

TROUBLE-SHOOTING TIPS

<u>THE PROBLEM</u>	<u>ADVICE</u>
They are highly positional and will not discuss their interests	<ul style="list-style-type: none"> • Inquire behind their position for their interests and attempt to address them • Hypothesize to them what you think their interests might be • Explicitly describe what information you are looking for and how it will help in the negotiation • Share your interests first—model the behavior you would like to see • Discuss that their position is only one of many options that could meet both of your needs
They threaten you with their BATNA	<ul style="list-style-type: none"> • Ask how that move will achieve their interests. Then point out that you can do better together than they can with their alternative • Ask what aspects of their alternative are attractive to them • Acknowledge the legitimacy of their BATNA and your commitment to doing better for them than their alternative • Reality-test their BATNA. Consider the long-term implications of the move
They will not separate relationship from substance	<ul style="list-style-type: none"> • Reframe the situation so that you are working together to solve a common problem • Explicitly discuss the importance of the relationship to you and the separation of substance from relationship • Discuss the consequences of a bad relationship including a poor agreement now as well as no deals together in the future
Communication is poor—you aren't listening to each other	<ul style="list-style-type: none"> • Attempt to model active listening skills by reframing what you hear and asking if what you've understood is correct • Explain to them that you do not feel either party is listening to or understanding each other. Ask if there is anything you can do to improve the process
You have committed but they will not	<ul style="list-style-type: none"> • Explain what has happened and remove your commitment until they reciprocate • Discuss whether they are in a position to commit and inquire about what you can do to help move toward commitment
They insist their objective standards are the "correct" measure to refer to	<ul style="list-style-type: none"> • Explain that there are multiple standards and you need to consider all of them for a fair agreement • Suggest that the multiple standards create a "zone" of fairness and you should work together to narrow the "zone" to a point of agreement • Find other standards that impact the effectiveness of their objective standard
They reject your options and will not offer any of their own	<ul style="list-style-type: none"> • Describe the process as a two-part process in which brainstorming options comes prior to, and separate from, option evaluation. Explain the benefits of this process (creative ideas flowing, building off one another, enables parties to recognize the ability to come to agreement in alternative ways, etc.) • Ask what aspect of the options you've generated does not work for them. This will give insight into their interests as well • Explain that without their contribution, it will be impossible for you to meet their interests and reach a satisfying outcome. If they really want a successful negotiation, they need to work with you, not against you