

How to Negotiate Better in Three Steps Part Two

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This is part two of a three part series of articles on negotiating better. To our new readers, while you are free to begin reading part two now if you so wish, it may be advisable to begin with part one where the series was introduced and we examined step one - developing a backup plan. A link to part one is located at the bottom of this page.

In the last article we examined step one in our efforts to be a better negotiator – developing a backup plan. Today we examine the necessity and importance of step two – gathering information. Gathering information serves two important purposes for negotiation. First, it helps you gain a better knowledge of the subject matter of the negotiation and the factors that may impact it. Being a well-informed participant gives you the knowledge and the confidence necessary to better advocate for your desired goals. This is the type of information gathering most people think of and it is often equated with conducting research. Returning to the automobile purchasing example from the previous article, researching the particular make and model of the automobile educates you on the benefits and drawbacks of the particular type of car and allows you to make an informed decision regarding its value. With this information, not only can you develop the amount you will pay for the car, but you also have the tools to defend and explain your amount.

The second way gathering information helps you during negotiations is that information gathering is the only way to determine the other side's interests. Interests are not the same as positions. A position refers to the negotiating stance one side makes. Interests are the reasons behind the stance. For example: "the car is for sale for \$7,500, take it or leave it" is a position. The interests could be "I need to earn enough to pay off this car and make a \$2,500 down payment on another car I wish to purchase". It is preferable to deal in interests rather than positions because interests are typically broader and may be satisfied in a variety of different ways through the application of creative thinking and brainstorming. In contrast, positions usually allow for only one of two responses, either the other side accepts the position or it does not accept the position.

This type of interests searching through information gathering is an active process that a person utilizes during the negotiation itself. It can begin through small talk with the other side and can cover a variety of topics big and small. Use open ended questions and be an active listener – acknowledging what is said and asking follow up questions. Without making a conscious effort to gain as much information as possible not only is the participant essentially negotiating blind, but he or she is also cut off from several ideas for possible solutions. Looking back to the purchasing a car from a neighbor example, the buyer may not be able to afford the \$7,500 price, but if the buyer learns the reasons why the price was set at \$7,500 he or she may be able to look at other options that meet the seller interests. Perhaps the buyer could pay \$2,500 up front and take over payments. The buyer would not know unless he or she made a conscious effort to gather as much information as possible.

Here is a personal example from years ago that shows the importance of interests versus positions and the value of information gathering. When I was an undergraduate student in Macon Georgia I interned for the local Office of Child Support Services. When my manager learned I had a strong interest in conflict resolution she assigned me to the front desk where, as she humorously quipped, I will experience plenty of conflict. She was correct. The office has a policy that a custodial parent client cannot see the agent assigned to his or her case without an appointment and I experienced several people who adamantly wanted to see their agent without an appointment. These interactions were negotiations. The client attempted to explain to me why she needed to see her agent and I attempted to explain why she could not see her agent. As an intern, I was not in a position to make or change policy. Therefore the positions were clear, but were the interests clear? That could only be determined through information gathering. I spoke with the client, asked a lot of questions and engaged in active listening. What I learned was that while speaking with an agent was her position, having someone at the office listen to her and treat her concerns with importance was her true interests. These interests I could meet by spending time with her, taking notes, and assuring her that the information would be passed to her agent. In the end, while her position was not met, the client left the office feeling positive about her experience there because her interests were met. The situation became a negotiation exercise as part of customer service and the positive result was only possible because the time was taken to gather information from the client so as to understand the client's true interests and move past the positions.

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