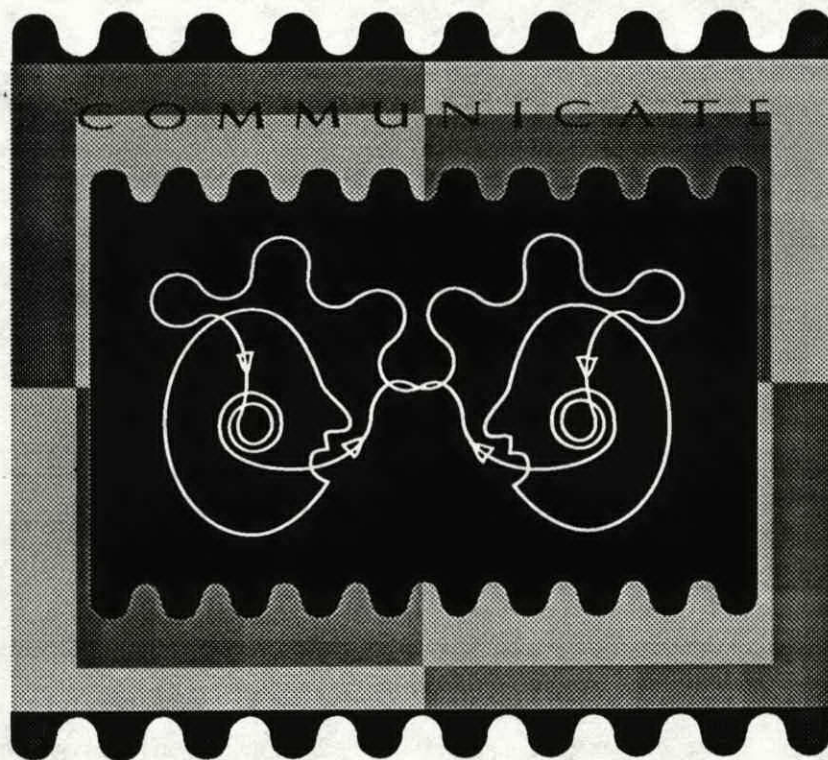


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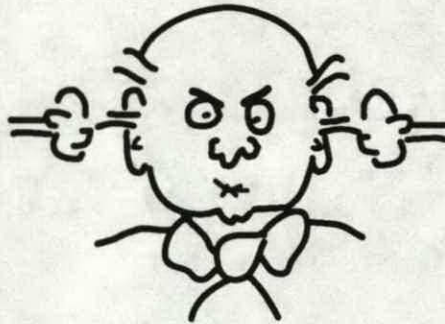
**COLLABORATIVE NEGOTIATION  
SKILLS TRAINING**



**Session One  
Overview of Conflict  
and Negotiation**

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## Session One Objectives

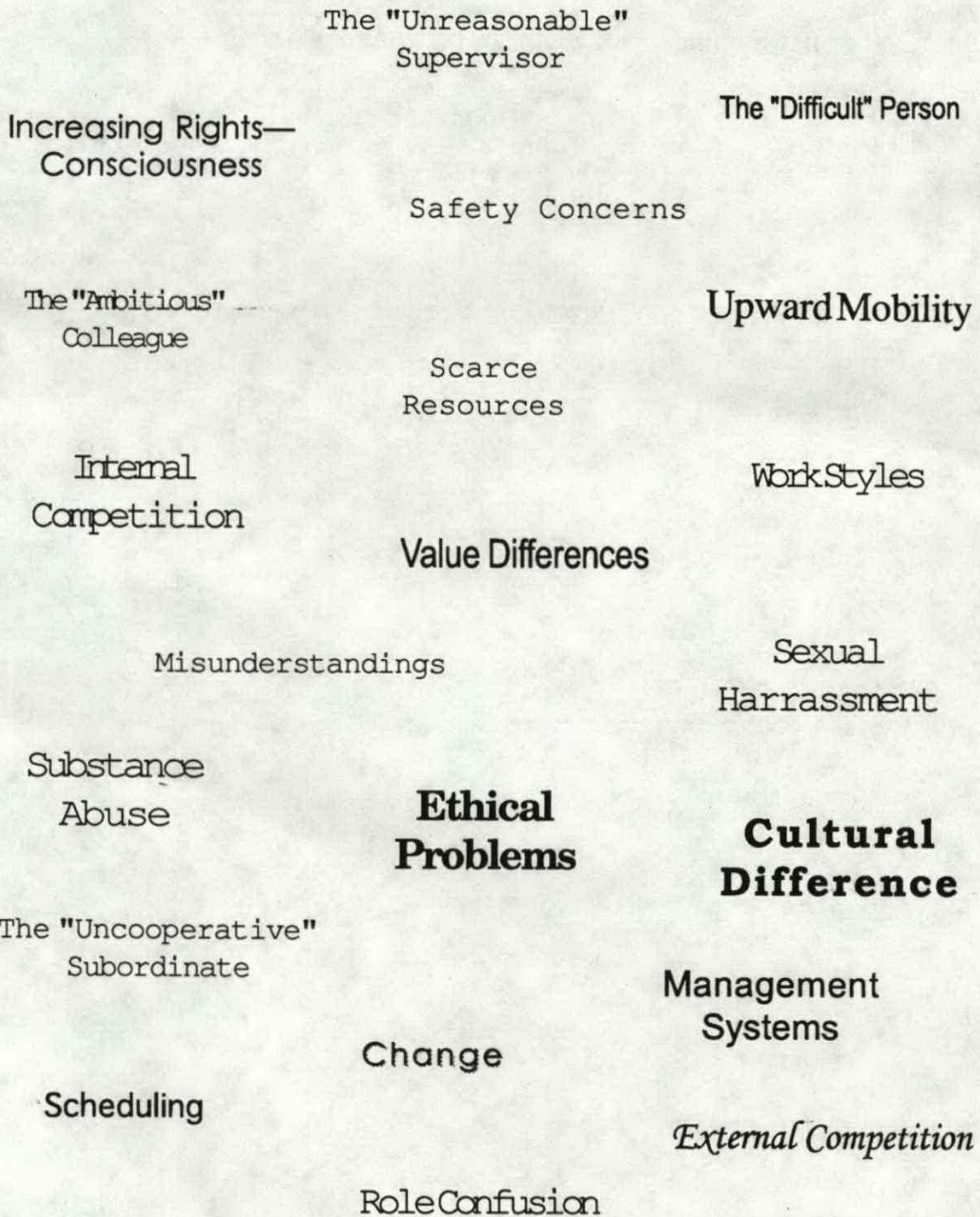
- Develop an understanding that conflict is a natural and necessary part of life.
- Learn the different methods of managing conflict.
- Develop an awareness that competition and collaboration are the two main strategies for resolving conflict and for negotiation.

## Conflict Is a Part of Life

What comes to mind when you hear the word *conflict*?

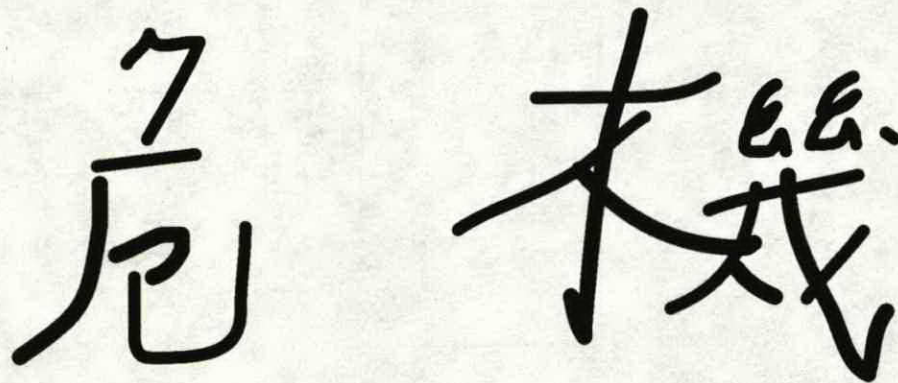


# Causes of Conflict





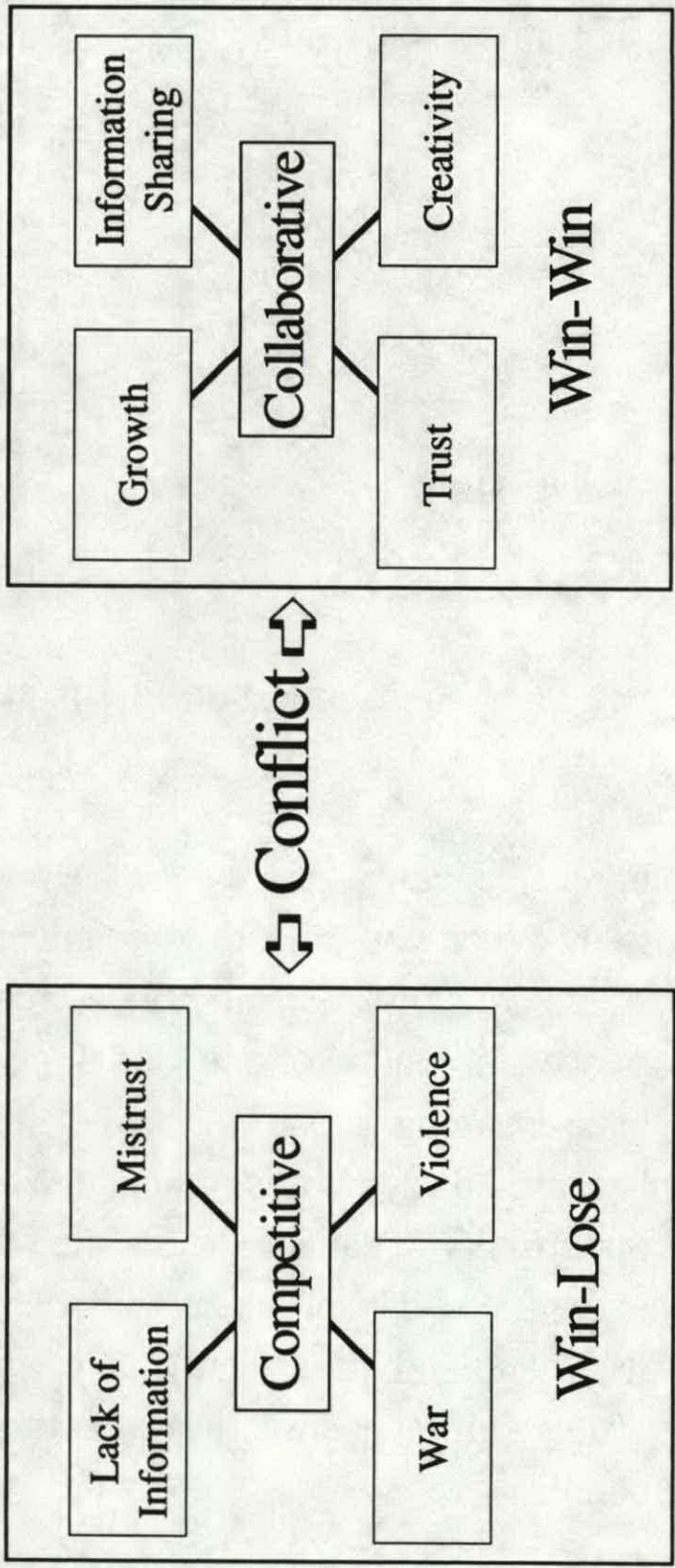
## Crisis



### Danger and Opportunity

People generally have a negative connotation of conflict. When you think of it though, conflict is a prerequisite to creativity. It's difficult to create unless you experience a limitation of one kind or another. The Chinese kanji meaning "crisis" displayed above is interesting because one symbol is for danger and the other is for opportunity. That is basically the way it is when you're in conflict—dangerous but with opportunity. So conflict itself isn't bad. It is what you do with it that counts. Using conflict creatively is what this program is all about.

# Approaches to Conflict and Negotiation





## Competitive vs. Collaborative Negotiation

Theorists have identified two basic strategies in conflict situations—competition and collaboration.<sup>1</sup>

These are the same two strategies available to you in negotiation as well. Competitive negotiation is basically a process of win-lose bargaining with compromise or impasse as the likely outcomes. Collaborative negotiation is basically a win-win process where people constructively deal with their differences focusing on satisfying the needs of both sides.

If you are pursuing a **competitive strategy** in your negotiation, it will have some or all of the following characteristics:

- You may consider the relationship with the other party relatively unimportant.
- If the power is balanced between you, you may attempt one-upsmanship; if your power is unequal, the stronger of you will seek the compliance of the weaker.
- The communication between you will be closed and unreliable.
- Your attitude toward the other may be suspicious or hostile.
- Your goal is to win and for them to lose.
- Either verbally or mentally you may emphasize the differences between you, particularly values differences.
- You may challenge the legitimacy or authority of this particular person as your counterpart in the negotiation.
- You may assume that any misjudgments on their part are committed intentionally and with bad will.
- Tactically, you may use threats, deception, force, or power plays.

If you are pursuing a **collaborative strategy** in your negotiation, it will have some or all of the following characteristics:

- You will consider your current and future relationship between you important.
- If there is a power imbalance between you, you will consider it unimportant because you are looking for “buy-in” from the other, not compliance.

<sup>1</sup> Deutsch, Morton. *The Resolution of Conflict*, Yale University Press, 1973.



- You will attempt to keep your communication with the other party open and honest.
- You will attempt to maintain a trusting and friendly attitude toward the other party.
- You will be looking for a “win-win” type of solution.
- You will emphasize shared values and beliefs.
- You will accept the legitimacy of the other party to negotiate with you.
- You will give the other party the benefit of the doubt with misjudgments, and assume that they are committed unintentionally and with good will.
- Tactically, you will demonstrate a concern for the other party as well as yourself and search for common ground and mutually acceptable solutions.

In reviewing these descriptions of each strategy, you may recognize that many negotiations have a mixture of each but will tend more towards one than the other. What is important for you to understand is the consequences of your strategic decision. **Research has shown that collaboration will lead to collaboration, and competition will lead to competition.**<sup>2</sup>

Using a collaborative strategy can look very simple but, in fact, it is very complex and difficult to master. The remaining sessions of this program are designed to give you the analytic detail and help build your skills toward mastery.

<sup>2</sup> See *The Resolution of Conflict* for a more complete discussion of this concept.



## Comparison of Strategic Alternatives<sup>1</sup>

	<u>COOPERATIVE</u>	<u>COMPETITIVE</u>
<b>RELATIONSHIP</b>	Important where mutual support is necessary over time.	Unimportant: i.e. One-time deals, or when power holder refuses to negotiate.
<b>POWER BALANCE</b>	Unimportant because commitment as opposed to compliance requires a negotiated "buy in".	<i>When power is balanced:</i> "one-upmanship." <i>When power is not balanced:</i> Stronger seeks compliance of weaker.
<b>COMMUNICATION</b>	Open & honest.	Impoverished, closed, unreliable.
<b>ATTITUDE</b>	Trusting, friendly.	Suspicious, hostile.
<b>CONCEPT OF CONFLICT</b>	Win / Win.	Win / Lose.
<b>PERCEPTION OF VALUE DIFFERENCES</b>	Emphasis on shared values & beliefs.	Emphasis on differences.
<b>LEGITIMACY</b>	Accepted.	Challenged.
<b>MISJUDGEMENTS</b>	Benevolent.	Malevolent.
<b>TACTICS</b>	Concern for others as well as self, search for common	Concern only for self interest, threats, deception, force, powerplays.
<b>CONSEQUENCES</b>	Cooperation, creative solutions.	Competition, limited alternatives, deadlocks.

<sup>1</sup>Based on the theoretical work of Dr. Morton Deutsch in *The Resolution of Conflict*, Yale University Press, 1973.



# Conflict Resolution Methods

1. **Avoid the Conflict**—One can choose to ignore a conflict and avoid the person with whom the conflict exists. This may be as trivial as avoiding someone in the corridor, or it may be as extreme as leaving the organization and finding another job. There are many conflicts in life that you are smart to avoid because they are not worth your energy or because postponing them to a better time and place makes more sense. However, avoiding a conflict that is important to you, either because you feel afraid or don't feel capable of handling it, is likely to leave you disempowered and the conflict persistently unresolved.

2. **Negotiate**—The parties to a conflict can choose to work together to resolve their differences. Their strategy for negotiation may vary—for instance, they may genuinely work to understand each other's perspective and reach a mutually acceptable solution ("win-win"), or they may aggressively attempt to "win" the argument and have the other lose ("win-lose"). In any event, with both negotiation strategies, they retain power over any ultimate decision on how to resolve the conflict.

3. **Mediate**—Mediation is no different from what has been described above about negotiation except that a third party facilitates the two disputants in their negotiation. The two parties, however, retain all control over whether and what kind of agreement they may enter into although, of course, the mediator may provide suggestions. The mediator may guide the disputants in a collaborative negotiation strategy and help them reach a "win-win" solution. Or, the mediator may play the role of shuttle diplomat as they engage in a competitive bargaining process and reach a "win-lose" agreement or compromise.

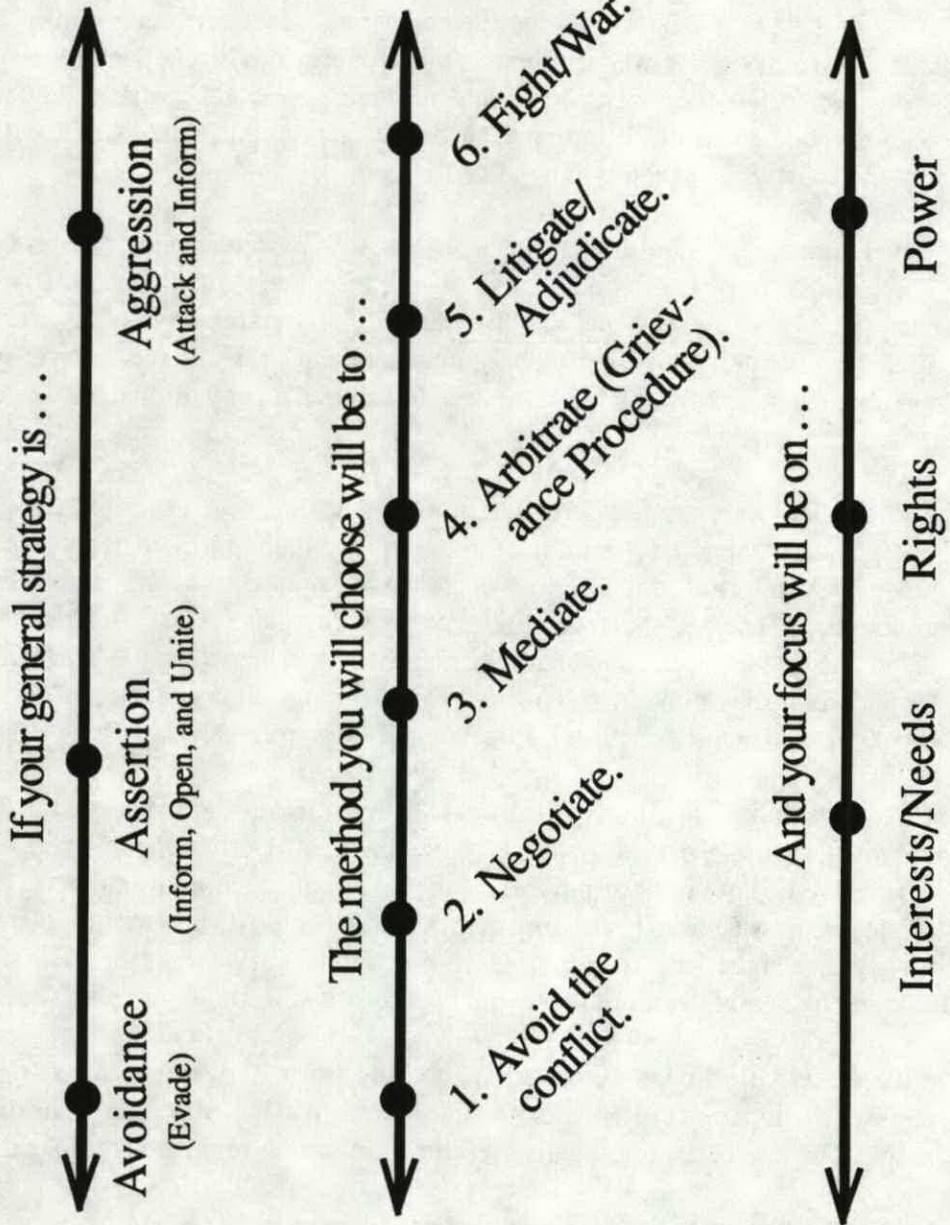
4. **Arbitration/Grievance Procedure**—In arbitration or grievance, a third party neutral hears arguments from the two disputants and makes a decision about whose argument is more persuasive or how guilt or innocence should be allocated between them. A formal arbitration procedure may be used in certain organization settings, such as for union grievances. Typically, however, "arbitration" may look more like a manager hearing the sides of two employees in disagreement and deciding for them how the situation should be resolved.

5. **Litigate/Adjudicate**—Once again, with litigation, power over the settlement of the dispute rests with a third party intervenor, in this instance, a judge, not either of the disputants. And, with lawyers involved, the arguments presented are further removed from the original disputants.

6. **Fight/War**—When formality is abandoned and people decide to physically or verbally fight it out, the last method on the dispute resolution schema is reached. Unfortunately, this method is used far too frequently because other less aggressive methods are not used well.



# Conflict Resolution Continuum



# Personal Journal

## Overview of Conflict and Negotiation

1. What were the most important things you learned from this module?
2. How is this information likely to change your approach to your next negotiaton or conflict situation?
3. What do you still need to clarify?
4. Other comments.



# Notes

15 minutes

Crossing the line exercise

Try to convince your partner  
over to your side.

X  
X  
X  
X  
X

Imaginary line

X  
X  
X  
X  
X

Learnings:

How did you get  
people across the line  
Frame - opposition  
Goal - we not 2  
thinking

15 minutes

- Go back in time to your childhood

What were the messages about  
conflict?

Assumptions  
Frames  $\Rightarrow$  Dave Y

Process

Never hit  
Avoid it  
Be nice  
Be seen but not heard  
Strongest survive  
Eye for an eye  
Torn the cheek  
Don't upset anybody

Don't worry  
Don't rock boat  
Don't make waves

Learning: Don't shake conflict under the rug  
Sometimes its good to avoid conflict  
Choose your conflict battles

Stale = "negotiate of mediate"  
figure out a way to work this out so its  
fair for both parties - Talk it out

## **Personal Journal Elements of Negotiation**

1. What were the most important things you learned from this session?
2. How is this information likely to change your approach to your next negotiation?
3. What do you still need to clarify?
4. Other comments.