Technology Policy Negotiations and Dispute Resolution
# ESD.933 – Session 4

Interactive Skills

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Communication During Negotiations
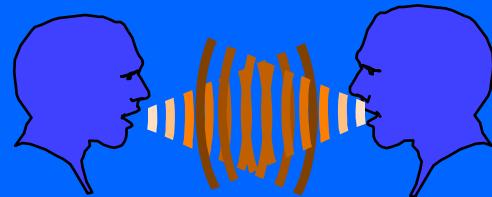
- Effective communication is one of the hardest things to do in life

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- We will focus checking the message and listening for underlying interests

Checking the Message

Statement: Your views on negotiating with others who are very powerful

- Step 1:   Agree to check the message
- Step 2:   Paraphrase what was heard
- Step 3:   Ask if accurate
  - If yes, proceed
  - If no, rephrase until accepted
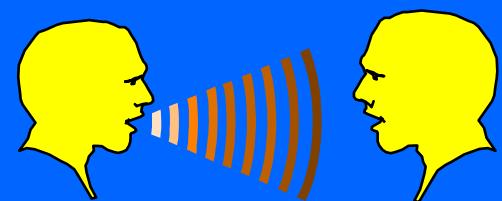
Listen Actively – Show them you understand:
  - » that they feel strongly
  - » what they feel strongly about
  - » why they feel strongly about it
  - » and PAUSE to let them respond

Listening for Interests

- Requires active listening -- probing to understand "Why?"

- Sample questions

  – *What is the underlying concern?*

  – *Help me understand why you need that?*

- Use "what ifs" to clarify understanding

  – *Would this other option work?*

  – *Would it be better or worse if . . . ?*
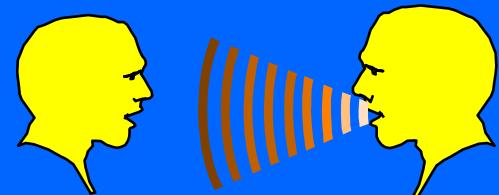
Listening to distinguish among interests

Statement by a member of a cross-functional scientific research team:

>*"You were supposed to train me two months ago in how to use the new computerized scheduling and information system, but this still hasn't happened."*

What are some potential underlying interests?

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

Lesson: Ask in order to fully listen.
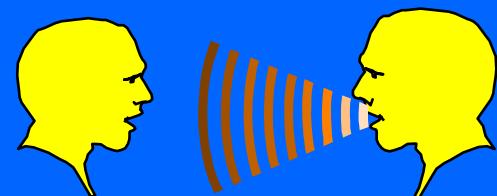
Positional and Interest-Based Approaches to Additional Issues

- **For each of the following issues, work in small groups to illustrate different ways to introduce the issue**
    - *(first in a positional way and then in an interest-based way)*

    - **Issue 1:** *The establishment of a new, Independent Technical Authority (ITA) for safety at NASA*
        - **A positional statement. . .**
        - **An interest-based statement. . .**

    - **Issue 2:** *The creation of a common set of protocols for government agencies using geospacial data*
        - **A positional statement. . .**
        - **An interest-based statement. . .**

    - **Issue 3:** *The introduction of a new "family-friendly" policy in an organization, allowing for flexible hours and some work at home*
        - **A positional statement. . .**
        - **An interest-based statement. . .**

Stump Speeches

- Why stump speeches?

- Definition
  - The idea of a stump speech dates back to old times, when a public figure would be called upon (with no advance notice) to get up on a tree stump and speak to important public issues
  - This is a time-limited situation where you are on the spot – needing to engage or address an issue

Examples from your experience
  - What works?
  - What doesn't?
  - How long is a stump speech?

Elements of a Stump Speech

- **Sizing up a situation**
  - Mental map -- Stakeholders/interests, risks/benefits, urgency
  - Clarify issue and urgency -- interactively or just stated

- **Constructing a targeted, helpful message**
  - Keep it simple and focused -- full presentation can come later
  - See sample frameworks on next page

- **Delivery -- be genuine**
  - Be honest about what you know, what you do not know, and what you can't discuss

- **Handling questions**
  - Paraphrase questions to check accuracy and legitimize underlying interests
  - Record all issues raised
  - Track open-unanswered questions -- ensure follow-up

Sample Frameworks
(ways to instantly organize a stump speech)

- **Strategic planning framework**
  - Where are we now?
  - Where are we going?
  - How will we get from here to there?

- **Stakeholder framework**
  - Who are the key stakeholders?
  - What are their concerns or interests?
  - How to take into account all stakeholders?

- **Problem-solving framework**
  - Define the problem
  - Identify options
  - Consider brainstorming
  - Agree on next steps

- **Question and Answer framework**
  - Clarify issue
  - Record all questions
  - Compose responses -- including follow-up for open questions

Handling Difficult Questions

- **Listening in action**
  - Stay centered – treat each question with sincerity and respect
  - Speak to what may be underlying interests or concerns – highlight legitimate, shared and conflicting interests
  - Probe for examples and underlying interests or concerns
  - Directly address factual issues where you can -- otherwise record question and get back to individual

- **Re-direct to the full group**
  - Ask the full group for input on this issue – particularly valuable where there seems to be a positive consensus emerging in the room

- **Issues-Resolution/Problem-Solving tracking matrix**
  - What is a question-tracking matrix and who has had any experience using one?
  - Why might this be important in handling difficult questions?

Issue Resolution/Problem-Solving Matrix

Item #	Date Presented	Problem/Issue	Action Taken / Action to be Taken	Responsibility	Report Date	Status/ Results/ Impact

Keeping Hot Buttons from Becoming Flash Points

- *Empathize*
  - "If I were in your shoes I would certainly have that concern."

- *Side-step personal attacks*
  - "That feels like a personal attack, which is not what this session is about."

- *Look for "judo" opportunities*
  - "I agree entirely with this part of what you are saying -- what can we do about this?"

- *Turn to the full group*
  - "This sounds important -- what additional information do we need? What has been the experience of others on this issue?   What are our options?"

I. Prepare

II. Bargain Over How to Bargain

III. Open & Explore

IV. Focus & Agree

V. Implement & Sustain