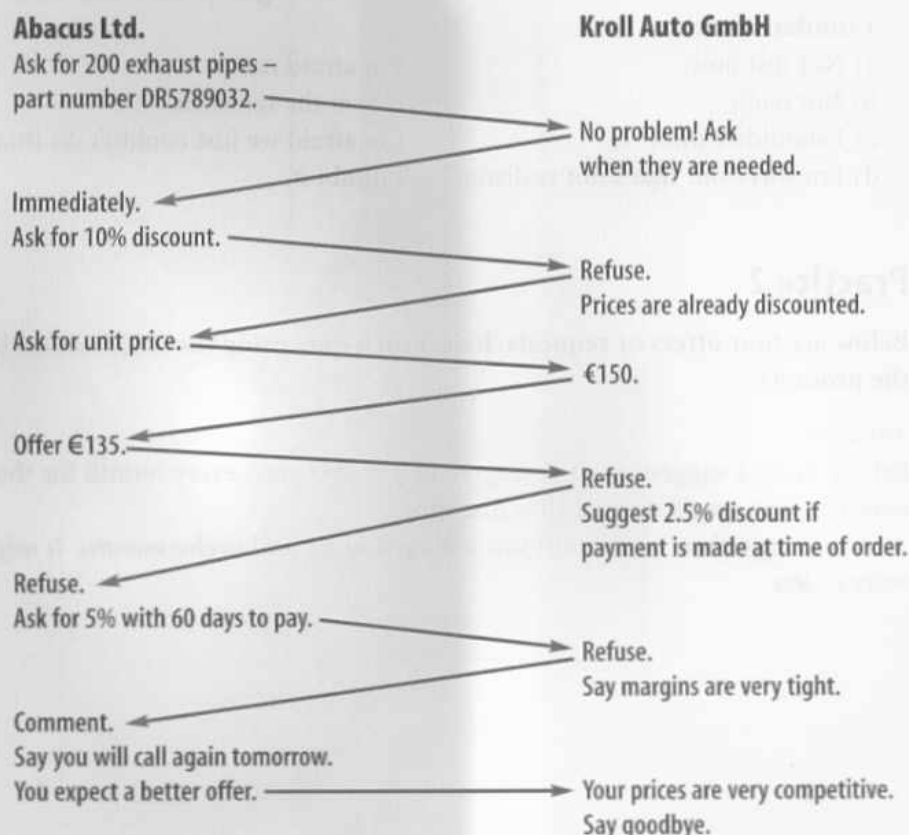
Now, some excellent news: we'd like to increase our order. Right now you are sending us 350 boxes a month. We need at least 500, demand is very high ...

Your order books are full, the plant is working at capacity.

  Now listen to a recording of model answers.


Practice 3

Abacus Ltd. is an automobile parts distributor. They want to buy exhaust pipes from Kroll Auto GmbH, a German manufacturer. Construct a dialogue based on the following flow chart.




  Now listen to a recording of a model dialogue.

4 Ending the negotiation

-  1 The words below offer a clear indication of the result of a negotiation. Work with a partner and decide which of these words would indicate a positive outcome and which a negative outcome.

| | | |
|---------------|----------------------|--------------|
| unfortunately | another time | no agreement |
| not ready | fruitful partnership | problems |
| very good | satisfactory | sorry |
| | | useful |

Now listen to the recording to check your answers.

-  2 Listen again to the five extracts from the end of negotiations. Complete the grid below.

| Extract | Agreement reached? | Next step? |
|---------|--------------------|------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |

Practice 4

Suggest what you could say in the following situations.

Situation 1

After a long negotiation, you have reached agreement and now plan a meal in a local restaurant with the other party in the negotiation.

Situation 2

Your efforts to reach agreement have been unsuccessful. It is late. End the negotiation but offer some hope that in the future you might manage some cooperation with the other side.

Situation 3

A colleague has asked you to cooperate on a project, but after long discussion you feel you cannot participate because of fundamental disagreement. It is important that you continue to work together in other areas.

Situation 4

You want to repeat an order with a supplier but they are trying to increase prices by 20%. You cannot agree to this. End your discussions.

Situation 5

A customer is asking you to supply goods in a month. This is physically impossible. End the discussion.

  **Now listen to a recording of model answers.**

Role play

Work in pairs, A and B. A should turn to File card 18A, B should turn to 18B. Each File card contains four different negotiating situations. Negotiate each of them. Let each negotiation follow its course and see if they are successful or not. Use some of the language you have heard for ending negotiations.

TRANSFER 1

Think of examples of conflict in negotiations that you have been involved in.

- What kind of negotiation was it?
- Who was involved?
- What caused the conflict?
- How was the conflict resolved?
- Were you happy with this solution?
- Do you think the conflict should have been resolved in another way?

TRANSFER 2

Think of another negotiation you have been involved in. Was the negotiation a success or a failure? Why?

How would you assess the negotiation in terms of:

- your objectives, targets and limits
- your planning
- the strategy
- team roles and individuals
- the issues
- strengths and weaknesses.

Language Checklist

Negotiations (3)

Dealing with conflict

I think we should look at the points we agree on ...

We should focus on the positive aspects ...

We should look at the benefits for both sides ...

It is in our joint interests to resolve the issue ...

What do you think is a fair way to resolve this problem?

We hope you can see our point of view ...

Let us explain our position ...

Could you tell us why you feel like that?

I think we should look at the whole package, not so much at individual areas of difficulty.

Perhaps we could adjourn for a little while.

I think we need to consider some fresh ideas ...

Rejecting

I'm afraid we can't ...

Before agreeing to that we would need ...

Unfortunately ...

I don't think it would be sensible for us to ...

I think if you consider our position, you'll see that ...

Ending negotiations

So, can we summarise the progress we've made?

Can we go through the points we've agreed?

Perhaps if I can check the main points ...

So the next step is ...

What we need to do now is ...

It's been a very useful and productive meeting.

We look forward to a successful partnership.

Breaking off negotiations

I think we've gone as far as we can.

I'm sorry, but I don't think we're going to agree a deal.

It's a pity we couldn't reach agreement this time.

Unfortunately we appear unable to settle our differences.

It would be better if we looked for some independent arbitrator.

Skills Checklist

Negotiations (3)

Dealing with conflict

- Show understanding of the other side's position.
- Highlight advantages of agreement.

Don't ...

- be sarcastic
- attack
- criticise
- threaten
- blame.

Do ...

- ask questions
- listen
- summarise
- build on common ground
- explain your feelings.

Types of negotiator

Hard

negotiates to win
makes demands

Principled

looks for common benefits
makes offers

Soft

looks for agreement
accepts what's on offer

Fighter

↓
win – lose

Independent advantage

↓
win – win

Creative negotiator

↓
looks for agreement

Rejecting

- Ask for an adjournment.
- Discuss options.
- Remember your limits.
- Decide if your interests are being met: if not, reject the proposal on offer, or suggest alternatives.

After the negotiation

- Compare the result with your objectives, targets and limits.
- Examine the process of the negotiation:
the planning – the strategy – team roles – the issues.
- Learn from failure:
 - what went wrong and why?
 - identify weaknesses and errors
 - discuss and plan ahead.
- Build on success:
 - recognise success
 - praise people
 - develop teamwork and partnership.

Quick Communication Check

1 Dealing with conflict

Match the word on the left to the correct meaning on the right.

- | | | |
|------------------------------------|-------|---|
| 1 compromise | _____ | a) pay special attention to something |
| 2 consider | _____ | b) think carefully about something |
| 3 focus on | _____ | c) agree on less than you really want / a middle position |
| 4 resolve / solve (a problem) | _____ | d) explain |
| 5 have a break in a meeting | _____ | e) find a solution to a difficulty |
| 6 delay a meeting to a future date | _____ | f) adjourn |
| 7 say what you mean | _____ | g) postpone |

2 Rejecting proposals

Which of the following words indicate rejection is coming? Mark them with an R (rejection). Mark the others with an A (agreement).

- | | | | |
|--------------------------|-------|---------------------------|-------|
| 1 Unfortunately ... | _____ | 7 It's a pity, but ... | _____ |
| 2 Sadly ... | _____ | 8 We don't think ... | _____ |
| 3 We regret that ... | _____ | 9 We cannot possibly ... | _____ |
| 4 I'm pleased to say ... | _____ | 10 I'm sorry, but ... | _____ |
| 5 Fortunately ... | _____ | 11 It's possible that ... | _____ |
| 6 I'm afraid ... | _____ | 12 Happily ... | _____ |

3 Ending the negotiation – without agreement

Choose words from the box to complete the following sentences.

- _____ on this occasion we cannot _____ agreement.
- I'm sorry we cannot _____ accept this _____.
- We _____ that an agreement is not possible today.
- Perhaps if we _____ a decision we can agree in the near future.
- It's been an interesting meeting _____ we have not been able to _____.
- We have tried to find a _____ but it seems without _____.

proposal
reach
unfortunately
possibly
agree
postpone
success
but
regret
compromise

1 Unfortunately, reach, 2 possibly, proposal, 3 regret, 4 postpone, 5 but, agree, 6 compromise, success

3
1 R, 2 R, 3 R, 4 A, 5 A, 6 R, 7 R, 8 R, 9 R, 10 R, 11 A, 12 A

2
1 c), 2 b), 3 a), 4 e), 5 f), 6 g), 7 d)

1
Key