

Effectively Negotiate Win-Win

“[Women] seek to find win-win opportunities, and we generally want to be more collaborative. We actively seek out those agreements and we’re much more interpersonal.”

—Mori Taheripour, Wharton School of the University of Pennsylvania¹

Introduction:

Whether it’s employee salaries, vendor prices or market sales, you’ll find yourself negotiating with a variety of different styles, all with the same goal: to effectively obtain favorable outcomes.

There is a whole host of literature on how to approach a negotiation, often from an adversarial approach. In fact, the best negotiators are collaborative and focused on win-win.²

This worksheet will help you get there. We’ll begin with preparation—including the psychology behind negotiating—and move into in-meeting strategies, troubleshooting tips and a tool to plan your negotiation.

PREPARATION

1. Define Your Goals

What do you want out of the negotiation? What is your goal? Do you want to establish a relationship with a potential client, no matter how small the account? Do you want more-favorable pricing from a vendor? Take some time to think about your primary goal and other goals.

2. Research the Landscape

To the best of your ability, understand the people in the room. If you’re negotiating with people representing a company, how has that company negotiated in the past? What clues are there on the website and in an article search? What values does the company put out there?³ This can come in handy when showing how what you bring to the table helps meet those values.

3. Brainstorm How to Add Value

With your goals and research in mind, create a list of ways you can meet those goals. In addition, think of ways to increase the value of what the other person wants. This involves you referring to your research and thinking of the other party’s customers, markets and competition in new ways,

and constantly pivoting to gain new angles and ideas. What value do you offer that is completely “out of the box” and seemingly unrelated to your negotiation at hand? Do you have an expansive network? Do you have season tickets to a local sports or arts event?

4. Assess Yourself

Be aware of your own triggers, and make a response plan.⁴ If someone talks down to you, do you tend to get defensive? What will you do instead?

5. Get Coached Up

For important negotiations, or even to build your negotiation skills, ask a peer or advisor to coach you.

IN-MEETING

1. Make A Connection

According to Stuart Diamond, author of the New York Times bestseller *Getting More*, if you make a human connection, someone will be six times more likely to willingly give you what you want. Understand them, their motivations and what matters to them in life and at work.

2. Don't Ignore Emotions

Diamond notes, “Only eight percent of decisions have to do with facts and all sorts of decisions, including corporate, are influenced by emotions.”⁵ Ironically, people make poorer decisions when emotional. “Your goal is to remain calm, yet empathetic. When people get emotional, they won’t be persuaded,” says Diamond.⁶

3. Think Collaboratively: Create a Win-Win

Dr. Yasmin Davidds, founder of The Women’s Institute of Negotiation, describes negotiation as “a testing ground to see how much you can either get or how much you can collaborate to come to better terms.”⁷ By collaborating, you can create a win-win situation by understanding and communicating how you *and the other party* have needs that must be met. This requires time and effort to create mutual value in a deal. Collaborating is often referred to as *expanding the pie*, because finding an innovative, mutually agreeable solution leads to more value to be shared.⁸

Example: A famous example of this comes from Roger Fisher and William Ury’s classic *Getting to Yes: Negotiating Without Giving In*, with a negotiation between two people over an orange. A compromiser would cut the orange in half and give equal halves to both parties. However, a collaborator would learn that one party only wants the orange skin for a recipe and the other party only wants the orange fruit to eat: in their compromise, they both lost 50 percent of their goal, but in their collaboration of one party getting all the skin and one party getting all the fruit, each party got 100 percent of what they wanted.⁹ Collaborating is a great way to build relationships and your reputation.

4. Reframing

Constantly think about how to meet the other person's needs while keeping what you need.¹⁰ This involves what Dr. Anne Donnellon, professor emeritus at Babson College, describes as “reframing or reinterpreting in light of others' ideas.”¹¹ This is an important outcome in understanding the other party's perspective: it shows you're listening to the other party and adapting your negotiation accordingly.¹² Use your creativity to build your vision into a reframe.

5. Social Intelligence

Whether employing good listening skills, using clear, authentic language, or observing body language and cues, your social intelligence is a critical asset during a negotiation.

TROUBLESHOOTING TIPS

Stuart Diamond recommends the following in tough situations:

Stuck in a hostile negotiation?

- **Tip:** Don't forget the human connection. Diamond counsels: “The right answer to their statement, ‘I hate you,’ is ‘Tell me more.’”¹³

Think you don't have anything in common?

- **Tip:** Think again, says Diamond. By embracing diversity, we increase the size of the pie. Work groups in which people disagree produce three times as many marketable ideas as do consensus groups. There is a great deal of research on the economic benefits of diversity—for example, companies with diverse management teams come up with better new ideas, resulting in 19 percent higher revenue.¹⁴

Irrational negotiator?

- **Tip:** Don't give up.... Instead, let them know you value what they are saying. Diamond encourages us to say “Tell me more.”¹⁵

Everything is on you?

- **Tip:** If they try to put the responsibility for solving a problem on you, Diamond recommends saying “Why not solve the problem together? Tell me why it is like this so we can fix it.”¹⁶

Stressed out by the thought of negotiating?

- **Tip:** Stressed out by negotiating? Try on this view: “A negotiation is not a contest. It is not a stressful event. It is just a conversation.”¹⁷

TACTICS

1. Multiple Equivalent Simultaneous Offers (MESO) Negotiations

Offering multiple equivalent simultaneous offers (MESO) makes you appear open-minded, creative and flexible. You allow your collaborator the power of choice, while making sure you gain what you need. In the back-and-forth exchange of this strategy, you learn your collaborator's preferences without having to make any concessions.¹⁸

2. Offer a Contingent Agreement

A contingent agreement is a negotiated “if..., then...” statement designed to reduce risk in a deal. If the other party hesitates because there is an uncertainty about your ability to perform according to standard, for example, then you can build in a guarantee in the form of an incentive for compliance or a penalty for noncompliance. This sustains negotiation momentum, gives the other party more confidence and motivates you to deliver on the promise.¹⁹ However, as Nirmala Reddy, senior management executive and consultant at Stanford Seed, states, “If you are certain that the other party has not treated you fairly, respectfully reject the offer.”²⁰

3. Best Alternative To a Negotiated Agreement (BATNA) is a negotiation term made famous in *Getting to Yes*. A BATNA is your best alternative if the particular negotiation or deal does not work out. For example, if you are negotiating for better pricing with a supplier, your BATNA may be a different supplier. Use this strategy carefully as your own personal pep talk if things go south versus a hard-line or threat. Always think collaboratively and creatively first. Keep your BATNA in mind before and during the negotiation. While you should consider your limitations beforehand, a good negotiator will not let those limitations inhibit their “imagination and the ability to recognize fruitful opportunities,” to quote Tanya Alfredson of Johns Hopkins University.²¹

TECHNICAL TERMS

Want to dig into specific negotiation terms? Consider what you want and what the other party wants in the following terms or skip to the worksheet below:

- **Positions** are the desired concrete actions or items. If you focus too much on positions, then you run the risk of being a strictly competitive all-or-nothing negotiator.
- **Interests** are the intangibles that motivate positions. It answers the question of *why* you want something. The more known interests, the more options you can create.
- **Options** are the many possible agreement structures. Collaborative options satisfy both parties.
- **Standards** are a common measure of fairness at the table, beyond interests. Examples of standards include legal opinions, market value, and precedent.
- **Leverage** is the dynamic balance of all negotiating parties’ fears and needs, the ability to deliver or remove options from the table, or the perception of power. Leverage is situational advantage.

While you may be using this win-win negotiation strategy during the hiring process and other parts of your business, fundamentally, you can use these principles and strategies in negotiating anything—including with families and friends! These are powerful self-advocacy tips to help you better understand the other party to reach a mutual agreement. Whether mitigating the risk of a new salesperson with high salary expectations or figuring out how to spend your hard-earned family vacation time, knowing how to negotiate deals where everyone walks away victorious comes in handy time and time again.

“We found our way to make sure we both win by creating new value.”

—Dr. Yasmin Davidds, Founder of The Women’s Institute of Negotiation (WIN) ²²

To Do: To walk into a negotiation with confidence, you first must be prepared. Complete the worksheet below to document what you already know about the other party and brainstorm solutions to potential concerns.

Effectively Negotiate Win-Win Worksheet

Part I: Preparation

1. Define Your Goals. What are your goals for the negotiation?

2. Research the Landscape. Who is the decision maker? Which side has the most to lose without a deal? For whom is time the greatest factor? Why might the other party say “no”? Which standards or previous negotiations can you compare to?

3. Brainstorm How to Add Value. How might it serve the other party’s interests to help you achieve your goals? What are low-cost options to address the other party’s objections?

4. Assess Yourself. What are your triggers? How can you prepare for them?

5. Get Coached Up. What peers and mentors can you practice with?

Part II: In-Meeting Strategies

1. Make a Connection. Where can you make a connection around life, work, other?

2. Address Emotions. What emotions may exist that you'll need to address?

3. Think Collaboratively: Create a Win-Win. What might they value more? How can you expand the pie? Do you have something the other party values, both on and off the traditional negotiating table?

4. Reframing. What core elements can you connect the dots around and repeat back framed by your vision?

5. Social Intelligence. What body language, speech patterns and other social cues do you notice?

Additional Questions:

Part III: Tactics and Troubleshooting

1. What specific negotiating tactics might you use? Feel free to search additional tactics and learn from mentors.

2. What troubleshooting might you need to be prepared for?



DID YOU KNOW?

“Negotiation research studies have found men tend to achieve better economic results in negotiation than women. ²³ This may be because of our unconscious biases. As Megan Karsh of Stanford Law School says, “Women may be conditioned to be accommodating and likable at the cost of advocating for themselves, and may fear the backlash they see assertive women suffer.” ²⁴ At the same time, other research shows that when advocating on behalf of another, women outperform their male counterparts in negotiations.” ^{25,26}

- ¹ Darren Sands, Q+A: *Mori Taheripour, San Francisco 49ers Fan, on the Art of Negotiation*, Black Enterprise (Jan. 24, 2013), <https://www.blackenterprise.com/mori-taheripour-interview-bio-upenn/> (accessed Jan. 29, 2019).
- ² *Win-Win Negotiation: Finding Solutions That Work for Everyone*, Mind Tools, <https://www.mindtools.com/CommSkill/NegotiationSkills.htm> (accessed Jan. 29, 2019).
- ³ Stuart Diamond, *10 Ways to Be a Master Negotiator*, Business Insider (Jan. 4, 2011), <https://www.businessinsider.com/10-ways-to-be-a-master-negotiator-2011-1> (accessed Feb. 28, 2019).
- ⁴ Krzysztof 'Kris' Garlewicz, *How to Become a Better Negotiator*, Forbes (Jan. 16, 2018), <https://www.forbes.com/sites/theyec/2018/01/16/how-to-become-a-better-negotiator/#567cb9fc2a5d> (accessed Feb. 28, 2019).
- ⁵ Devina Joshi, *When People Get Emotional, They Won't Trade or Be Persuaded: Stuart Diamond*, Business Standard (July 22, 2013), https://www.business-standard.com/article/management/when-people-get-emotional-they-won-t-trade-or-be-persuaded-stuart-diamond-113072100624_1.html (accessed Feb. 28, 2019).
- ⁶ *Ibid.*
- ⁷ Dr. Yasmin Davidds, *USC Alumni Association Negotiating for Women Presentation* (Aug. 18, 2015), <https://youtu.be/L3aTVjX8iwQ>.
- ⁸ *Negotiation Styles*, Negotiation Experts (July 14, 2017), <https://www.negotiations.com/articles/negotiation-conflict-profiles/>.
- ⁹ *Getting to Yes: Negotiating Agreement without Giving In*, <https://www.williamury.com/books/getting-to-yes/> (accessed Jan. 14, 2019).
- ¹⁰ Rhett Power, *13 Win Win Tactics in Negotiating, Inc.*, <https://www.inc.com/rhett-power/13-win-win-tactics-in-negotiating.html> (accessed Jan. 29, 2019).
- ¹¹ Anne Donnellon, *Team Talk: The Power of Language in Team Dynamics*, Harvard Business School Press (1996), <http://www.mit.edu/~mbarker/teaming/teamtalk.txt> (accessed Jan. 29, 2019).
- ¹² Vicki Slavina, *Why Women Must Ask (the Right Way): Negotiation Advice from Stanford's Margaret A. Neale*, The Muse, <https://www.themuse.com/advice/why-women-must-ask-the-right-way-negotiation-advice-from-stanford-margaret-a-neale> (accessed March 1, 2019).
- ¹³ *Ibid.*
- ¹⁴ Rocío Lorenzo, Nicole Voigt, Miki Tsusaka, Matt Krentz, & Katie Abouzahr, *How Diverse Leadership Teams Boost Innovation*, Boston Consulting Group (Jan. 23, 2018), <https://www.bcg.com/en-us/publications/2018/how-diverse-leadership-teams-boost-innovation.aspx> (accessed Feb. 28, 2019).
- ¹⁵ Devina Joshi, *When People Get Emotional, They Won't Trade or Be Persuaded: Stuart Diamond*, Business Standard (July 22, 2013), https://www.business-standard.com/article/management/when-people-get-emotional-they-won-t-trade-or-be-persuaded-stuart-diamond-113072100624_1.html (accessed Feb. 28, 2019).
- ¹⁶ *Ibid.*
- ¹⁷ *Ibid.*
- ¹⁸ *MESO Negotiation Strategies and Negotiation Techniques*, Program on Negotiation, Harvard Law School Daily Blog (Sept. 4, 2018), <https://www.pon.harvard.edu/daily/dealmaking-daily/why-you-should-make-more-than-one-offer/> (accessed Jan. 29, 2019).
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- ²¹ Tanya Alfredson, *Negotiation Theory and Practice: A Review of the Literature* (January 2008), http://www.fao.org/docs/up/easypol/550/4-5_negotiation_background_paper_179en.pdf.
- ²² Dr. Yasmin Davidds, *USC Alumni Association Negotiating for Women Presentation* (Aug. 18, 2015), <https://youtu.be/L3aTVjX8iwQ>.
- ²³ Jens Mazei, Joachim Hüffmeier, Philipp Alexander Freund, Alice F. Stuhlmacher, Lena Bilke, & Guido Hertel. *A Meta-Analysis on Gender Differences in Negotiation Outcomes and Their Moderators*, Psychological Bulletin (2015), <https://www.ncbi.nlm.nih.gov/pubmed/25420223> (accessed March 8, 2019).
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