

# Getting to yes! book report

Business



Getting to YES, Negotiating Agreement Without Giving In is an excellent book that discusses the best methods of negotiation. The book is divided into three sections that include defining the problem, the method to solve it, and possible scenarios that may arise when using these methods. Each section is broken down into a series of chapters that is simple to navigate and outlines each of the ideas in a way that is easy for any reader to comprehend.

There are also several real life explanations for each issue that make the concepts easier to apply and understand. These ideas are reflective of a method developed by the Harvard Negotiation Project called “principled negotiation”. This method combines the two ideas of soft and hard negotiation in a way that looks at the negotiation objectively and separates the negotiator from the issue. By looking at the negotiation and separating personally from it, the best outcomes for both parties are likely to occur. To further explain, below is an outline of the principled negotiation method divided in the same manner as the text with real life applications of these methods and how they can benefit my professional life personally.

: THE PROBLEM - Don't Bargain Over Positions Chapter one explains that when negotiating, it is important to maintain positions at all times. A position is where you stand in an argument and defines what you are negotiating for. As you argue your position, you are less likely to bend on that position because you continue to defend it, the stronger bond you form with it. The chapter also discusses the two types of negotiation that are usually seen which include either soft or hard negotiation. In hard negotiation, both parties are considered adversaries and holds the negotiation as a competition in which only one party can win. Soft negotiation focuses on

maintaining a friendly relationship between the two parties involved and is more likely to promote a loss in order to make a deal.

In both scenarios, the well-being of both parties is overlooked. The chapter then introduces the third option of principled negotiation in which the negotiation is not based on positions but rather the merit of the negotiation. This method considers the parties involved as problem solvers trying to reach a deal that is beneficial for all involved. After the problem is outlined and defined without positions, the focus is on the method in which to reach an agreement (covered in the next four chapters) by focusing on the people, interests, options, and criteria brought forth. This method will be beneficial to me in many ways in my professional life but the one that comes to mind above all others is my company's attempts at leasing new office space.

Currently, the owners have agreed that we cannot rent space that costs more than \$17 per square foot. This is a very low price point for the market in our area and many realty companies cannot reach that price point. Instead, they have offered us free rent for a few months while we start the lease or decreased utility costs to try and accommodate us for not reaching our price point. Instead of looking at these ideas and having an open mind, the owners refuse to settle for anything more than \$17/sqft and we have exhausted almost all of our options. If we are to make a deal in the future, it will be important to not only stop arguing our own position, but to look at the problem objectively and try to be hard on the issue at hand, not the position we hold.

2: THE METHOD - Separate the People from the Problem The second chapter focuses on building personal relationships with the other party in the negotiations. As the text states, it is far too often that in a negotiation both parties forget that there are people on the other side of the agreement. Each person has a different set of values and emotions that must be taken into account when trying to reach a deal. It is also important to build relationships as they make negotiations in the future smoother and more beneficial for both parties. The chapter continues to discuss the three basic categories of solving people problems.

These include perception, emotion, and communication. Perception focuses on understanding the other side's thought process and putting on their shoes to understand their point of view on the negotiation. This is often difficult as you are commonly defending your own standpoint but must be done in order to make sense of what is and is not an acceptable deal. The best way to do this is to step back and look at the issue objectively as if you were not involved. Emotion is also an important trait to be aware of as a healthy mindset promotes healthy negotiation.

If both parties have a strong emotional attachment to the issue, they are more likely to battle one another than to work together to solve the problem. In order to support emotions, consider all of them as legitimate and try to be understanding of the other party's issues. Also, do not react to emotional outbursts as emotions on one side can often generate emotions on the other side and both parties may lose focus of the overall goal. Lastly, communication must be supported between both parties and should focus on talking to, hearing, and understanding the other party (Ury, 1981). It is <https://assignbuster.com/getting-to-yes-book-report/>

important to speak to the other party in a way that is easy to understand and not send mixed messages.

Say what you mean and mean what you say. Also, hear the other party's concerns and actually focus on them without dismissing them to address your own needs. Also, be sure that all communication is understood as even though you may say what you mean and hear the other, both parties may not actually comprehend what the other is trying to say. It is important to build a relationship and focus on the problem rather than the person. By doing so, you are not only promoting a healthy relationship between both parties but also setting a positive interaction that promotes amore constructive deal between everyone involved. I will most likely use this method with an office mate that I seem to constantly be quarreling with.

From my point of view, she does not hold her own in the office and many of her shortcomings are left to me to fix and adjust. From her perspective, it is none of my business how she performs her job as we are merely co-workers and no one from upper management has ever addressed her for the issue. I want her to work harder so my workload can be lighter and she believes that her stance now is fine as is. As embarrassing as it may be, this often leads to the two of us arguing over things that are not even related to the issue at hand, even taking personal attacks at one another. She is also very emotional and sometimes has outbursts that I commonly react poorly to. In order to better our relationship and reach a common ground which we can both be comfortable with, I will try to focus my energy thinking from her point of view and voicing my issues calmly and openly.

By telling her exactly what work I believe she is falling behind in and by hearing why she does not feel responsible for that work, we may be able to find a balance that suits us both. We cannot expect to solve our differences in the workload without first focusing on the emotional values of the other. 3: THE METHOD - Focus on Interests, Not Positions This chapter emphasizes the point that interests should be taken into account over the positions of the parties involved. Focusing on the interests of both groups defines what the problem actually is and only then can a solution be made. If there is a negotiation, clearly both parties share an interest, even if they may have conflicting ones.

The best way to address these interests is to try to understand the thoughts of the other party. When proposing an idea, try to determine why the other party may say yes or no to the proposal. This way, it is possible to fully comprehend the reasoning behind a person's acceptance or rejection to an idea. Also, each party will have multiple interests and focusing on the ideas they support or reject can help to explain which of their needs take higher priority. It is also important to talk about interests of both parties openly and provide a clear explanation that outlines why certain interests exist. In order for the other side to understand why your interests are warranted, you must fully explain your concerns in a way that the other side also finds them warranted.

Just as you wish to have your voice heard, you must also take the interests of the other party and consider them part of the problem. The chapter also explains that the way you address the issue can be vital to the outcome. For instance, if you say what you need and then explain why you need it, the <https://assignbuster.com/getting-to-yes-book-report/>

explanation is more likely to be overlooked. Instead, put the problems of the issue first and then ask if the solution is plausible. An equally beneficial idea for you may be presented that better benefits both parties and by being too rigid, these ideas may never come to surface.

Again, it is important remain focused on the task at hand and try to make attempts to solve the problem, not change the people on the other side of the negotiation. The best way to use this method in my company can be seen in the development of our Applied Behavior Analysis therapy. Currently, the program director is in disagreement with the owners on how this therapy should be carried out. Research has shown that a center-based model in which children come to an institution that is not the home or school for therapy is significantly more effective. However, this method is the most costly for the company as there are space, material, and other costs that are associated with this method that are not in the home or school.

Both parties cannot come to agreements as to how this treatment should be provided because neither party can look at the interests of both sides. The therapist wants what is best for the child and the owners want what is best for the company. This causes tension and stubbornness in which neither party wants to move from their position. By supporting the idea that both interests are warranted and searching for new ideas that may benefit both parties, it is far more likely that we will reach a solution the benefits everyone. Without stepping back and trying to understand the interests of the other, an equal negotiation may never be met.

4: THE METHOD - Invent Options for Mutual Gain Finding ways to benefit both parties is the main focus of chapter four. In this chapter, the negotiation is split into two parts, the diagnosis and the prescription. In the diagnosis phase, it is important to understand what the issues at hand are that limit creative thinking. One common issue is the fear of premature judgement. This means that by coming to a conclusion or promoting an idea, the opposing party will see you as weak or foolish. Also, the thought that finding the one answer that helps everyone is commonly a mistake as often multiple ideas must be presented and put together to find the best decision.

The "fixed pie" idea is another that limits creativity, stating that what is gained by you is lost by me and vice versa (Ury, 1981). The last limiting factor is the thought that the other party's problem is only their problem and there is no reason to try to find a way to help their standpoint. This further limits options that may be presented. The second half of the chapter finds ways to solve these diagnosed issues. One method includes promoting active brainstorming. Trying to find pieces of the solution is easier than trying to determine the entire thing and by bouncing ideas around, it is likely that one will find a number of solutions that benefit both parties.

Another is broadening your options. If you need \$100 off an asking price for example, don't focus only on the price but also other ways in which the opposing party may make up for that price difference. The third option is to look for mutual gains and determine which interests are the top interests for both parties. It may be the case that your top interests differ and a more beneficial deal for both parties could be achieved more easily. Lastly, making



the other person's decision easy by showing them why one method is substantially better than the others can further press your point.

Promoting both the positive and negative effects of such decision can be done to further emphasize that one decision is the best for both parties. In my professional life, I will use these methods when speaking to possible referral sources. Although my company is small, we have a number of different treatments including speech-language therapy, forensic services, neuropsychological testing, psychotherapy, and memory evaluations to name a few. Because of this, other practices in our area that need services they do not offer hesitate to refer to us because many of our other services overlap with theirs. They just assume that if they refer to us for neuropsychological testing, perhaps we will also get the family to use us for speech and language therapy when that is the service they are promoting.

In actuality though, we only take certain insurances for these therapies and currently have a full case load so we could not take more patients if we wanted to. This is a prime example of the fixed pie idea believing that what we gain from their business they potentially lose. Also, if they were to refer to us, because of our caseload, we would more than likely refer back to them for therapy, further supporting the fact that there may be differing interests that do not interfere with one another. In the future, these points will be made more apparent and I will make my best efforts to explain these options to the other party in a way that clearly demonstrates the losses of not making a deal and the benefits of doing one. : THE METHOD: Insist on Using Objective Criteria The final chapter on the method of effective negotiation revolves around the idea of using objective criteria when making decisions.

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In order to truly find the deal that most benefits both sides, one must look at the criteria for the deal independent of the will of each party.

The best way to find a deal that works for all sides is to base that deal around fairness, efficiency, and scientific merit (Ury, 1981). This method takes away the battle for who wins in the deal and further separates emotions from the negotiation. For a negotiation to work fully, neither party can feel as though they did not fully benefit from the deal. One method this chapter mentions is the use of fair procedures. The example in the reading couldn't have put it in better terms when it considers, "the age-old way to divide a piece of cake between two children: one cuts and the other chooses" (Ury, 1981).

Also, setting fair standards of measurement for the negotiation is key to finding a proper balance. Taking the value of something from the opinion of one of the parties is not sufficient in looking at the deal objectively. Rather, comparable margins in similar circumstances and looking at other situations with similarities are more determining factors. The chapter also discusses how to present these criteria to the other side. These involve stating each issue as a search for objective criteria and looking at comparables together, reasoning and being open to reason on which methods and standards are most appropriate, and never yielding to pressure brought on by the other side if not backed by substantial evidence and principle. These methods further solidify the idea that a deal can be made that is fair for both parties and agreed upon throughout.

To go back to the example ABA therapy in my office and whether or not to conduct in as a center-based, school-based, or home-based model; this chapter is exceptionally helpful in determining the solution. One side believes that center-based is the only option that is most beneficial and the other believes that this method is too costly. In order to reach a proper negotiation between the two parties, I believe the best method would be to look at the research that supports school-based and home-based therapy as well and determine if the difference between the three methods is statistically significant. I also think that by looking at similar companies and industries, we may be able to find ways that cut costs and make center-based therapy a more profitable acquisition to the company. Also, if there is a gap in the market for such services, is the reasoning because of a lack of therapists and groups or because many companies cannot find a way to be profitable through this service.

By finding the benefits and detriments of the program objectively, it will be easier to find a solution that can benefit the entire group and further emphasize why one method is more beneficial than the other. : YES, BUT... - What if They are More Powerful Chapter six, seven, and eight all focus on issues that arise that are not described in the previous methodology. In chapter six, we observe what to do if the opposing side has far more power in the relationship (ie. more resources, better connections, powerful economic standing). While this book points out the best methods to negotiate, it also makes it clear that sometimes neither party is able to make a deal with the means at their disposal and a deal might not be made. The

most important thing to do if you are less powerful than the other side is to know what your best alternative to a negotiated agreement (BATNA) is.

This avoids creating a bottom line that can limit your ability to negotiate in circumstances that may end up being your best option. It is important to know your BATNA because if you do not know what you will do in the event that you cannot make a deal then you can't actually know what your true bottom line is. By knowing your BATNA, you are more likely to benefit from a deal that you might not have before. Additionally, by raising your BATNA and making the alternative to a deal more appealing, you can gain ground on the actual negotiation. For instance, if you have no other means of acquiring the good or service you seek through the deal, you are less likely to stand firm on your highest price point for that negotiation. It is equally important to consider the other side's BATNA.

Even if they have more power in the relationship, their alternative to making a deal might be more negative than yours which would further give some of the power back to you in the circumstance. By knowing your BATNA and improving on your other options, you are less likely to receive a deal that does not fully benefit you. I will definitely use this method after I acquire a master's degree through this program and ask for a raise at my current company. While I might want a raise and believe that I will not go lower than a certain percent increase, in actuality, I need the job I have now because without it, I would not be able to pay my rent and bills. In order to better my BATNA in the situation, I will try to find alternative positions and see if there are other job offers that I can compare this deal to.

This way, if my company actually could not give me a raise, I would still have a different job that I could move on to. Also, it is important to know my companies BATNA. Currently, I am the only person that does both marketing and IT at my company and if I were to leave, they would have difficulties finding a replacement for me with a similar skill set. In this event, it let me know that providing me with a raise would be less costly than productivity lost without me in the company and the amount they may need to hire someone else at in a short time frame. Although the company has more power over me at this moment, by improving my BATNA and knowing theirs I am more likely to benefit from a deal that get taken advantage of.

7: YES, BUT... - What if They Won't Play? Chapter seven looks into the issue of what to do if the other party is not willing to listen to reason or proposals by you. Other than focusing on merits and avoiding positions as earlier chapters had discussed, this chapter focuses on two other methods called "negotiation jujitsu" and the "one-text meditation procedure" (Ury, 1981). Negotiation jujitsu focuses on what the other party might do and directs their attentions away from position and toward merit. In this method, when the other party attack your ideas or stance do not push back and turn the debate into a positional negotiation but rather consider it as a possible option in a list of many others. Also, use their proposal as a way to understand what their personal needs and wished might be.

If they can't give a certain benefit, perhaps it is because it is too costly for the company or maybe they don't support it for a different reason. From acquiring information over multiple proposals, it is more likely that you will find the needs of the other party. This method also states that personal

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attacks should be redirected toward the problem at hand in order to further unify both sides in wanting a deal. Additionally, by asking questions instead of making statements, you are more likely to gain insight into the needs of the other group and prevent them from being able to take a positional stand point. The other method in this chapter is the one-text mediation procedure.

In this method, a third party comes in to gain information from the disagreeing parties. He asks each for their wants and needs and write them down in order to adjust them later. Then he makes a proposal that has many of the benefits and drawbacks provided by each of the parties. After, he shows it to both parties and asks them to critique it separately. He then takes those critiques and repeats the process until he has reached what he believes to be the best possible decision for both parties.

At this point, the parties can either say yes or no to the deal but have not had to stray from their positions and have most likely reached the most beneficial agreement for each of them. At my company, there is a continuous debate over whether or not therapists should acquire insurance authorization on their own or if it is the responsibility of the administrative staff who do so for the neuropsychological testing in my office. At this point, this issue has been debated for more than a year and neither group wants to break from their position. Every couple of months, upper level management has been switching the responsibility between the two because of new points brought up by whichever party is getting authorization at that time. While neither wants to settle, I think it is important that both sides reach an agreement in which responsibilities are not continuously shifting. To do this, I

will use the on-text mediation procedure and as both groups why they should not be getting authorization and why the other party should.

I will then look at the entire process and determine if certain steps should be done by one group over the other and find a way that both can participate in the process. I will then show this to both groups and get critiques until all of the clinical information and administrative skills are equally balanced and there are good methods put in place. While negotiation jujitsu could also be used, I believe this method will be more effective because both parties are very passionate about their position and are not willing to use negotiating practices that brush off conflict and negative interactions. 8: YES, BUT... - What If They Use Dirty Tricks The final chapter of the book focuses on what to do if the opposition uses trickery to negotiate a deal that will better benefit them without suiting the needs of all parties involved. The methods outlined to avoid such tricks involve first determining the problem.

If you feel as though you are being misled, what is the cause and how is it happening? After the issue has been found, the same common rules of negotiation apply. You must separate the issue from the person and address the problem, not emotions or the person. Next, try to use objective criteria that cannot be bent by the other party's misleading strategies. Also, continue to find ways that are mutually beneficial and do not allow yourself to settle. The chapter continues by going over the three main types of tricky tactics and provides examples for each to make them easier to identify. They include deliberate deception, psychological warfare, and positional pressure tactics.

Deliberate deception involves one party explicitly telling the other something that they know not to be true. As the book mentions, the best method to avoid this is to allow people to build trust in you...don't give it to them if you don't know them well. Also, watch for deals that are too good to be true or involve other people that have final say on a deal. Psychological warfare is designed to make you feel uncomfortable in efforts to get the deal done as quickly as possible. Ask yourself if you feel discomfort when meeting with the other group about a deal as well as why you feel uncomfortable.

Is it because you are being pressured or is it something unrelated to the task at hand? The third trick is positional pressure tactics that involve one party trying to take power over the situation. These are often seen when one party refuses to negotiate, makes extreme demands, or gives false promises. In order to avoid these tricks, be sure to look for the signs and use the methods in the reading to change a negative negotiation into a productive one.