

Company: trade union – retail employment

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After deep and complex analyses on our results, I realized that we need to adopt news strategy do achieve the company goals in order to maximize results. The reasons for our existence as a trade union consists to protect and promote healthy relationship between employer and retail employees in the Republic of Ireland finding an equal point to preserve common interests.

In 2004 when this company started operating, the numbers of members increased considerable year by year, I should say around 40% respectively, began from 225 members to 870 in four years. Our proposal hit their desires to shift the base of labor relations from winner-loser to the winner-winner mentality.

The success in our company began to decline with the economic crisis that devastated Ireland between 2008 and 2011, exposing our weaknesses in securing agreements that would ensure the satisfaction of the parties involved. Regarding to this fact, we are losing people, credibility and revenue in consequence of our incapacity to promote the purposes of this company as labor such negotiate wages, compensations and working condition terms, regulate relations between workers and the employer and, take collective action to enforce the terms of collective bargaining also raise new demands on behalf of its members.

Due to the fact that we are not achieving progress as planned also in order to avoid the bitter taste of failure, a new negotiation model will be implemented, where we will learn to get yes without giving in. Therefore, in

the next steps I will explain systematically each point of the new negotiation model contrasted with the old model for easier understanding.

Conflicts of interest

Conflicts of interest exist in every sphere, whether in the family, among friends, with neighbors, governments, and especially in the world of organizations. What we will learn here is to equalize satisfaction by using criteria that will guide us in reaching agreements and help both sides to get more of what each one want.

It means listening closely to each other, treating each other fairly, and jointly exploring options to increase value, once negotiators can find ways of getting to a positive deal that reduce the need to rely on hard-bargaining tactics and unnecessary concessions also damage the relationship.

Saparete People From the Problem

The fundamental basis of negotiating table is not only the cognitive analysis of fighting interests and the rational development of the most efficient outcome, but also the ability to perceive emotions circulating around.

Negotiation is a mix process where brings up behavioral, cognitive, and emotional competencies. Not considering these aspects negatively effects in order to maintenance of professional and personal relationships. In other words, lack of knowledge or control of emotions results in damaging negotiators as it is a sensitive area that deserves tact and delicacy.

The effective negotiator must be able to address the emotional dynamic by not only recognizing and managing your own emotions, behaving in a selfish

line but also by recognizing and addressing the emotional aspects of all parties involved.

The most productive way to deal with emotions in the negotiation universe is to address concerns of affiliation, appreciation, acceptance, status and role. It is imperative to build empathy to get across all dimensions of a negotiation, to understand emotional nuance, in consequence of power differential, cultural characteristics, or even past experience.

Fofus on the Interests, not Positions

The basic issue in a negotiation is not in conflicting positions, but in the conflict of underlying desires, needs, concerns and fears behind positions. These desires and concerns are denominated interests. These are what motivate people. It is important to bring up the differences between interests and positions in order to achieve a collaborative negotiation success. Negotiators find solutions that address each side interests. While positions are statements of where a person or organization stands and rarely gives information about motivations or incentives that justify the statement, Interests are a party's underlying needs, feelings, reasons or values. Simply saying Interests explain why someone takes a certain position. Keep in mind that the most powerful interests are basic human needs such as security, economic well-being, a sense of belonging, recognition and, control over one's life. After that, we have the green light to go behind positions through sincere dialogue, which means talking about, asking questions “ Why”, “ Why not”, and listening carefully from each other with the proposition to create a communication channel based on trust, which facilitates the

exploration of possibilities, enables discovery of perspectives and creates value for both sides.

Invent Options for Mutual Gains

To behave like looking for a single answer, to consider a fixed pie, and to think that solving their problem is their problem is a mistake. Acting in a cast mode with limited vision creates a barrier to thinking outside the box, achieving unimaginable solutions, in an environment where, except for the highly bureaucratic ones, things can and do change at the speed of light. Creating options is a more suitable and mature approach. This contributes to our ability to prepare and respond to situations rather than react, and helps to make each other's opportunity for victory once is unknown, when and in what circumstances we will meet the other party. Some guidelines for inventing creative options is to open the options pack on the table instead of looking for a single answer, separate the act of inventing options from the act of judgment, always play for mutual gains, develop ways for making the decision easy like framing the issues as a map to orient the group on they navigation options through the brainstorming, for example. Participants should have a clear understanding of the purpose to be able to engage multiple perspectives, at this point; having few guests with the right mix based on experience, expertise, but also strong idea generators makes the trading process more dynamic, but be aware to resist the temptation of bringing only the people who think like us. Once you have all the contents on the table, take step back; get fresh air while you cross the information and brainstorm it in order to come up with inventive options in view of promote mutual gains.

Insist on Using Objective Criteria

Principle-based negotiation produces smart deals efficiently and amicably.

People who use objective criteria are more efficient from the point of view of optimizing their use of time, bringing real patterns, data, and facts into the conversation to come up with coherent solutions rather than defending their position.

Nevertheless, what is Criteria? Fair standards. Regards to use objective criteria, you need to a research about objective criteria related to your negotiation. It is beneficial to prepare in advance some points and develop some alternative standards before diving in the negotiation. An agreement may be based upon some considerations about tradition, moral Standards, market value, precedent, what a court would decide, equal treatment, scientific judgment, efficiency, professional standards, reciprocity and, costs, once again, each objective criteria depends on the object in discussion.

Adopting fair procedures to turn a conflict in gain require true and honest standards to support the process of discussion. For this reason, it is important to frame each question to guide the search for support in the objective criteria, additionally, ask questions such as “ What is the basis?” and agree first on principles and standard, never yield to pressure, which has many forms: threat, bribe, manipulative appeal to trust, or even a simple refusal to budge. In all these cases, the indicate response is to suggest objective criteria applicable, and refuse to budge except on this basis. A high-level negotiator is open to reasoned persuasion based on merits, not in positions.

Using objective criteria, the parties will have real data to argument for finding a fair point that supports a deal, where both sides will be equally pleased what guarantee the health of the relationship is preserved.

What if They Are More Powerful – Batna

At the negotiating tables, there are sometimes some disproportionate power relations, such as employer and employee. Naturally, the strong part of the relationship tries to put some pressure on the vulnerable part. At this stage, it is important to have BATNA – Best alternative to a negotiated agreement as the main tool to acts as support and protect against making an agreement that should be rejected.

Developing your BATNA means not only allowed you to find out what is the minimum acceptable agreement but also, in certain circumstances, it might raise that minimum. Creating your BATNA is perchance the most applicable and effective course of action that can be taken in dealing with who appear more powerful negotiator in order to help you make the most of the assets you do have.

What if They Won't Play

There is three approaches as a suggestion to bring the parte to negotiation section. Firstly, keep focus on the conflict our merits, not, never in positions. Interests, criteria and options have to be the central theme of discussion in order to gain a chance to change course of negotiation. If they continue to perform using positional bargaining, refuse to retaliate and smartly redirect their actions on the problem additionally, find out what they may do. The term to describe this approach is denominated Jujitsu after the oriental

martial art in which the attackers blows are deflected. The third approach involve a third party to fuse the views of the opposing parties. This is helpful to bring up a different perspective based on interest, options and, objective criteria. It will works such as mediator do equalize the arguments on the negotiation cycle.

What is They Use Dirty Tricks

Tricks, how to notice and push them away? It is not rare to find dirty tricks surfing in negotiations situations. Even parties that tend to be more conservative and credible sometimes can apply one trick here and there to help them win. Some tricks are noticeable more easily given that they are obvious and recurrent or even conscious than others, but regardless of size or intent, an dirty maneuver in a trade is never a good thing and can cause several damage to the cheater, especially with long-term negative impact on your business relationship due the fact that it's breaks the line of trust that should exist in healthy and clean trading.

Therefore, if you are getting something that seems not right, you need to make sure what is going on to be effective about it. Once you have the tactic clarified, bring it up to the other side in a very educated mood, without accusations or strong affirmations but rising questions about the fact. In most cases, as long as you recognize what is happening and talk clearly with delicate approach, you can overcome the obstacle and quickly get it back to a better place by discouraging the other side to continue using tricks. Once you get back to negotiation, keep in mind about the principles such as separate the people from the problem, do not take it personally by attacking

the other side for using tactic that you think is unfair. Focus on interest, not positions; promote brainstorming to get alternative for mutual gains; insist on bringing up objective criteria through theory, research, data and facts related to your trading plan. Remember to have your BATNA – Your Best Alternative to a Negotiated Agreement as a resource that has to be activated in case you think that you need fresh ideas or even a break to refresh your ideas and bring to the light different perspectives.

Tactical Questions

What to do when People are the problem

The simple suggestion whether people assume the principal problem is the negotiation is to build a working relationship independent agreement or disagreement. Keep in mind that a healthy working relationship is one that respects differences and work in a cooperative mood.

In case it is clearly that people is the problem to achieve a deal then stop negotiation conflict and get into negotiate the relationship in advance by raising the concerns about the other party and discuss it avoiding judgement or killing their motivations. There is good portion of emotions involved so, carefully choose the right words to explain your perceptions and feelings. Highlight external standards or some fair principles in order to progress with a deal. You easily can perceive that sometimes the other party have not the view as you have, once you show them they maybe can shift the approach considering the reasons, facts standards that came up.

What to do when there are reasons that deeply hidden behind the positions?

In fact, there are many reasons involved behind people and positions, fears, behaviors, feelings, goals, budget locked with seven keys behind the negotiators. Once the seven steps indicated are applied to promote a mutual gain agreement such as separating people from the problem, focus on interests not positions, create options for mutual gains, use objective criteria, going behind positions and mainly applying BATNA.

Even after all the alternatives, the stalemate persists, so take two steps backwards, wait until the energies come down, then find different perspectives, develop a new approach, strengthen your portfolio of facts and data and then negotiate again, but never accept a deal without equalized conceptions and gains. If it is not possible to reach agreement in these ways, then do not proceed under penalty of having to bear the feeling of losing, which will certainly damage the relationship.

What should be done if the negotiation took a personal path?

This is closely related to emotions and feelings that can easily be predicted during a negotiation, especially if conflict involves something that has to do with your personal beliefs and values, getting too emotional will hurt your productivity.

Take a self-exam at times when you feel attacked and defensive at times of self-awareness, where you can gain feedback and then act more strongly on emotional control. A highly emotional person can easily be barred from negotiation, which negatively affects both professional and personal environments.

For this reason, it is important to have emotional triggers clear and to know how to back off when you feel things are changing in the wrong direction.

Once again, the concepts of separate people from the problem and focus on the interests not position is highly recommended when discussions enter the personal sphere.

How be efficient when invent options

First, let's clarify what means the noun Efficiency to find out the adjective efficient. Efficiency is described as the ability to avoid wasting money, materials, efforts, energy and time by doing something or producing the desired result. In a broader sense, it is the ability to do things well, achieve the goal without waste.

Therefore, to be an effective negotiator, one must apply concepts, methods, and resources rationally to the negotiating environment, by anticipating questions, asking open-ended questions to get to the reasons surrounding the table, having objective criteria to substantiate the bargain. These tools optimize the time, resources and result generated.

What to do when the market presents some trend but is not a real fact yet that can be used as objective criteria?

Agreements need to be reached taking into account historical, current and actual facts. It is not advisable to close agreements based on forecasts, which may not happen as intended, and leave some or the other discovery or situation uncomfortable. In the face of unforeseen changes, it is best to call new negotiation meetings considering the new factors. Always with the aim of equalizing satisfactions.

To show more clearly how it works, a law to exist needs only to be thought out, elaborated, and promulgated, never based on abstract, imaginary, non-existent or predicted things. Therefore, to reach agreements, the “ If” is important, but not the substance of the conflict such as objective criteria.

What to do when the attempt to cheat is confused with the attempt to commit a crimeh

Be aware of the tricks that can come up at a negotiating table. The weight is the same related to a trick or a crime where sometimes the line that separate one from another is tiny, but your attitude to face this problem is the same as said in the topic 7. Gently take the approach and bring up what you are seeing as a trick or even a bribe attempt, make questions and highlight your personal and professional values that doesn't match with this kind of attitude. Show what is more powerful in negotiating process, describing losses and gains of each attitude contrasted between dirty tricks and being a decent person.

Once you have overcome this point, which deserves to be addressed before closing the deal, resume negotiations based on the principles presented.