



## The Art of Give-and-Take

Negotiation skills can help HR professionals in almost every aspect of their careers.

By Kathryn Tyler

**A**t the core of your dealings with others as a human resource professional, say many experts on HR, is your ability to be a negotiator.

"There are few if any fundamental competencies that an HR professional needs more than negotiation," says William Ury, director of the Global Negotiation Project, a component of an interuniversity consortium called the Program on Negotiation at Harvard Law School.

"The ability to engage in joint decision-making runs through almost everything" that HR professionals do, Ury says.

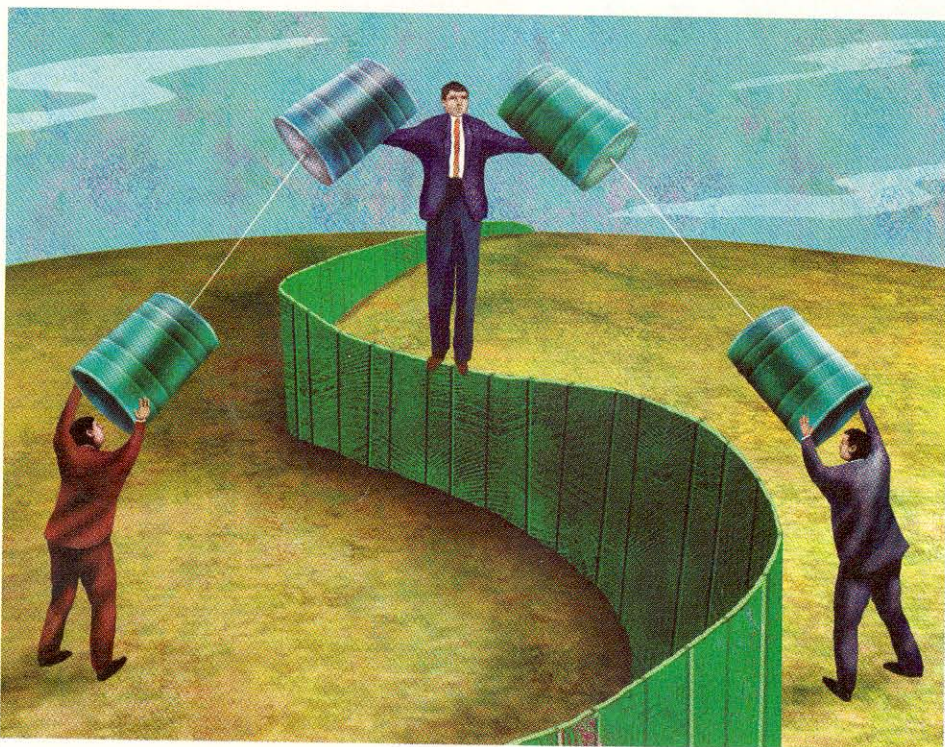
Stanford University business professor Margaret A. Neale, whose graduate courses include conflict management and negotiation, says: "You may not negotiate well. You may try to avoid negotiation. But if you're involved with other people, you're negotiating."

Other academics—as well as many specialists in human resources—also maintain that HR professionals exercise negotiating skills in everything from salary packages and severance agreements to labor contracts, employee accommodations, disciplinary actions, misconduct allegations, and disputes between workers and supervisors.

But it's negotiation with a particular approach, says Bruce Patton, co-founder and deputy director of the Harvard Negotiation Project, another component of the consortium. "Little of the traditional haggling-style approach to negotiation is useful for HR," he says, "but modern collaborative approaches are spot-on."

As negotiators, of course, HR professionals are in a unique position—often serving as mediators between the employees' interests and the company's. HR practitioners can acquire the skills for managing this delicate balancing act not only through formal education but also through observation and practice, as some experts attest.

What's most important, experts say, is to keep certain key principles in mind:



• **Draw a line between emotions and issues.** “It’s important to acknowledge the emotions first and get those out of the way,” says Orlando Blake, president of The Blake Group Organizational Consulting LLC in Elgin, Ariz. “If you try to problem-solve too soon, the party is not ready for it and [the negotiation process] shuts down.”

Says Ury: “Deal with the people and their emotions first. Be soft on the people so that you can be hard on the problem.”

Don’t be hasty, experts say, and pay close attention to the other person. “Listening before answering, and checking whether you have understood by paraphrasing, is critical,” says Patton, founder of Vantage Partners LLC, a negotiation consulting firm in Boston.

“Often,” Patton continues, “people care more about feeling heard and

understood than they do about the actual outcome. They understand that you may not be able to fix the problem, but it is much harder [for them] to take if you won’t even acknowledge that something unfair may have happened.”

Blake tells of an instance in which listening was essential, and dealing at the outset with the emotions at the heart of the complaint would have resolved it before it went to court. It was a gender harassment and discrimination case that came before him when he was serving as a trained mediator in the California court system.

“The woman had worked for a lumber milling company for 14 years and then alleged misconduct by the owner’s son,” Blake says. “She brought suit for \$60,000.” After a long negotiation process, he continues, “the plaintiff said

to me all they had to do was apologize.” Ultimately, the case was dropped, but had the woman’s feelings been acknowledged and had she received an apology, the suit would not have been filed.

Above all, don’t become embroiled in the conflict yourself or act precipitously, Ury says. “It’s important not to react without thinking, but instead to ‘go to the balcony,’ a mental place of calm and perspective where you can step back and remember what your interests are.

“The truth is that we can’t have a whisper of a chance of influencing the other side until we are able to influence ourselves.”

• **Prepare thoroughly, and set your priorities.** Entering a negotiation without knowing your own priorities as well as your counterpart’s can be a major mistake, says Neale, co-author of *Negotiating Rationally* (Free Press, 1992). “What are your aspirations? What are your options if this deal fails? Knowing the answers to these questions [is] im-

### Online Resources

For more background on negotiation skills for HR professionals, see the online version of this article at [www.shrm.org/hrmagazine/04November](http://www.shrm.org/hrmagazine/04November).

portant so that you don't take deals worse than your alternatives," she says.

After determining "what's important to you," Neale continues, "find out what is important to your counterpart. If I know your interests, then I can fashion a proposal in such a way that I can trade off things I don't much care about for things I care a lot about."

Robert Morehouse, SPHR, often conducts labor negotiations and has learned how to give up things that won't cost him a lot to get what he needs. He's the HR manager at a plant in San Angelo, Texas, for ETHICON Inc., a surgical products manufacturer. In explaining his approach, Morehouse recalls a labor negotiation a couple of years ago in which, he says, "we wanted the union to make some changes on benefits, work rules and [salary] increases. The union wanted a cents-per-hour increase, and we wanted a percentage increase.

"In the end, we agreed to give them the cents-per-hour increase because it

**'When you give the other party something they didn't expect, you delight them.'**

didn't affect how we managed the plant, and we got other changes which were valuable to us," Morehouse says.

"It was a successful negotiation," Morehouse explains, "because, in a relatively short period of time, we accomplished our objectives in a situation where we'd had problems before."

It's better to underpromise and overdeliver, Morehouse says. "When you give the other party something they didn't expect, you delight them." Occasionally, at the end of a labor negotiation, he will give union representatives an unexpected shift differential. "It may cost me very little but in the end may make the difference

between recommending the contract for ratification" or not, he says.

Preparation for negotiations includes keeping others in the loop, Morehouse adds. "You've got to communicate with your management team, [vice president] of HR or plant manager, and make sure that person knows and understands what they're authorizing. Sit down and determine what you want, what the plant wants." >



- **Try to find out what really is driving the other side's agenda.** It's vital to know the real need behind a person's position. Ury cites a hypothetical example: "Imagine that an employee has a certain salary demand, but it's above the salary of the other employees. What is the real concern? Maybe his child is going off to college and he's wondering how to pay the tuition.

"You may be able to tell him about corporate tuition loan programs as a way to meet his interest if you can't meet his demand. Focus on the interest."

Ury, co-author of the best-selling classic *Getting To Yes: Negotiating Agreement Without Giving In* (Houghton Mifflin, 1991), adds: "It's important to put yourself in the other side's shoes, understand their interests and how they feel. Negotiation is an exercise in influence. You're trying to influence another person. You can't influence their mind unless you know where their mind is right now. Try to be

inventive. Open up to other options besides your position."

- **Keep an open mind.** "Most of us walk into a negotiation assuming that whatever I want, you don't want me to have," Neale says. "Part of what I do in training is spend a lot of time getting people to understand this is not always the case."

For example, Neale continues, "as a recruiter, I care more about recurring costs. I want to keep [new hires'] vacation days down, because once I negotiate that, it sets a precedent, and it's a cost I have to pay again and again.

"In contrast, one-time benefits are not problematic for me and are beneficial for the prospective employee. For a prospective employee, a signing bonus or a moving expense reimbursement is really helpful and doesn't cost me that much. The cost to me is overwhelmed by the benefit you get. Couple that with something I care about, and [we're both satisfied]."

Consultant Patton recommends saying to the person across the table: "Without making any promises either way, let's think creatively about how we might deal with that, and if something sounds promising, we can see if there is a way to do it."

- **Never say never.** Experts generally recommend that negotiators be careful in their use of absolutes. "The worst thing you can do in a negotiation is to say, 'That is all I'm going to do' and then come back and give them more," Morehouse says. "Your last and best final offer has to be your last and best final offer."

And when the negotiating is over, there may be more to discuss. Says Patton: "Even where there is no room to negotiate on a particular issue—because a decision has been made—a good HR person will initiate a discussion of the impact and be open to creative negotiation on how best to implement a policy to achieve its objectives." >

## Honing Your Skills

The avenues available to HR practitioners who want to improve their negotiating capabilities range from formal academic programs to day-after-day experience.

“Read books and take courses,” says Patton. Many universities offer negotiation skills courses as part of their MBA or human resource certification programs. Blake notes that “classes expose you to the theory and have role-plays and case studies.”

Wendy Flint, director of professional and continuing education at the College of the Desert in Palm Desert, Calif., says the skills she learned through negotiation courses are “extremely helpful for working in higher education.” She applies those skills in what she terms a challenging responsibility—and one that’s familiar to HR professionals: “influencing people toward collaboration for decision-making that improves organizational effectiveness.”

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Ury recommends taking negotiation courses with a peer. Then you and the other person can coach each other on the job and integrate the experience into your work.

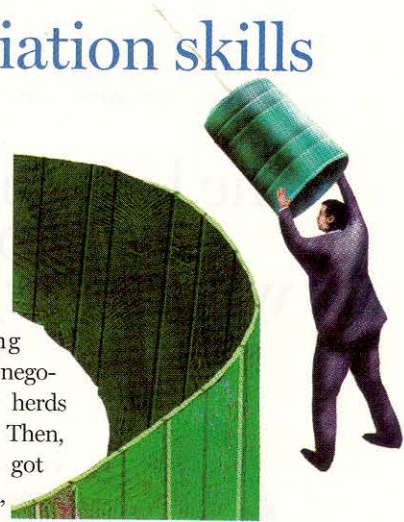
And before a tough negotiation, Ury adds, ask your colleague to spend a half hour with you to go over your negotiation strategy.

As helpful as negotiation courses can be, though, they can’t substitute for the knowledge and experience gained through real negotiations, according to many experts. Blake, for example, says: “I learned [some of] my negotiation skills

watching my dad negotiate for herds of cattle. Then, when I got into HR, I had to negotiate labor relations agreements.

“However, I learned the most about negotiation when I stepped out of corporate life. I took 40 hours of mediation training to become a certified mediator and volunteered in the California Superior Courts.”

Blake says he gained a lot of experi-



ence handling divorce and landlord-tenant cases that judges referred to mandatory mediation when court

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dockets were crowded. “I learned more about human nature there than at work,” he says. “This gives you exposure and teaches you to think of different, creative ways to get parties to come together on common ground.

Another way to improve your negotiating skills is to examine the record. “Make a habit of reviewing all negotiations,” says Patton, to determine what worked, what didn’t work and why.

Further, he recommends, for each instance, that you ask yourself: “What guidelines does that suggest for the future? Concretely, what would it look like to put those guidelines to use in another situation?”

## The Long View for HR

Carrie Houston, senior vice president of human resources for Irwin Union Bank, headquartered in Columbus, Ind., views negotiation from an HR perspective. “For each negotiation you enter,” she says, “you need to remember: What is your long-term goal? It’s easy to get caught up in ‘what I need today.’ But [HR professionals] have to think about long-term relationships. You don’t want to have employees who don’t want to work for you.

“If we, as a field, want to be more strategic, this skill set is very important,” she says. “If we’re going to add more value to the business, we need to make sure that any kind of negotiation is handled in an effective way.” **HR**

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