

Negotiation Effectiveness: Dealing with Difficult Situations

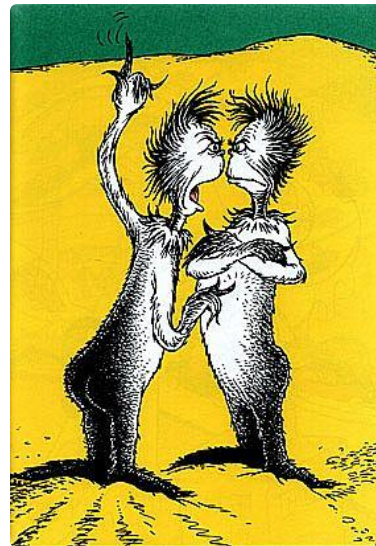
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MARQUETTE UNIVERSITY LAW SCHOOL

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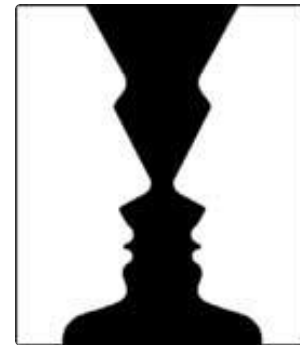
What Makes You Less Effective?

- ❑ Hot Buttons
- ❑ Difficult People
- ❑ Difficult Situations
- ❑ Other?



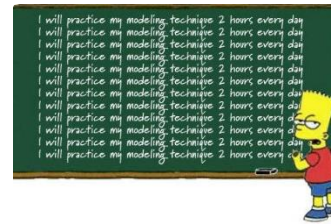
Why Does This Make You Less Effective?

- ❑ Surprise
- ❑ Identity Challenge
- ❑ Emotional Reaction
- ❑ Other?



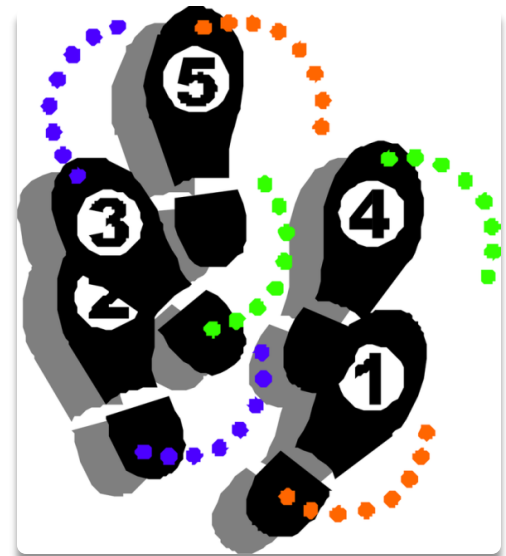
How Should You Deal With These?

- ❑ Prepare
- ❑ Practice
- ❑ Framework



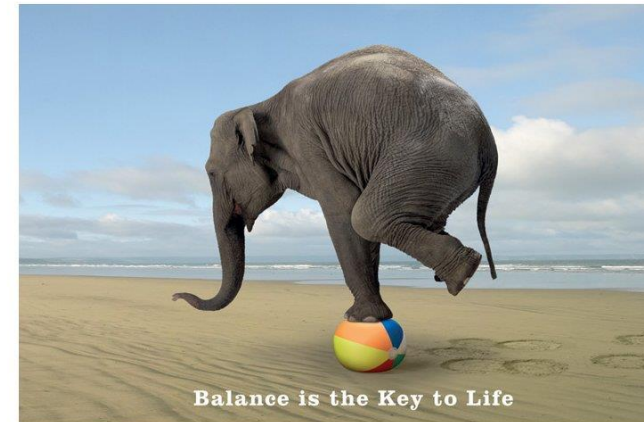
Overall Framework

- Step Back
- Assess
- Respond



Framework—Step Back

- Go to the Balcony
- Regain Your Balance
 - Count to 10
 - Remember Perceptions
- Diagnose the Situation
 - Surprise?
 - Identity Challenge?
 - Emotional Reaction?



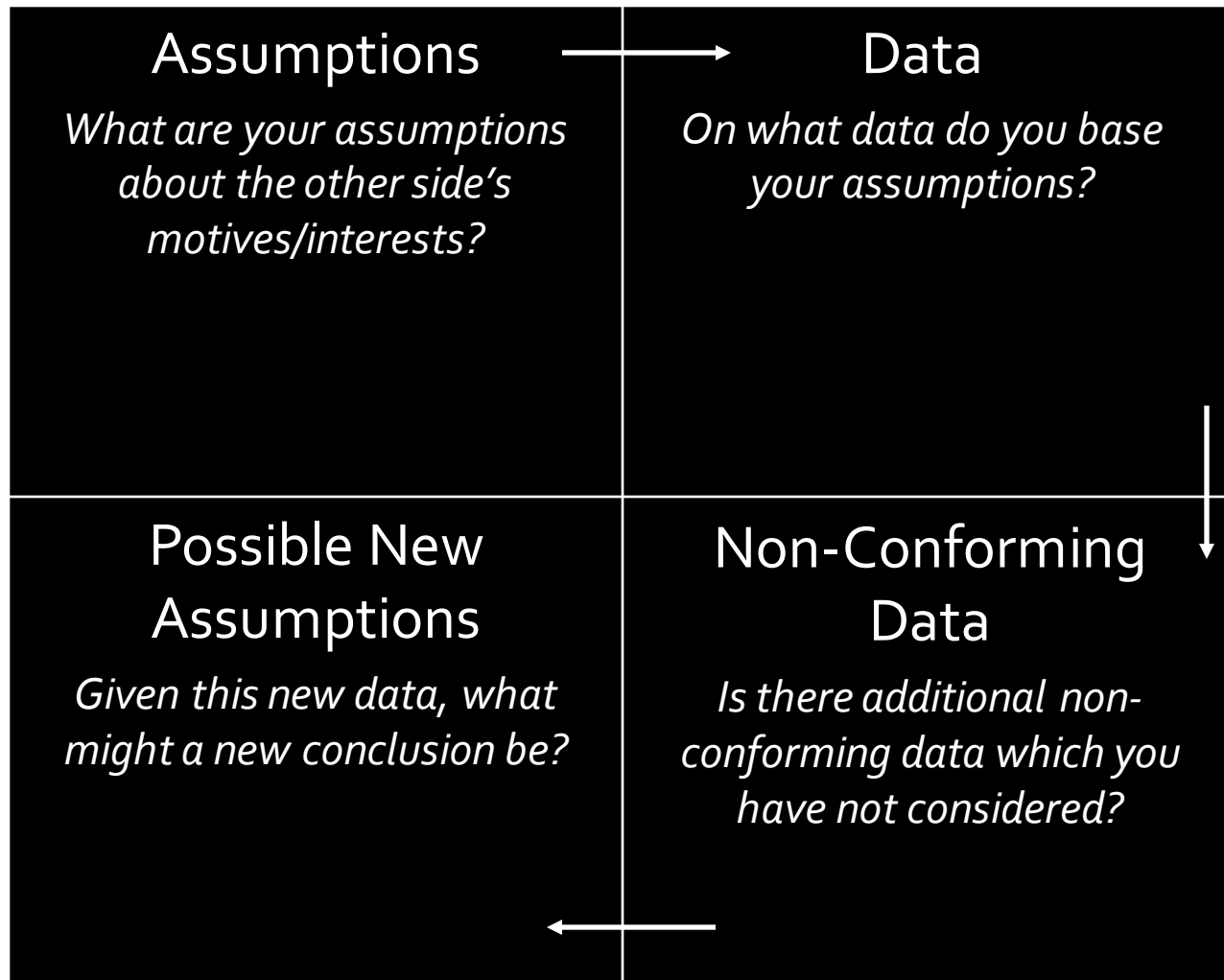
Framework--Assess

- Check your Assumptions



Something to think about...

Assumptions—Data



Discussion Question 1

You are talking with a parent who is demanding that the online learning option continue as it best meets her child's needs. Your community has already decided that in-person learning is more impactful, and it doesn't have the resources to run more than one program. *Consider how you would respond to the following:*

“If you really cared about children, you would figure this out for my child.”

“If you were more creative, you could make this work.”

“I can't believe after all we have been through this past year, you are throwing yet another roadblock in my child's way.”

Discussion Question 2

You are negotiating with a lay leader regarding your salary as your contract is up for renewal. The lay person is arguing that there is no money for a raise because of reduced revenue due to families leaving the community during the pandemic. You love this community, know how tight money is, and have also been working harder than ever during the pandemic and would like to be compensated appropriately. *Consider how you would respond to the following:*

“You of all people should understand the need to keep the budget in line. Don’t you care about us?”

“I’d love to raise your salary and know you deserve it. We just can’t do that this year.”

“If we give you a raise, we have to fire someone else—do you really want that?”

Discussion Question 3

Your clergy partner comes to you to discuss how you will continue to deliver the amazing programming you have been offering during the pandemic. You have created numerous pathways for engagement and have been trying everything you can think of to keep families connected during this time of isolation, all with reduced staff support. You are physically and emotionally exhausted and cannot foresee keeping up this pace.

Consider how you would respond to the following:

“You’ve been amazing! I’m so excited to see what you will do next year to keep everyone engaged.”

“The programming has been great—we wouldn’t want to disappoint anyone by cutting back.”

“I know you can handle this—after all, the kids are going back to school next year, right?”

Discussion Question 4

A family member is frustrated with you because you rarely seem fully present with your loved ones. Your phone is always in your hand and you are frequently on Zoom running programs or returning emails even after your pre-pandemic workday would normally have ended. Your family member is worried that after in-person programming resumes, this will not change. *Consider how you would respond to the following:*

“Mom/Dad, why are the people on the phone more important than me?”

“Could you possibly pay attention to the people in front of you?”

“Your attachment to that device better end when the pandemic does....or else.”

Breakout Rooms

- ▶ You will have about 10 minutes in your breakout room
- ▶ Quick introductions around the room—2 minutes
- ▶ For each scenario, first identify what makes this challenging—which part(s) of the identity are being challenged (and note if you have different reactions in the group)—4 minutes
- ▶ Second, consider what assumptions you might be making and what other facts/data/information might assist your understanding of the situation—4 minutes

Breakout Debrief

- ▶ In the chat, note what made each scenario challenging
- ▶ What other information might you want to gather before (or after) each scenario?

Framework—How to Respond

Should you bring it up?

Make it a conversation.

Choose a good time.

Speak for Yourself

Reframe Their Position

- Positions to Interests:
 - Listen for interests buried under positions.
 - Ask “Why?” Ask “Why not?”
- Positions to Options
 - Treat position as one among many options.
 - That’s one thing to consider



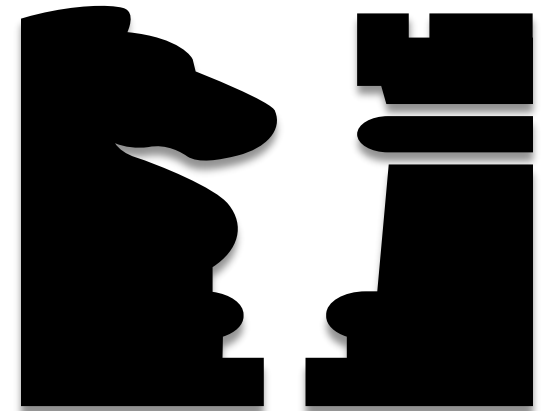
Reframe Their Position

- Positions to Criteria:
 - Listen for standards embedded within positions.
 - What do they consider is fair
- Positions to Relationship:
 - Remind them of effect of their position might have on relationship.
 - How will this evolve over time



Name Their Game

- Bring dynamics of game to surface.
 - “You are guiltting me/flattering me/avoiding me”
 - “When you raise your voice, I wonder if you’re trying to intimidate me.”
- Consider humor.
- Negotiate over the rules
 - I’m happy to talk about this when ... is considered.



Ignore the Game: Change the Subject

- You don't have to respond to what they say.
 - They say: "Make the program happen"
 - You can say: "Let's take a look at some creative options."
- Use the power of silence to keep the subject where you want it.



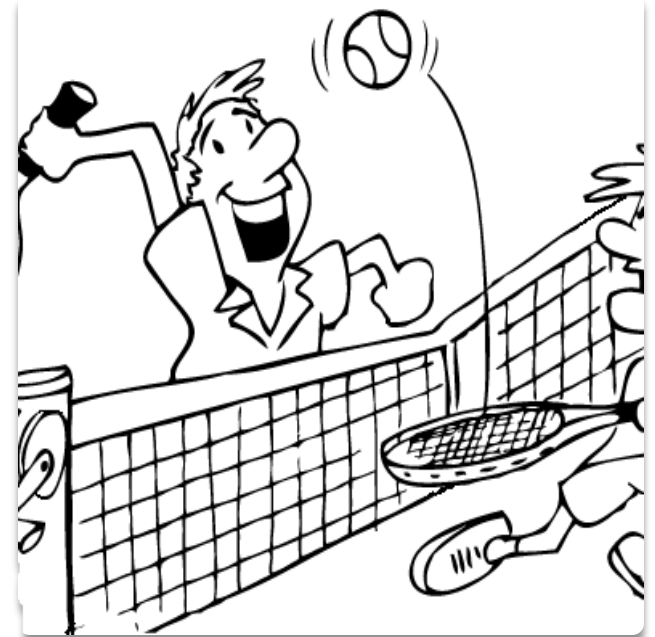
Reframe the Problem

- *Anything* can be reframed as a joint problem.
- Don't defend your ideas, inquire into theirs.
- Communicate what *would* persuade you.
- Using "And" instead of "But"



Play Their Game (If Needed)

- Reciprocate
 - They guilt you? You guilt them.
 - They threaten their alternatives? You threaten your alternative.
 - They insult you? You insult them....



Change Participants

- If they can't, or won't make the decision you want, who can?



Breakout Rooms Round 2

- ▶ You will have 15 minutes this time
- ▶ Pick (at least) one scenario and role play the conversation. One of you takes the parent/clergy/family role and the other takes the responding role. The other two serve as director(cut, try again) and scrivener.
- ▶ Rotate for the next scenario.
- ▶ **Scriveners, please plan to write into chat some advice for your problem—what was a good response and why?**

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Lessons

WHAT ARE THREE THINGS TO REMEMBER?

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