

Negotiations & Conflict Management

Basic Concepts: Theory & Practice

Case: An Alarming Night

People and Organizations

Session 14

Fall, 2010

Prepare, Prepare, Prepare: Means (at a Minimum)

- Knowing your own interests
 - Substantive
 - Relationship
- Trying to understand others interests
- Analyzing sources of power available to all parties—but not being paralyzed by it
- Thinking about options
- Understanding your personal style—strengths and weaknesses
- Knowing your BATNA

- ***Now: Apply this to your role in “An Alarming Night”***

Basic Building Blocks

- **Interests**
 - Yours
 - Others
- **Power—multiple sources**
- **Options-many**
- **Outcomes**
 - Substantive
 - Relationship
- **Conflict Management Systems**
 - Internal to the Organization
 - External—societal, international, community...

Brought to Life By:

- Personal styles, ethics, values
- Roles—negotiator, mediator, arbitrator, system designer, change agent, evaluator
- Strategies and tactics
 - Distributive, integrative, reframing, transforming, dealing with difficult people...
- Prepare, Prepare, Prepare!

But, I don't like Conflict!!!

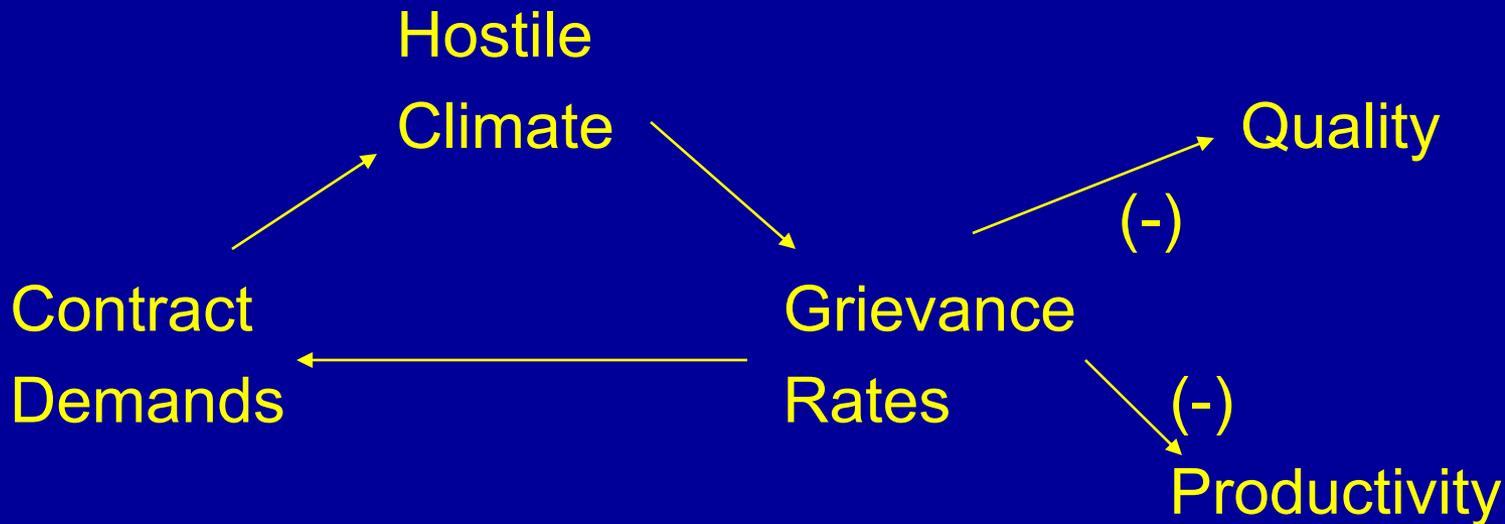
Common Advice from a Favorite Mother:

“We don't talk about that sort of thing!”

Assumptions about Conflict

- It's bad if:
 - Never surfaced
 - Surfaced, and left to fester and not resolved
 - Surfaced, personalized, or allowed to escalate into “conflict traps”

A Conflict Trap in Action



Source: Auto Industry Study Research Project

Assumptions about Conflict

- It can be helpful if:
 - Surfaced early, used to identify underlying interests
 - Focused on interests and problems, not people
 - Used to broaden alternatives, address interests of all stakeholders
 - Used to improve relationships
 - Modern conflict resolution tools are applied, skillfully

But, easier said than done!

Assumptions about Conflict

- When is conflict likely to be dysfunctional and you should not negotiate?
 - Crisis - time is critical (emergency rescues)
 - Routine tasks - i.e., optimal way is well known
 - Basic value/commitment violated and you want to send message that conflict is not “legitimate”, e.g., hostage situations, blackmail, wildcat strikes, parent-child decisions... and obviously faculty-student...
- Advice from a favorite wife: “Pick your battles!”

What is Power?

The (perceived) ability to bring about desired outcomes; or, the ability to get others to do what you want them to do!

Sources of Power: Many, Varied, Not Fixed!

- Positional
- Personal
- Resource Control
- Social-Relational
- Tactical
- Reputation
- Legitimate authority; or “I’m the boss”
- Expertise, information
- Rewards, sanctions (e.g. legal, economic..)
- Networks, collective action, coalitions
- BATNA*, coercion, commitment, deadlines, reframing, face saving, integrative solutions
- Trustworthy, effective, networked, or
 - Feared
 - Difficult Person..

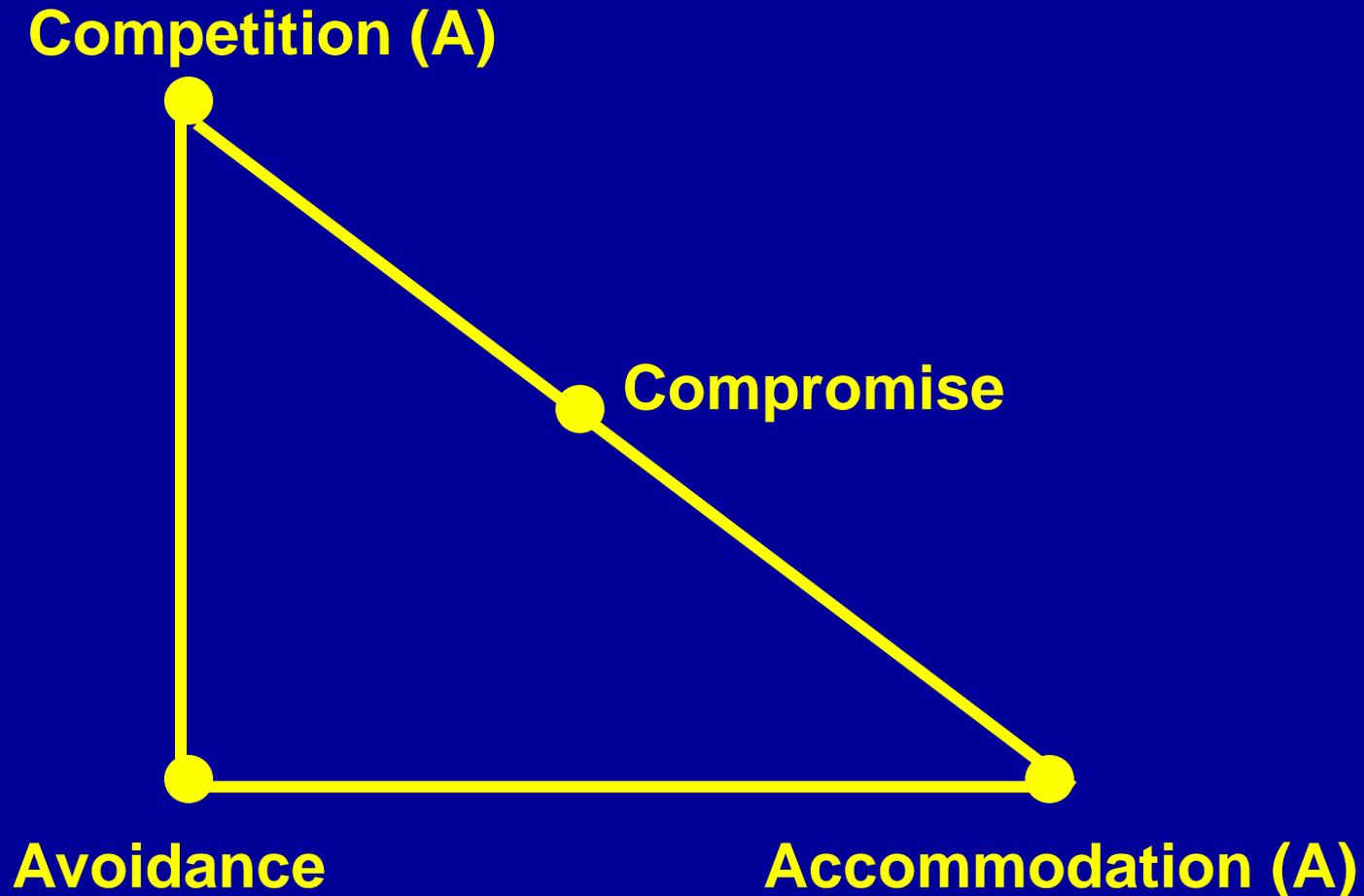
***Best Alternative To Negotiated Agreement**

A Final Parable: “Five Smooth Stones”*

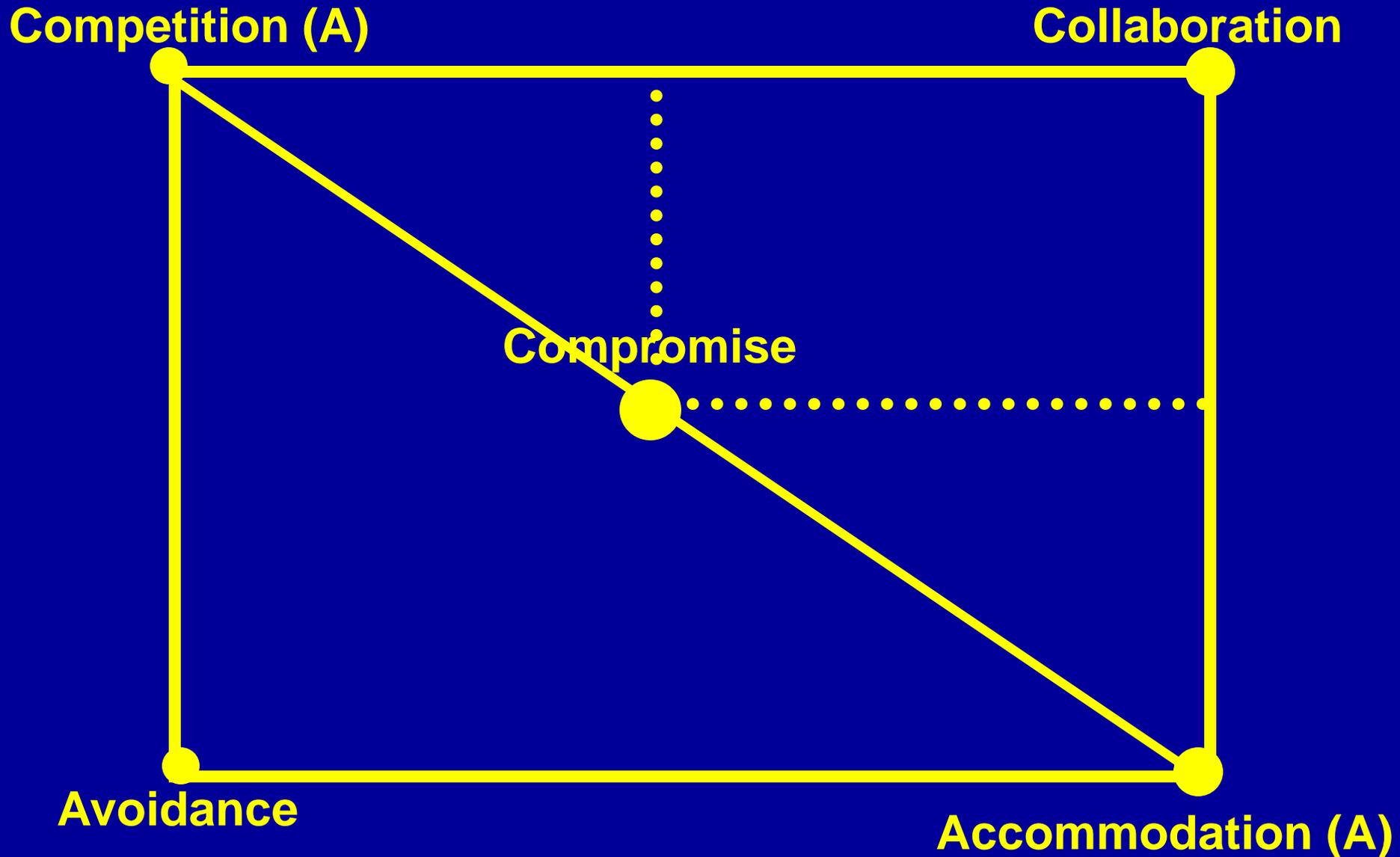
- David and Goliath: What were David’s sources of power?
- Cesar Chavez: What were his sources of power?

* Marshall Ganz, [Five Smooth Stones](#), “How David Beat Goliath,” 2000

Negotiation Styles/Strategies

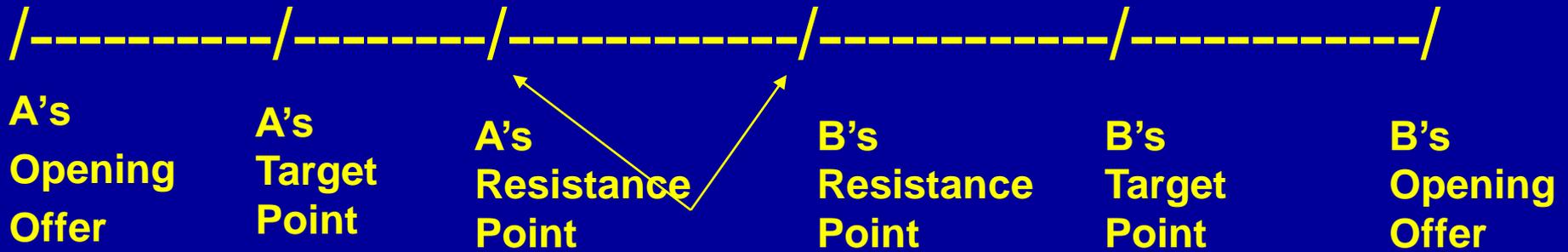


Negotiation Styles/Strategies



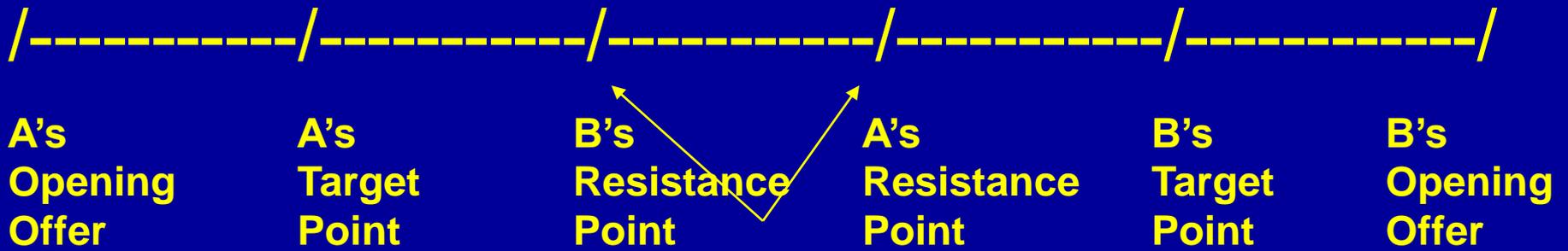
Negotiation Strategies

- Distributive
 - Conflicting goals, fixed pie, task is to claim value and max. personal gains
- Integrative
 - Shared goals; expandable pie; issues of varied importance to different parties; task is to create value, max. joint gains
- Mixed-Motive
 - Some of both: Expanding the pie; meeting needs of all or most parties as much as possible while claiming your appropriate share



Negative Contract Zone

(Gap between A & B Resistance Points)



Positive Contract Zone

(A & B Resistance Points Overlap)

Distributive Tactics

- Develop target and resistance positions in advance
- Overstate opening positions
- Commit to these positions early and publicly
- Channel communications through a spokesperson
- Give as little as possible for what you get
- Use coercive forms of power
- Mobilize support from constituents *against* the other party
- Divide and conquer the other side; protect against the same on your side
- An agreement reluctantly accepted is a sign of success

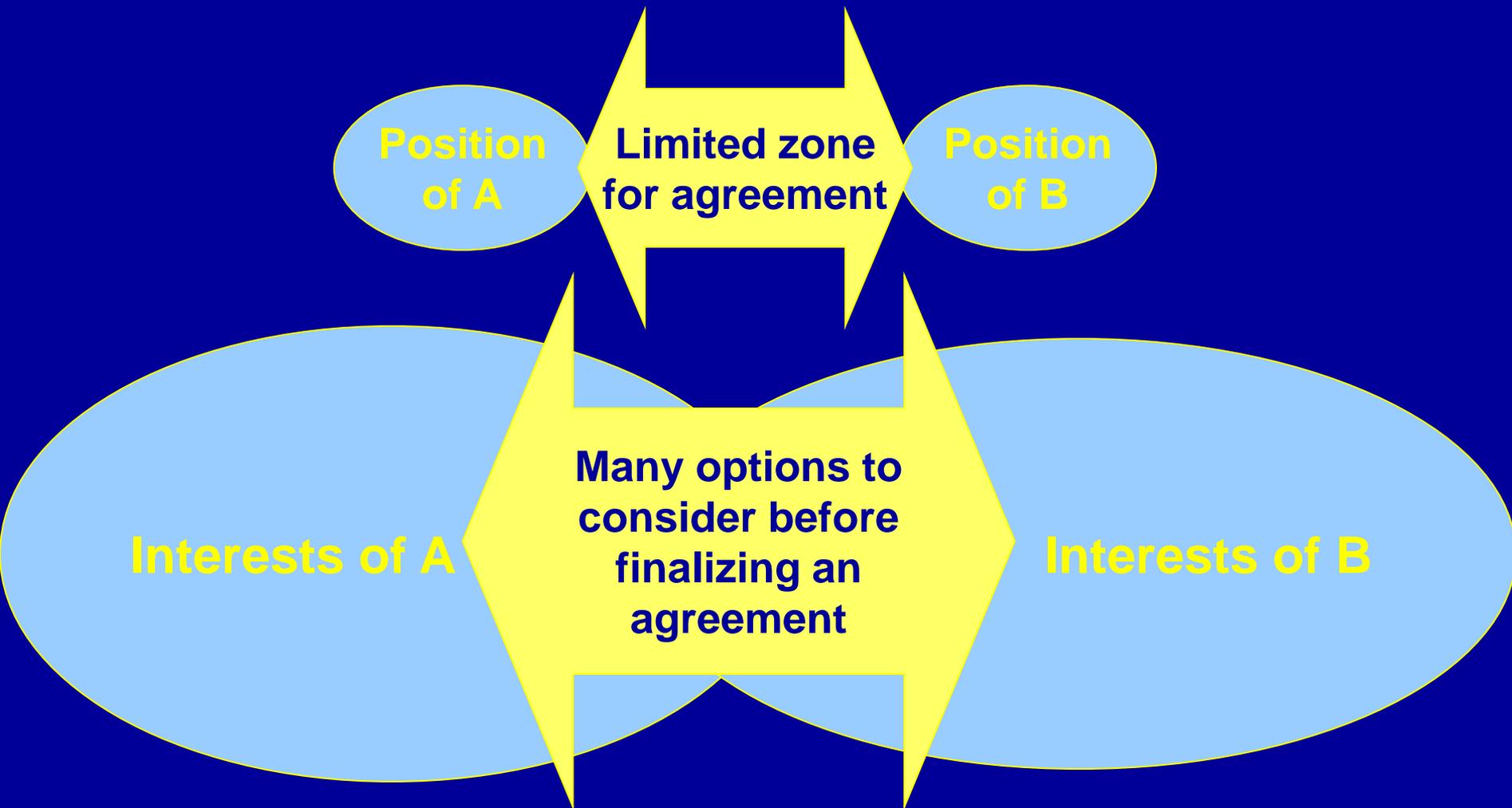
Integrative or “Interest Based” “Principle Based” Tactics

- Focus on Interests, Not Positions
- Share Information
- Search for Joint Gains
- Brainstorming, sub-committee explorations of problems, open communications
- Use objective criteria to evaluate options
- Look for options to “expand the pie”

Distributive-Integrative Differences

- Note positions vs. problems
- Differences in use of information
- Differences in communication patterns
- Differences in relationships - trust levels

Interest-based Bargaining vs Positional Bargaining



Positional versus Interest-based Communications

Here are two statements -- which is positional and which is interest-based?

Statement A: *We are implementing a new quality initiative and we expect your union to fully participate*

Statement B: *We are implementing a new quality initiative, which is part of ISO 9000:2000. We know that worker input – your union members – is essential to any quality initiative. So, we really want your full participation. Also, active union participation in ISO 9000:2000 will send an important signal to our customers. What can we do to work together on this issue?*

What do you notice when you compare the statements?

Positions versus Interests

Statement by a maintenance team leader:

“You were supposed to train me two months ago in how to use the computerized ordering system and this still hasn’t happened. I want you to train me today!”

What are some potential underlying interests?

How would you know which interests are most important in this particular instance?

How might you reframe this positional statement into an *“interest based”* statement

Dealing with Difficult People

Lessons Learned the Hard Way!

When Dealing with Difficult People: *Don'ts*

- Play/compete with his game by being aggressive—unless this is your natural style
- Accept his framing of the issue/situation
- Accept his timing of the negotiations
- Accept his location (all the time)
- Over-estimate his power
- Assume everybody agrees with his position
- Forget to prepare

When Dealing with Difficult People: *Do*

- Ignore his aggressive strategy
- Change the frame. Reframe the issue
- “Name” the aggressive strategy
- Generate options; propose objective criteria
- Take time out: “Go to the balcony.”
- Know your interests and BATNA. Improve your BATNA
- Build coalitions—others probably share your view of him and his tactics
- Learn more about him—find the soft side!
- Exercise your BATNA—some people are not worth dealing with!

Lessons

- **Lesson 1: Listening for interests is an active process of *asking* for more information and clarification.**
- **Lesson 2: Reframing is a valuable tool/skill/tactic—try it out!**

Summary: Personal Skills for Dealing with Conflict

- Most conflicts mixed-motive in nature
- Need to master basic skills in negotiations
 - Accurate analysis of personal style
 - Able to mix styles as appropriate to situation
- Skills need to be broadly diffused: “It takes at least 2 to tango”
- Skills can only be developed by practice!
- And the Bottom Line: Prepare, Prepare...!

Deliverable

- As in all negotiations, you are to submit a joint memo summarizing your agreement (if you reach one)
- Always, be sure you have a written agreement
 - This assures you all in fact agreed to the same thing
 - It provides joint commitment to implement your solution

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