

Winning Strategies of Top Negotiators

presented by

J. Sarah C. Clarfield, LL.B.

Clarfield & Associates

Contact: Phone: (416) 782-8820 Fax: (416) 782-8317 sarahclarfield@sympatico.ca

As a lawyer, negotiator and speaker, there have been many negotiations that I have been involved in. For some, I am the negotiator for a client and for other negotiations, I am negotiating on my own behalf.

Over the years I have learned from the best and would like to share some of the principles which work the best.

1. The best process for negotiation is called Principled or Win/Win Negotiation. There are 4 concepts involved:

(i) Interests

These are the underlying needs, interests and motivations behind the position that either side may take in a negotiation. Find out what your company's interests are as well as the other side's interests. Do not get stuck on positions.

(ii) Options

Once you have found out what your company's interests are and those of the other side, you can create solutions or options that satisfy both sides' interests.

(iii) Standards

Where you find that you cannot come up with options that meet both sides' interests, you can use independent standards to support your position. eg market value, industry practice and precedent

(iv) Best Alternative to a Negotiated Agreement

In the event that an agreement cannot be concluded with the other side, make sure that you create an alternative plan ie. find another supplier of the product
You must always have a walking away position.

2. Strategies and Tactics

Consider:

- (i) Making an agenda and negotiation plan before you negotiate.
- (ii) Who will make the first offer
- (iii) Concessions: what are you prepared to concede and what would you like to receive in return
- (iv) Deadlines: these force action

- (v) Splitting the difference: use sparingly
- (vi) The printed word has power.

Strategies and Tactics continued:

Consider:

- (vii) The use of higher authority when necessary and make sure that you deal with an authorized decision maker
- (viii) Preparation of the final written agreement and make sure that it reflects the deal.

3.Ethics

- (i) Tell the truth
- (ii) Do unto others as you would have them do unto you

Remember, what an expert negotiator has said. In business you don't necessarily get what you deserve. You do get what you get what you are able to negotiate. Prepare and plan for your negotiation success by using the right process and the correct strategies at the right time

J.SARAH C. CLARFIELD is available to do speeches and seminars in the area of negotiation, law and human resources. Please contact her as listed below:

Contact: Phone: (416) 782-8820 Fax: (416) 782-8317 sarahclarfield@sympatico.ca