

Negotiation and Mediation



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Overview



- Definitions
- Negotiation
- Listening Skills
- Mediation

Negotiation and Mediation Definition

Negotiation

Negotiation is the process of searching for an agreement that satisfies various parties

Negotiation and Mediation Definition

Mediation

Mediation is the attempt to help parties in a disagreement to hear one another

Strengths and Weaknesses

Strengths

Negotiation is used when normal participation methods fail

Aims for a Win-Win outcome

Negotiation can improve satisfaction of all parties

Strengths and Weaknesses

Weaknesses

Generally requires a specialist moderator who is independent

Moderators when mediating can be costly

Negotiation works best when the parties concerned are engaged

Needs to get beyond set 'positions'

'Win-win' is not guaranteed

Negotiation Styles



Negotiation Styles

lose-WIN

Negotiation Styles



Negotiation Styles



Negotiation Styles



Negotiation Styles



Basic Negotiating Template

Analyze Plan Technique Negotiate

Basic Negotiating Template

Analyze Plan Technique Negotiate

Analyze the interest of the parties

Basic Negotiating Template

Analyze **Plan** Technique Negotiate

What are the expectations from the negotiation?

What are the most important interests of the other parties?

Basic Negotiating Template

Analyze Plan **Technique** Negotiate

Spiraling agreements
Changing of position
Gathering information
Making the pie bigger
Commitments

Basic Negotiating Template

Analyze Plan Technique Negotiate

Be quick to adapt to changing situations

Avoid confrontational positions

Personal positions and interests

Psychological and emotional aspects of the person

Difficulties in communication like differences in languages

Listening



Listening

Becoming a Better Listener

Jason Alba

<http://www.pluralsight.com/courses/becoming-better-listener>

Listening



Listening

*Listening is **Not** the
Same as Hearing*

Listening

Stop Talking

Prepare Yourself to
Listen

Put the Speaker at
Ease

Remove
Distractions

Be Patient

Listen to Tone

Listening

Listen for Ideas and
Not Just Words

Non-Verbal
Communication

Empathize

Mediation



Mediation

Uses an Impartial
3rd Party

Participants to
Decide Terms

Future Rather Than
Past Behavior

Structured and
Informal

Talk Openly

Voluntarily

Mediation

More Effective Than
Formal Procedures

Participants Move
Forward

Mediation



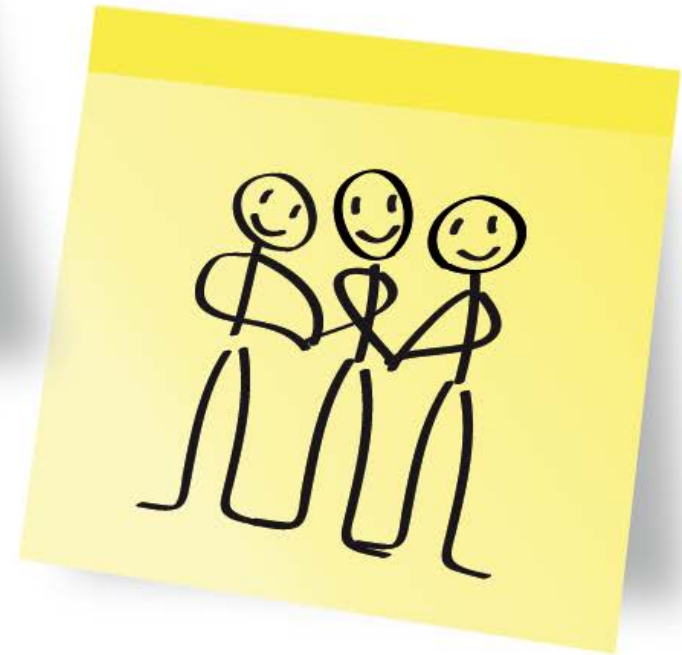
Benefits of Mediation

3rd party mediation is confidential

A mediation session should be informal

Mediator should be impartial

Why Use Mediation?




Situations That Can Be Mediated

Personality Clashes

Disputes Over Roles

Disagreements About
Work Style or Behavior



Effective listening requires concentration
and the use of your other senses

Not just hearing the words spoken





When we ask the question "Why?" it can
sound accusing

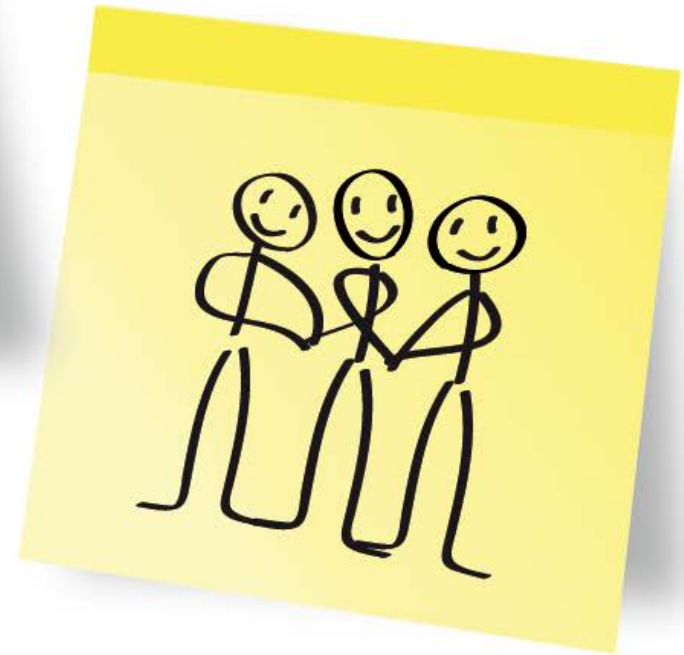
Instead ask "What's the reason?"



Module Summary



Module Summary



Module Summary

