

Negotiation Tactics

Tactic # 1. Making Feelings Measurable: Sometimes you can make intangible goals tangible by converting them to measurable milestones. “Get my husband home by 7:00 every night” is more measurable than “Reform my husband,” although perhaps no easier to accomplish! Other goals must remain intangible, but are still important. But always try to attach measurable outcomes or indicators to every goal, regardless of how intangible or emotional the goal may be.

If all else fails, you can say, “I want to *feel at least 50 – percent better* about my husband’s overworking by the end of next month or I’m outta here.” That quantifies your feelings, making it easier to think about how to achieve your emotional goal.

Tactic # 2. The Why Question: One way to get at underlying interests is to ask yourself the “*why*” question that was mentioned in chapter 3. *Why* do you want a particular objective? For example, do you need a car to get to work, or do you want a particular model to show people that you are successful? Are you looking for a house in a particular section of town because it is a better neighborhood, or do you need a larger house because your family is expanding? And why do you want to live in a particular section of town?

To use this surfacing tactic to explore your underlying interests, write as many sentences as possible beginning, “Why do I want...” Then answer them – possibly with another question in the same form. Eventually you’ll hit bedrock – when you can’t ask another question – and then you’ll truly understand your underlying interests.

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Tactic # 3. Probe for Insight: Ask value-free, informational questions to find out what the other party's underlying needs are. Avoid judgmental styles of questioning – even though your first instinct is to use them. How you *word* these questions will help or hinder you in obtaining responses. For example, if you say, “How did you ever think you could get *that* objective?” you will simply put the other party on the defensive. But if you say, “I’m not sure I understand why that objective is so important to you. Can you explain your concerns?” you are far more likely to obtain useful information about the other party's underlying concerns.

Tactic # 4. Control the Written Record: The theory behind this tactic is that, while you can't put words in the other players' mouths, you *can* put words in their notes. Many negotiations require written notes or minutes. Team, project, or committee meetings often need someone to wrap things up by writing a summary of what was discussed and decided. And many people like to duck that assignment, since they don't see themselves as note takers or secretaries and don't want the extra work. But you *should*, because this gives you a wonderful opportunity to make sure the written report represents the results accurately and fairly. (And maybe even a little *more* fairly from your perspective than theirs, if it was a competitive negotiation.)

So seize the opportunity to get the last word in by volunteering to prepare the minutes of the meeting, the draft of the report, or the summary of the discussion.

Even when a written report isn't required, you can still take it upon yourself to play this role by simply writing a follow-up letter or e-mail to the other party.

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For example, if you've just had a telephone discussion with a supplier, follow it up with a quick e-mail starting, "Nice to speak with you today. Here's a quick note to help me remember what we decided in our phone conversation." Unless they refute the written version, they've tacitly accepted it.

By the way, this is a great tactic for dealing with difficult bosses. So long as the written follow-up is polite and respectful, your boss will probably let you get away with documenting things like your job assignments and performance feedback that you have an interest in securing. Then you don't have to say later on, "But I thought you said..." You – and your boss – will *know* what was said.

Tactic # 5. Develop Alternatives: It's so easy to develop alternatives, but most negotiators never do. Which means you can gain a significant advantage by specializing in this simple tactic.

For example, let's say you call a resort hotel to make a reservation for a conference that requires you to stay for two nights over a weekend – only to find that the hotel's policy requires a *three* – night stay. You could grin and bear it, paying for the extra night you don't need. Many guests do – that's why the resort persists in the policy. But why not develop alternatives? First, ask to speak to a supervisor (who presumably would have the authority to negotiate), and then ask her/him politely to give you the names and numbers of other hotels nearby in case you can't get the reservation you want.

This innocent question, followed by a momentary pause in which you write down the numbers, puts you in a better opening position by letting the point sink in that you can

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very well take your business elsewhere. And it takes only a moment and no additional calls since the information about alternatives is *solicited from the other party*. When the dust settles you should get what you want – an exception to the policy – because you have invoked the threat of exercising your alternatives.

You should always take a moment or two to think of alternatives. Often it is as simple as asking a few questions. And if you haven't had time to develop alternatives before the negotiation begins, try asking the other party during your negotiation.

Amazingly, they will frequently supply the information you want.

Tactic # 6. Beat Them to the Seat: Working sessions in conference rooms offer many opportunities to take advantage of the power of seating arrangements. If you wish to control the information flow in a meeting, but lack positional power over all the other participants, then you'll need to establish *Seat Power* instead. The seat at the head of a non-round table is the obvious one to take. If you don't have enough authority in the group to get away with this, try taking the seat at the foot of the table instead. It isn't hard to flop the group and get them oriented toward you from this seat.

Or, even more subtle, try capturing the seat nearest the flip chart or board (or move the chart to be nearest your seat). Sometimes people set up a separate seat next to the board and volunteer to take the outwardly low status of note taker. However you do it, the note taker's seat gives you the opportunity to stand up and take over the meeting as a facilitator. Then you can use this power factor to prevent the meeting from becoming

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dysfunctional, to block an unexpected political attack from other participants, or to advocate for your department or team's needs.

How can you get control of a power seat? Easy! Just arrive for the meeting 20 minutes early. Nobody else will be there, so you can set the seating up however you choose.

Tactic # 7. Tilting the Playing Field: This tactic uses lots of small advantages in order to create a negotiation context that favors you strongly. Think of each context issue as one of the many pawns on a chessboard. Alone, they are powerless. But together, they can create a *bind* that limits the other party's movements and enhances your power. Here's how the strategy works in chess, according to chess master Bruce Pandolfini:

When one side's pawns and pieces are so well positioned that they prevent the enemy from moving freely, a bind is created. A player who is in a bind is not only cramped and unable to make freeing pawn moves but is also vulnerable to attack.

In negotiations, your pawns are all the details of the situation, from timing and agendas to selection or design of the location. If you offer to write up the minutes of a meeting, you have just placed one pawn in a position favorable to you. Place four or five more, and the other player may find him – or herself in a bind.

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Tactic # 8. Helping the Other Party (or How to Get a Raise): Here's a useful tactic from sales expert Kathy Aaronson. It's used when your boss delays discussing your raise or promotion – a common play. Bosses often claim they “don't have the time right now” to talk about it, but you know you can't make any progress until you can get them to the negotiating table. How?

Aaronson recommends preparing an analysis and presenting it in table or grid form in order to give your boss the information needed to justify your raise. If you can show that you've brought in a high volume of business and that the company is profiting from your work, then it is far easier for your boss and the company to justify that raise. But why should your boss do the analysis? You're the one who cares the most, so you should do the work. Then Aaronson recommends giving the information to your boss:

Give your supervisor a copy of this material and say; “I know you have to go through channels, so you could just attach a memorandum to this if you like.”

You have empowered him with information.

It's a good strategy, not just for this situation but for any situation in which you think you can build a good rational argument for your cause using objective information.

Tactic # 9. Shut Up: You can't give anything away if you don't talk. In fact, how much you give away is generally proportional to how much you talk. That means *the one who talks the most, loses.*

So why is it so hard to shut up and listen in a negotiation?

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It isn't hard for everybody. Many Japanese negotiators are comfortable with long periods of silence – a cultural difference that gives them a natural edge over more talkative Americans.

Let's think quietly about that for a minute. (Wait one minute before moving on)

Okay. We're back. Did you squirm a little while we were sitting here silently?

Were you tempted to fill the void? Most people are. Leave a thoughtful gap in the conversation and they will fill it with their thoughts. You might even get an extra concession. You might simply hear some useful information about their concerns.

Whatever you hear, it is likely to help you understand the other party and design your next move. And even if you *hear* nothing of value, you can still have the satisfaction of knowing that by being quiet you gave away nothing of value.

Tactic # 10. Ask and Then Shut Up: Here's a variant on the "shut up" tactic that works well when you need more information. Use silence to *bracket* a question, focusing the attention of the other party on a topic of your choice. All you need to do is to be quiet for a moment, then ask a question, and then wait silently for an answer, or (often) a string of answers as the other player fills the silence.

Tactic # 11. Help the Other Party Save Face: If the *other party* made a commitment that it now needs to abandon, it is usually an astute move on your part to help them save face. This is where you will need to be less competitive than you might expect. If you keep the pressure on them, they are likely to either lock in to their

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unreasonable position and refuse to budge, or they will feel so embarrassed that they may plot to get even with you later.

Instead, we recommend that you help them save face. You might allow them to change their offer, find a way for them to be flexible without looking foolish, say that this is being done for the greater good, or make some other generous and supportive statement. If constituencies are involved, you might actively compliment the other party so that their constituency can overhear.

Tactic # 12. Write it Down: After the parties have agreed on solutions and prepared a document to outline the agreement, it should be passed around for everyone to read. Some people have suggested that this may even be an excellent way to manage the entire prioritization and decision-making process. Start with a tentative draft of what people agree to, then continue to pass it around, sharpening language, clarifying words, and writing out agreements so that all agree with it and pledge to live by it.

Tactic # 13. After You!: “Let’s compromise.” How many times has someone said those famous words as an invitation to strike a quick, simple deal when a conflict bogs things down? By saying, “Let’s compromise,” you immediately signal your willingness to expedite the resolution of the problem.

But don’t stop there. In the “after you” tactic, you say, “Let’s compromise. What do you think is fair?” This invites the other party to make the first concession. And it sets the bottom limit on what you’ll have to give up. It also gives you the opportunity to

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simply say so – if their offer is clearly more than twice as low as your target. If so, politely say something like “Maybe compromising isn’t such a good idea after all.” Postpone the compromise, treating the first round as a trial balloon. Then try to initiate a compromise later on with a more favorable opening (using the same *after you* tactic).

But most likely, the other party’s opening offer will be reasonable, and you can start bargaining from there. If they want a compromise, too, they will make a reasonable or even generous opening offer. By letting them go first, you often get a more favorable outcome than if you had made the first offer.

Tactic # 14. Accommodation with a Request for Future

Reciprocation: Employees often choose an Accommodating strategy with their supervisors. For instance, you might decide not to push for a salary increase now, at your three- month review, if you expect that this will put you in a better position for a raise at the six-month review. If you use this approach, make sure your boss knows it! Many employees assume that their supervisor knows they feel they are making accommodations – but the supervisor never reciprocates. Saying something like, “Of course, I’m happy to accommodate you on this, even though it isn’t what I expected (or what my job requires, or what you said earlier). I know you’re keeping track and will make it up to me later, right?” If you say things like this with a friendly smile, your boss will probably accept them without rancor. And you’ve made your point, so the boss knows you expect a future benefit.

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Tactic # 15. Buying Time with Accommodation: Will Rogers once said that “Diplomacy is the art of saying ‘Nice doggie’ until you can find a rock.” Sometimes you feel very strongly about the outcome, but haven’t the strength to press for a satisfactory settlement through a Competitive, Compromising, or Collaborative negotiating style at the moment. Maybe you lack support because you haven’t been able to get in touch with your management or some other powerful constituency. Perhaps you are waiting for information, funding, or other resources to arrive. Whatever the problem, your hands are tied behind your back.

In which case, you can use an *accommodating-for-now* approach to delay the negotiation. The way to use this tactic is to make it clear that, while you don’t agree, you will go along with the other party for now – and discuss it again later on. Use wording like “for now” and “until I have time to look into it” or “it’s okay for now, but I’m not satisfied with it and we will have to go into it later.”

Such phrasing makes it clear that you are using the *accommodating-for-now* tactic, and have reserved the right to negotiate later on. When you can find a rock.

Tactic # 16. The Withdrawal Threat: Use this tactic to encourage a difficult player to begin a move.

Sometimes you try to negotiate, but the other party acts as if they don’t care. If your analysis of their position suggests that they ought to care then make it clear that:

- 1) You have very good alternatives and aren’t locked into working with them.

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2) You are considering withdrawing.

(Make these points unemotionally – don't act angry or disappointed.)

Then wait a bit. Give them enough time to make it clear that you are waiting for a response. If they value the outcome and/or relationship at all, they should signal their desire to keep you at the table. They'll do so by offering a concession, or at least by telling you that the deal matters to them. (In which case, you *ask* for a concession.)

Or, in the worst case, they say *they* don't care either. But that's okay, since you were at that point before using the tactic, so at least it didn't hurt your position. Either way, it's often worthwhile to test their commitment by making them question yours.

Tactic # 17. Never Negotiate with Cats: There are some people who don't play by the rules of negotiation – or any rules, for that matter. If you have the opportunity to negotiate with someone like that, we strongly recommend against it. Even competitive negotiation games are open to abuse, and obviously collaboration is out when you don't trust the other players.

If you suspect someone of being an unpredictable “cat,” someone who doesn't play by the conventional rules of personal or professional relationships, follow the simple, commonsense rule that Peter Rabbit does – avoid them! In case you don't recall the children's story to which we refer, it concerns a young rabbit trying to find his way out of a fenced – in garden before Mr. McGregor, the farmer, catches him:

Then he tried to find his way straight across the garden, but he became more and more puzzled. Presently, he came to a pond where Mr. McGregor filled his

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water-cans. A white cat was staring at some goldfish. She sat very, very still, but now and then the tip of her tail twitched as if it were alive. Peter thought it better to go away without speaking to her; he had heard about cats from his cousin, little Benjamin Bunny.

Tactic # 18. Defusing Improper Behavior: What can you do if you detect unethical or illegal behavior in a negotiation? Try the following sequence of responses, escalating only as far as needed to put the brakes on the other player.

1. **Ignore It.** Sometimes if you simply ignore unethical or illegal behavior, it will subside. If not:
2. **Identify It.** Say what they're doing and why you think it was wrong. Don't make it sound like a personal attack – try to be objective. Often people will stop doing something wrong when it is brought in to view. If not:
3. **Warn Them.** Say they are endangering the negotiation by continuing their improper behavior and that you'll walk out of the negotiation if it continues. If that doesn't do it:
4. **Set Ground Rules.** Take time out to talk about how the negotiation is progressing, and try to negotiate new ground rules. If you don't get significant concessions, though, you should either walk away or, if you feel you can't avoid this negotiation:
5. **Tell Them the Consequences.** Tell them how you will respond if they repeat the improper behavior. Be clear in your own mind on how you will respond, so that

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this threat is realistic and actionable. In general, threats should be about breaking off the negotiation, about using some kind of hardball tactic, or about appealing to a third party (like a boss) who has some power over the person you are threatening.

6. **Act.** If you decide to retaliate, you might try a very strong scolding, anger, or even a competitive or unethical tactic of your own. Sometimes a tit – for – tat approach brings the other party into line – but not always; so this is a high-risk approach. Besides, it often leads you to use unethical tactics that you don't like, so in a sense you lose even if you win.

You should also consider two other actions that are easier to control: withdrawing from the negotiation, and bringing in a third party with authority to stop the offending behavior.

Source:
"The Fast Forward
MBA in Negotiating
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by: Roy Lewicki &
Alexander Ham
