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NEGOTIATION TECHNIQUES: Strategies for Career Success

You have a job offer. So, now what?

Typically, most job candidates follow one of two approaches in negotiating their job offer packages: the soft approach in which they usually accept the employer's terms and conditions. Trouble is, caving in too early can lead to bitterness, resentment and second-guessing later on.

Or candidates choose a hard-line approach in which they stake out a strong position on what they believe they are worth. Even if the employer agrees to their unwavering demands, this hard contest of wills can come with a steep price.

When the negotiations are over, relations between the new hire and the employer could very likely be strained. The misunderstandings that come from harsh words leveled during a negotiation are not easy to forget. Sometimes, the reputation of the new hire can suffer.

But there is a third way to negotiate your job offer package with few or none of the drawbacks. In this approach, both sides seek a reasonable outcome based on objective criteria and a desire to satisfy their mutual interests. This approach is no longer a choice between burning your bridges to get your way or giving away the store to accommodate your employer or another party.

Based on the Harvard Negotiation Project techniques pioneered by Roger Fisher and William Ury, the guiding principle of this program is to separate people from the problem and to create options for mutual gain. While invaluable with job offer situations, these techniques can be effective in team conflicts, research proposal discussions, buying a car or a house, or in negotiations with your



friends over where to have dinner. After all, you use some form of negotiation in your life every day of the week.

THE HARVARD METHOD

This interest-based approach is the middle ground between the hard and the soft approaches, says Dorothy Rodmann, an Annandale, Va.-based consultant, who leads American Chemical Society workshops in the Harvard technique.

She noted that the essential difference in this technique is exploring both parties' interests to find common ground. The Harvard approach allows job candidates to explore their concerns without destroying inter-personal relationships that will be necessary for them to safeguard as an employee in any company.

"In the case of other negotiated situations, if you care about continuing relationships with the other party and maintaining open lines of communication, the Harvard technique is the best approach," Rodmann assures.

She notes that in any negotiation it is a common mistake to assume that the other party has interests that conflict with your own. In reality, both sides have valid interests and those on the other side might turn out to be similar or identical.

"It is impossible to know if this is true without first exploring the interests of the other party," Rodmann adds.

The ability to listen is critical in exploring those interests and to drawing out the other party, she notes. "Success in negotiation is related to understanding the other person's point of view and listening for the intensity with which they may be expressing their concerns or needs to you," Rodmann says. "The more successful you are in walking in their shoes, the easier it will be for you to reach agreement."

In general, four main principles characterize the Harvard Negotiation Method:

- Separate people from the process
- Focus on the interests of each party, not their positions
- Create options for mutual gain
- Press for use of objective criteria

Separating people from the process is vital in clarifying the issues and is essential to the Harvard method. Any personal difficulties you are experiencing with other individuals in the negotiation



(ie. the “people problems”) should not inhibit your ability to discuss interests, options and criteria to support your position. One of the biggest challenges facing a negotiator is to see a problem as the other party does, Rodmann cautions.

“The longer you can withhold judgment about what the other side is presenting you, the greater the likelihood that your agreement with them will be seen as serving both of your interests,” she notes.

Some typical “people problems” that surface in these discussions and how to cope with them:

- **Perception:** This is the difference between your thinking and the other party’s. Put yourself in the other person’s place. Success is related to understanding the others’ point of view and their intensity of feeling.
- **Emotion:** Recognize and understand others’ emotions and yours. Ask yourself: “Why is this person angry? Why are you angry? Are personal issues involved? Is the heat of emotion from an earlier encounter affecting the current discussion?”

Tell people how you feel. It often helps to tell people how you feel about issues and to use expressions that begin with “I feel...” “I feel” statements are less likely to be challenged because the other party can’t argue about how you feel about an issue. Allow others to express emotion. Avoid reacting to emotional outbursts. Use gestures to ease the way to a solution—a note, a meal together, a warm handshake—or whatever seems appropriate at the time.

- **Communication:** Recognize the difference between listening and hearing. Listen actively and make use of paraphrasing in a positive way to reflect others’ point of view and to confirm your understanding of their concerns. Don’t permit your mind to wander by preparing a response. Consider the possibilities of misunderstanding. Choose your words carefully. Tell others how you feel and avoid words that could offend others.

INTERESTS

Before negotiating, go through the process of identifying your own interests and try to identify the probable interests of the other party. Here are some tips for dealing with interest identification:

1. Write down all of your interests that are associated with the problem to be negotiated. For example, if the job is in San Francisco and you are in Chicago, keep in mind the cost of moving to the new location and perhaps the higher cost of buying a house. Does your spouse work and could he or she be hired by the employer? Suppose you have disabled parents. How will they be cared for if you move across the country?
2. Consider what the other party most likely will expect you to request. Then, ask yourself why the other person would accept or reject your request.
3. Note what you think might be some of the interests held by the other party. When the negotiation begins, start the discussion with your most compelling interest. Try to draw out from the other party what their reaction is to your particular interest. The important concerns or interests of both parties likely will be revealed as the dialogue continues.





OPTIONS FOR MUTUAL GAIN

As noted earlier, there is a common tendency in a dispute to discount the validity of the other party's concerns. This misconception should not continue throughout the negotiation. If it does, reaching agreement may be difficult or impossible.

But seeking options for mutual gain is what differentiates the Harvard technique from others. Therefore, try to respect the views of the other party and keep in mind that their interests are important to the final resolution.

According to Fisher and Ury, there are four main obstacles to developing multiple options. These are: 1) premature judgment; 2) the search for a single answer; 3) the assumption that terms and conditions are inflexible; and 4) one party's belief that reaching a final resolution is their problem alone.

When you begin to develop options, try to be as creative as you possibly can. Consider many possibilities, even those that at first glance may seem to be a bit out of the ordinary. Make a judgment later about their quality. As you are developing options, keep in mind what the other party may agree to as well. This will speed-up agreement. As with the interests, jot down what you think could be possible options.

You may even want to ask the other party to brainstorm options with you.

In the course of your discussion, you will want to continue asking questions in an attempt to draw out more information from the other party. If you are surprised during the talks with an option that you consider unwelcome and feel unprepared to counter with a new option, you may want to take a break. Discuss the pros and cons of the option with your team members or talk with a trusted friend. If you are discussing a job offer, you can always ask the employer for a day or two to respond.



In your discussions, you will want to recall what type of information was given to you during the interview that would help you to determine how valued an employee you might be to the employer. For example, the length of time a position has been vacant may be an indication that the employer has had difficulty filling the job. Knowing this information could be helpful in making your case.

If you are also aware from the interview that the employer believes your talents will match very closely with the mission of their organization, it could potentially increase your value to them. Listening carefully to the employer's responses during the interview should help you gauge your strategies in the talks.

OBJECTIVE CRITERIA

Having objective criteria to support your viewpoint is essential to the negotiation process. You will need to press the other party to adhere to this data. This is the area of the Harvard method that needs to be dealt with firmly. Pushing for adherence to this standard is firmness with diplomacy—it is not equivalent to hard-line bargaining.

1. Locate data or standards that can bring scientific merit to the problem.
2. Respect standards that are offered by others but be certain that the standards



support their argument and have the same scientific merit as your own.

3. In the salary discussion, you may find that the employer has different salary data than from ACS salary surveys. You must be prepared to address this difference, if any, and offer explanations for the difference based on data that you have obtained.
4. Do not yield to pressure. However, this is not the same as being committed to a position and refusing to look at other options.



NEGOTIATION STRATEGIES

“During negotiations, try to determine what is motivating the behavior of the other person and why that person is committed to a particular point of view or position,” Rodmann says. “There is a tendency on the part of both parties to think their position is the correct one and that there is only one way to reach agreement...theirs. The exploration of interests helps to bring about better understanding between the two parties so that a settlement can be achieved.”

While you are negotiating on your interests, keep these strategies in mind:

- When the other party presses a position, treat it as only one option; make improvements.
- When the other party attacks you and your ideas, do not defend them; invite criticism and advice.
- Sidestep—explore interests further; create new options and search for independent standards.
- Ask questions—avoid statements.
- Last effort: use a negotiator

If there doesn't seem to be any leeway in the salary offer, the candidate can ask about a sign-on bonus to help alleviate perceived financial concerns. Before you launch into this discussion, you should consider alternate forms of compensation such as a flexible benefit package, a paid parking space, an added insurance benefit, future compensation for a research breakthrough or perhaps even a bridge loan for a new house.

“Sometimes being direct and diplomatic is the way to get at it,” Rodmann recommends. “In fact, you might even say that you wonder if you can brainstorm for a little bit of the negotiation and see what the response is.”

But she says that if the candidate senses that there is absolutely no flexibility on the part of employer, the candidate should question whether the company is one that they want to join. “But, approach it all with diplomacy and tact. Start by putting some of your issues on the table and try to draw them out,” Rodmann suggests.

“Ask yourself, ‘What can I offer that would make my proposal more palatable to them’? First, create the option and then modify it so that the employer sees it as helping them too,” Rodmann suggests.



THE IMPORTANCE OF BATNA

Before launching any negotiations, it is essential that a candidate decide on the BATNA—the best alternative to a negotiated agreement. It is a cardinal rule of this interests-based approach that the job seeker has a fallback position if negotiations fail.

“In other words, if I turn down your job offer what is waiting in the wings? They may have it in their back of minds, but that is one thing Harvard makes clear. And you better have thought it through,” Rodmann advises.

Some of the key questions to consider are:

1. Do you have another job offer waiting?
2. Are you able to stay with your current employer?
3. If you take a position at a lesser salary, must you seek a second job to make up the loss in salary?
4. If the job market is poor, do you know if you can survive if you have to exist on unemployment insurance?



At the conclusion of the negotiations, it will be important for you to document the negotiation results in writing. Often, this will take the form of a legal agreement, such as a contract. Expect to document your agreements in the appointment letter or a memorandum of understanding.

A SAMPLE NEGOTIATION USING THE HARVARD METHOD

Here is an example of how the Harvard negotiation technique works:

Mary Johnson has just graduated with a Ph.D. in chemistry. She has a job offer from XYZ Chemical Co. for a starting annual salary of \$75,000. She wants to make \$85,000.

Johnson may accept the job offer of \$75,000, reject it, or negotiate further. If she chooses the latter, she may want to initiate her discussion by saying:

“I appreciate your salary offer of \$75,000, but, honestly, I was expecting a higher one. I feel disappointed about the value placed on my credentials. (Note the “I feel” statement) I have been on several job interviews and have reviewed the salary data from the ACS salary surveys. I thought I could readily market myself at the \$85,000 level. Can you help me understand why this salary is unrealistic in your company? (Note the searching for information that may help to determine their interests and her options.)”

However, before beginning negotiations with XYZ representative Jones, she did some homework. She combed through the ACS salary surveys and other available research to locate objective criteria that could reinforce her desired salary level.

Instead of digging in her heels on \$85,000, she looked for strong data to document how much she might expect to receive in salary as a new Ph.D. graduate.

Sources included the ACS salary data, the ACS Salary Comparator, the National Science Foundation’s Science and Engineering Indicators yearbook and the statistics on the cost of living in the city where she was considering employment. If she had other interviews and had been quoted salary data, she would want to offer this data as an example of the starting salaries of other chemical employers.

Furthermore, she did considerable thinking about how she could help XYZ meet its goals, e.g. how her Ph.D. research would fit in with the mission of the employer. She also developed creative ideas so she could suggest alternatives to satisfy her interests and needs should her salary requirements not be met by the employer. (Note: Some options could possibly include benefit package sweeteners, higher sign-on bonus, fully paid parking, etc.)



Meanwhile, Mr. Jones knows that a starting salary of \$85,000 would upset the internal salary equity not only within the company but within the division where Mary Johnson might be employed. An \$85,000 salary could cause a morale problem among employees of comparable abilities who earn less. He can't offer \$85,000, because he knows it is against the salary policy guidelines of his company. Jones begins also to think of ways to fine-tune the job offer package, because he wants to bring this valued candidate "on board." He, too, may initially consider sweeteners to the benefit package or a sign-on bonus to mention.

This is where the interests discussion takes on real meaning. Jones has

explained to Johnson how important maintaining salary equity is to his company. Johnson agrees that she, too, would be distressed to learn that someone of comparable knowledge and skills could be brought in at a higher salary than her own. Options, other than salary, are explored by both of them.

Exploring Johnson's interests and needs should help to uncover strategies for Jones that will meet both of their interests. But it is the dialogue about each of their interests that will help them to find a reasonable and satisfactory solution.

CONCLUSION

At first, many individuals find the Harvard method difficult to implement because, through many influences in their lives, they typically have been "trained" to negotiate using the "hard-line" approach. In other words, they are in a hurry to "get to the bottom line." For the job candidate, this could be a serious mistake. By exploring interests, both yours and those of a prospective employer, your chances are far greater of ensuring a "good fit" with an employer.

ABOUT THE AUTHORS

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ADDITIONAL INFORMATION

For more details, you may want to read *Getting to Yes: Negotiating Agreement Without Giving In* by Roger Fisher and William Ury; 2nd Edition; Patton, Bruce, Ed.; Penguin Books: New York, 1991.

HOW TO RECEIVE INFORMATION ABOUT ACS CAREER SERVICES

For information about the "Negotiation Techniques" workshop or other ACS Career Services products, please call 1-800-227-5558 or email: career@acs.org; or visit our website www.chemistry.org/careers

