

Wal-mart negotiation analysis

[Business](#), [Company](#)



Although it was several years ago now, in 1988 a 24-year old man was injured at his local Wal-Mart store after tripping over several rocking chairs. The man claims that as he turned the corner of an aisle he tripped over three 1.5 foot-high children's rocking chairs, which caused several injuries, some of which were lacerated forehead, several strains and sprains, a jaw injury and even blackout spells (Laska, 2000). This example of a negotiation lawsuit would classify as a distributive negotiation because of several different reasons.

First, the only item of value being discussed is settlement money, and in order for the negotiation to be considered an integrative negotiation, the opposing parties typically have additional items of value to discuss for trade. Also, there is no personal relationship between the opposing sides of the negotiation, which in this particular case are the Wal-Mart Corporation and the injured man. Finally, a distributive negotiation is considered to be a win-lose scenario and clearly, either the man or the Wal-Mart Corporation would win the negotiation.

Originally, the injured man sued the company for \$100,033.57, and although the Louisiana Supreme Court ruled in his favor, the amount was lowered. The jury determined that although his injuries were worth compensation, \$73,525.18 was considered a more appropriate sum. In addition, the plaintiff's wife was awarded \$10,000 for loss of consortium. Even though some people may feel as though an injury due to tripping over a child's toy is a case that does not hold much water, fortunately for the injured man his case was fairly cut and dry.

The store could have prevented the injury if the rocking chairs were properly displayed. Therefore the store was responsible and held liable. This type of negotiation is intended for the benefit of one party and is typically settled out of court because companies try to avoid court appearance when possible. Integrative Article: NBA Collective Bargaining Agreement Although the National Basketball Association will be facing changes to their Collective Bargaining Agreement within the next year, the most recent negotiation, which is held between players and teams, was held in 2005.

This negotiation is intended to discuss important terms in the players' contracts, which include salary amounts, length of contracts, rookie salary terms, and salary caps. On the other end of the negotiation, the teams are interested in discussing factors such as trade rules, the escrow level, and the allowed tax on the teams (Morton, 2010). This article demonstrates an integrative negotiation because it is more of a win-win scenario for the opposing parties, which as previously mentioned, include the players and the teams.

Since both parties have much to gain from the agreement, they are willing to put more on the table. Also part of an integrative negotiation, both parties have not only their best interest in mind, but also the interest of the opposing side, primarily because of the relationship established between the two. The players and teams are interested in the well being of each other because both are affected by each other. This demonstrates why distributive negotiations are different from integrative, because there is no relationship between the two parties.

Although integrative negotiations are often successful, most negotiations are distributive because most opposing parties are not interested in the other. This type of negotiation technique is intended for a established pair of negotiators. Examples in the Workplace Considering that I work in a childcare center, negotiation strategies are not commonly used. However, a childcare director would have a few different scenarios in which negotiation techniques could be beneficial.

Although in society today, distributive negotiations are much more common, integrative negotiations are used more often in childcare, in fact, they are used more often in most workplaces. One example of how integrative negotiations are used is through a request for a pay raise. Just like the article examining the NBA Collective Bargaining Agreement, I have used integrative negotiation techniques in the past when I asked for an hourly pay raise. Instead of demanding a raise, which would be more like a distributive negotiation, I discussed how both the center that I work for and myself would benefit from a raise.

I explained what I had to offer the company in exchange for the raise, while the benefit to myself is obviously of monetary value. It is similar to the saying, you will catch more bees with honey than vinegar, I will have more success in getting what I am asking for by being professional and polite than by having high expectations and demanding to get what I ask for. Although both types of negotiation techniques can be successful in the appropriate setting, integrative negotiations are more practical for my line of work.