

Tips for Successful Negotiations

The ability to negotiate is crucial for a resident association to be effective. Often your association will have to sit across the table from a target and use your power to negotiate a just outcome.

Negotiations will vary greatly based on the issue, personalities involved, history, how powerful you are and how powerful your opponent is. Nonetheless there are some common ideas that are universal to negotiation, regardless of the circumstances.

Before The Meeting:

Know Your Demand

Your association must turn the problem into an issue (solution!). This solution should come in the form of a specific demand. The demand should be reasonable, clear, and within the other side's power to achieve. You should have a specific timeline involved, and measurable means of monitoring their progress towards satisfying the demand.

Know What You are Willing to Settle For

Negotiations often entail give and take. It is important to know what your bottom line is. What are you willing to settle for?

Know When to Walk

It is possible that conditions in the negotiation will reach a point where continuing the meeting will do more harm than good. Know where to draw the line, and make sure that everyone in the group is comfortable with walking out under a pre-determined set of conditions.

Know Their Arguments Ahead of Time

Plan ahead for arguments that the other side may make to counter your demand. Put yourself in their shoes and think of what concerns they may raise. This may lead you to do research that will strengthen your argument.

Know Their Self-Interest

People are generally unlikely to sacrifice something without getting anything in return. Think about what's in it for them.

Understand Your Power

If you haven't done a community power analysis on your issue, do it now! You have power as an organized association, but it's important to know where it comes from and how to use it in the negotiation.

Determine Their Consequences

Understand your power, have a plan for what to do if an agreement can't be reached. This way you have the power to escalate your tactics if they refuse to consider your demands. Be ready to threaten these consequences if negotiations sour. Some examples include contacting the media, holding a rally, and contacting someone with power over them. Sometimes the threat of an action can be more powerful in the eyes of a target than the action itself.

Know Who You Want at the Meeting

Think of allies that could strengthen your argument or demonstrate your power if they are at the meeting. Also think of who specifically is invited to represent the other side and who isn't.

Set the Agenda

To maintain control over the meeting, come up with an agenda ahead of time. The agenda can have strict amounts of time listed to discuss specific topic. If you are unable to reach an agreement in the time allotted then you have the power to end the meeting. If the other side attempts to sidetrack the discussion in the meeting, refer them back to the agenda.

Possible Negotiating Roles

Good : Someone with a pleasant demeanor who is honed in on the other side's self-interest. When things get heated, they can constructively bring the opponent back into the conversation constructively.

Bad : Someone who is gutsy and willing to take risks. They can present the potential consequences if the other side refuses the demand.

Agenda monitor/Time keeper: Keeps things on track and makes sure that all the demands are addressed.

Expert: Someone with personal testimony or expertise who strengthens your position. They put a human face on the issue.

During the Meeting

State Your Demand.

Once you state your demand at a meeting, it may be necessary to restate it multiple times throughout the meeting. Always state and restate your demand. Make sure they give a yes or no answer.

Silence is Golden.

Awkward silences tend to happen at times in which the conversation has reached a breaking point or an impasse. Studies show that when there is an awkward silence in a negotiation, the side that speaks first almost always loses.

You Must Look Unified

It is crucial that the association has a clear position and that there is consensus among your representatives in the negotiation. Never disagree in front of each other, if you are uncomfortable with what is being said, call for a caucus to work it out as a group away from the person you are negotiating with.

Stick to the Most Important Points

At all costs avoid side tracking. Remember that you are at the table to represent the concerns of the resident association, not your own individual problems. This can be challenging, especially if you are meeting with someone who you may not have an opportunity to meet with again and who has a great deal of power to change an individual problem such as park-owners.

It's About Power not Personality

Remember that negotiation is part of your role in public life. Your job is to win real victories for your community, not to make friends. Your tone should always be respectful, but don't feel like you can't be firm and demanding. Negotiations are a power play, not a social outing.

Don't be a Victim

You are a leader! You are not there to beg! You are there to bargain.

Get Clear Commitments: Yes or No!

If your demand is clear, reasonable and within the person's ability, it is fair to push them to make a commitment. Don't let them get away be specific as to the process of getting back together to negotiate. If they say they need to talk with someone else, find out who and what exactly they need to find out. If they say "it's not our responsibility," ask them to accompany you to a meeting with the person who they feel does have the responsibility.

Responding to the Other Side's Tactics

<i>Tactics the Other Side May Use</i>	<i>Your Response</i>
Over personalizing	Stay professional
Divide and conquer	Be unified
Non-committal	Force commitment
Threats	Assert your rights
Compromise	Know your bottom line
Refusal to cooperate	Escalate tactics
Changing the subject	Stay on agenda

After The Meeting:

Evaluate

Immediately get everyone on your side to evaluate the negotiation. What went well? What didn't go well? What could you have done better? What are the next steps?

Make the Results Public

If you win, celebrate! If the outcome is mixed, telling others what happened could spark interest, which may get new people involved or make them aware of next steps. If you lose, shame the other side into returning to the negotiating table. This may be the time to consider new tactics, such as legal action, protest, or a media campaign.

Follow Through on Your Commitments

If there are commitments you made during the negotiation, it is critical that you follow through on them in good faith. You can't expect anything from them otherwise. If they said no, and you threaten consequences, you have to deliver on them. Otherwise they will not take you seriously when issues come up in the future.

Identify New Issues and Continue Dialog

Once an issue is resolved, there are always more that can be addressed. It is important to continue the dialog in order to see sustained progress.

Negotiation Worksheet

Pre-Negotiation Questions

1. What is our demand?
2. What are we willing to settle for?
3. Under what conditions do we walk out of the negotiation?
4. What arguments might the other side use against us?
5. What is our target's self interest in this issue?
6. How could our desired outcome benefit them
7. Where does our power come from?
8. How can we use our power in the negotiations?
9. What will the consequences be for the other side if they fail to agree to our demands?
10. Who should be at the meeting?
11. What needs to be on the agenda?
12. How are we going to divide up roles?

◆ **Evaluation Questions?**

1. What went well?
2. What didn't go well?
3. What could we have done better?
4. What are our next steps?
5. How do we share the results with our base?