



**Provost's Leadership Academy
Negotiations & Conflict Resolution**

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January 10, 2020



- **Introductions**
- **Overview of Negotiation**
- **Strategies for Dealing with Conflict**
- **Concluding Remarks**
- **Self-Development Plan**

Your Examples From The Survey

1. Resource challenges:

- # of TA positions and assignments per course
- Space allocation – offices, conference rooms, auditoriums
- Team assignments and classes
- Too few faculty/graduate students to teach tough courses
- Too many faculty/graduate students requesting to teach the same courses

2. Being asked to take on extra work:

- Service work, e.g., teaching planning
- Faculty recruitment, candidate offers including salary negotiation
- Determining the # of new courses the department will offer

3. Being assigned the role of negotiator/mediator...

- between conflicting department members of differing status
- with faculty who are not pulling their weight





Activity #1: WIN AS MUCH AS YOU CAN!

Rules of the Game

- 👍 The name of this game is “*Win As Much As You Can.*” Keep this title in mind throughout the game.
- 👍 A table of people is called a “*group.*”
- 👍 Two-Three people together are called a “*pair or partnership.*”
- 👍 Each person in the pair is a “*partner.*”
- 👍 Each pair must have an “*X*” and a “*Y*” card.
- 👍 **DO NOT DISCUSS ANYTHING WITH OTHER MEMBERS OF YOUR GROUP UNLESS YOU ARE GIVEN SPECIFIC INSTRUCTIONS TO DO SO. THIS APPLIES TO BOTH NONVERBAL AND VERBAL COMMUNICATION!**



Activity #1: WIN AS MUCH AS YOU CAN!

The Way the Game is Played

- 👍 Each pair studies the *Payout Schedule* and *Scorecard* for 3 minutes and discusses their understanding of the game. It is critical that no group conversation takes place at this time.
- 👍 There are *8 rounds* to this game. Bonus rounds will be explained at the time they are played.
- 👍 During each round, each pair will have 1 minute to decide whether to choose an *"X"* or a *"Y."* Make sure *no one else* in the group knows your choice while you are deciding which one to choose.
- 👍 When the moderator calls *TIME!!*, each pair will show their *"X"* or *"Y"* choice for the rest of the group to see.
- 👍 The group will compare the pattern of choices with the *Payout Schedule*. Each pair will record and keep track of their own *Pair Payout* and *Balance* on the *Scorecard*.
- 👍 Each pair will share their balance scores with each other...no other conversation will take place unless otherwise instructed.



Activity #1: WIN AS MUCH AS YOU CAN!

Payout Schedule

4**X**s Lose \$1 each

3**X**s Win \$1, 1**Y** Loses \$3

2**X**s Win \$1, 2**Y**s Lose \$1

1**X** Wins \$3, 3**Y**s Lose \$1

4**Y**s Win \$1 each



Activity #1: WIN AS MUCH AS YOU CAN!

Round	Time	Pair Choice X or Y?	Bonus?	Won or Lost? Pair Payoff?	BALANCE
1	Partners: 3 min.		No		
2	Partners: 1 min.		No		
3	Partners: 1 min.		No		
4	Group: 3 min. Partners: 1 min.		Yes Multiply X 3		
5	Partners: 1 min.		No		
6	Group: 2 min. Partners: 1 min.		Yes Multiply X 5		
7	Partners: 1 min.		No		
8	Group: 1 min. Partners: 1 min.		Yes Multiply X 10		

Negotiation...



is something that everyone does

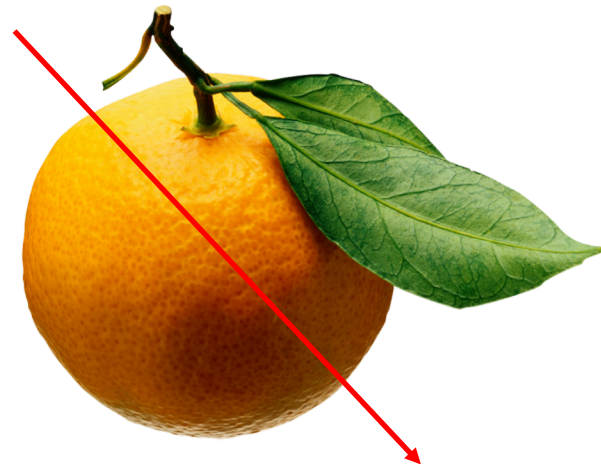
...almost daily

...in virtually every part of their life!



Interests
The Why?
Mutual-Interest Negotiation

Positions
The What?
Self-Interest Bargaining



Negotiation *Positions* are...



- Terms, demands, offers – **thoughts** and **opinions** about the best solution to the problem between you and others
- The “**What**”
 - ✓ Price, fees, expenses, costs, timing, speed, volume, quantity, span of control, resources such as staffing, technology, budget, space

Negotiation *Interests* are...



- Core drivers of **emotions** and **behaviors** – “silent movers,” typically the most powerful are basic human needs
- The “**Why**”
 - ✓ Financial security, sense of belonging, acceptance, control, recognition, hope, fear, esteem, legacy, reputation, status, respect, fulfillment, love, freedom, purpose, impact.

Negotiation is...



**Back-and-forth
communication
aimed at reaching
agreement
when some **interests** are
shared
and some are **opposed**.**

Fisher, Ury, and Patton, *Getting to Yes*

Negotiation is...

“Making the best decisions to maximize your interests... knowing how to reach the best agreement, not just any agreement.”

Max Bazerman, Harvard Program on Negotiation

“An interpersonal decision-making process necessary whenever we cannot achieve our objectives single-handedly.”

Leigh Thompson, Northwestern Kellogg Dispute Resolution & Research Center

Two Approaches

The story of the orange!



1. Distributive Bargaining

- Position-based
- Competitive to gain the most
- Value claiming
- Win-lose divergence
- Single-issue “tug of war”
- The “X” card

2. Integrative Negotiation

- Interest-based
- Cooperative for mutual-gains
- Value creating
- Win-win convergence
- Multiple issues “unbundled”
- The “Y” card

Activity #2

Negotiation Terminology Practice

Example: Hiring New Faculty – Final Negotiation with the Selected Candidate

- Identify 3 issues that are the highest priority to resolve.
- What are your positions for each issue?
- What are your interests for each issue?

Why Negotiate?



- ✓ To agree on how to share or divide a limited resource
- ✓ To create something new that neither party could attain on their own
- ✓ To resolve a problem or dispute between the parties

Activity #3: When Negotiations Are About Resolving Conflict

Functional Conflict Approach?

1. Encourages problem resolution through discussion.
2. Promises change and adaptation.
3. Competitive, win-lose goals.
4. Misperception and bias.
5. Strengthens relationships and heightens morale.
6. Promotes awareness of self and others.
7. Emotionality over rationality.

Dysfunctional Conflict Approach?

8. Decreased communication.
9. Enhances personal development.
10. Blurred issues.
11. Rigid commitments.
12. Magnified differences, minimized similarities.
13. Encourages development — it helps negotiators become more accurate and realistic in their self-appraisals.
14. Can be stimulating and fun.
15. Overconfidence/under-confidence.
16. “Fight-flight”/anger-fear reactions and patterns of behavior.

How Are We Thinking About the Conflict? Cognitive Distortions

1. All-or-nothing thinking
2. Overgeneralization
3. Mental filter
4. Disqualifying the positive
5. Jumping to conclusions
6. Personalization
7. Emotional reasoning
8. “Should” statements
9. Labeling and mislabeling
10. Magnification or minimization



Burns: *Feeling Good: The New Mood Therapy* (Cognitive Based Therapy)

Is the Conflict Topic Hot or Cool?

Hot Topic	Cool Topic
• Emotional	• Cognitive
• “Go”	• “Know”
• Simple	• Complex
• Reflexive	• Reflective
• Fast	• Slow
• Develops Early	• Develops Late
• Accentuated by Stress	• Attenuated by Stress
• Stimulus Control	• Self-Control

Metcalfe and Mischel, *A Hot/Cool System of Delay of Gratification: Dynamics of Willpower*
as viewed in Edmondson and Smith, *Too Hot to Handle? How to Manage Relationship Conflict*

Which Interests Commonly Underlie Conflict?



Appreciation?

- Feeling understood and honestly valued

Fisher and Shapiro, *Beyond Reason: Using Emotions As You Negotiate*

Which Interests Commonly Underlie Conflict?



Affiliation?

- Connection with a group or person

Fisher and Shapiro, *Beyond Reason: Using Emotions As You Negotiate*

Which Interests Commonly Underlie Conflict?

Autonomy?

- Freedom to affect or make decisions without the imposition of others



Fisher and Shapiro, *Beyond Reason: Using Emotions As You Negotiate*

Which Interests Commonly Underlie Conflict?

Status?

- One's standing in comparison to the standing of others



Fisher and Shapiro, *Beyond Reason: Using Emotions As You Negotiate*

Which Interests Commonly Underlie Conflict?

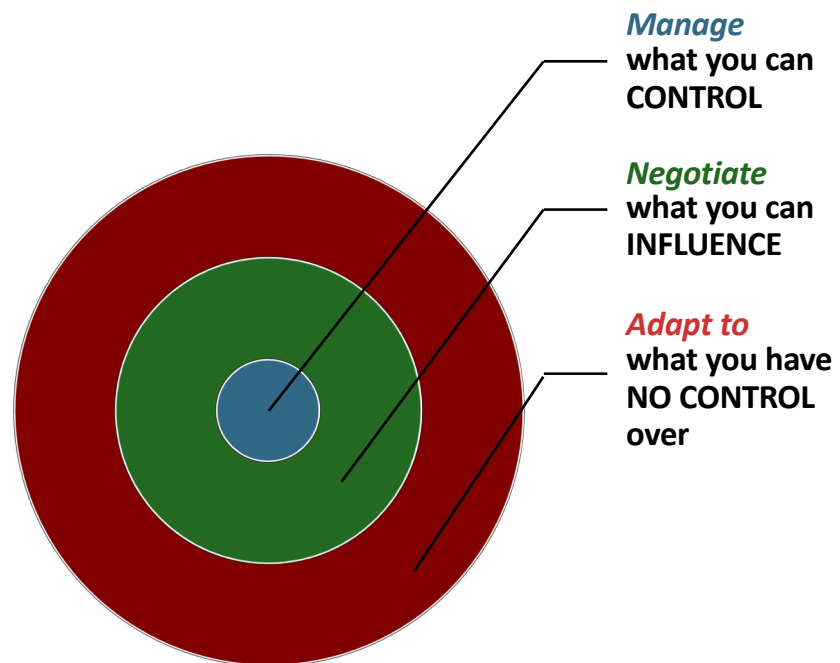


Role?

- Serving a function that fulfills our needs and standards of appreciation, affiliation, autonomy, and status

Fisher and Shapiro, *Beyond Reason: Using Emotions As You Negotiate*

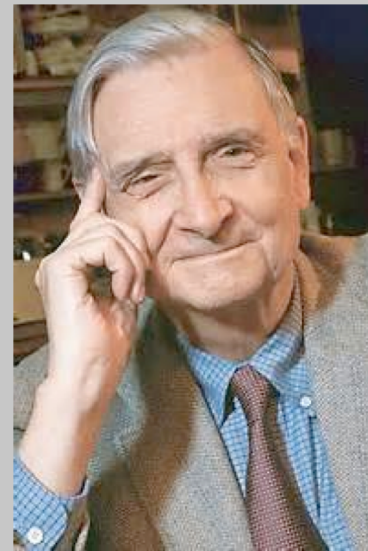
Issues of Control



Adapted from: Covey, *Seven Habits of Highly Effective People*

How Are We Feeling About The Conflict?

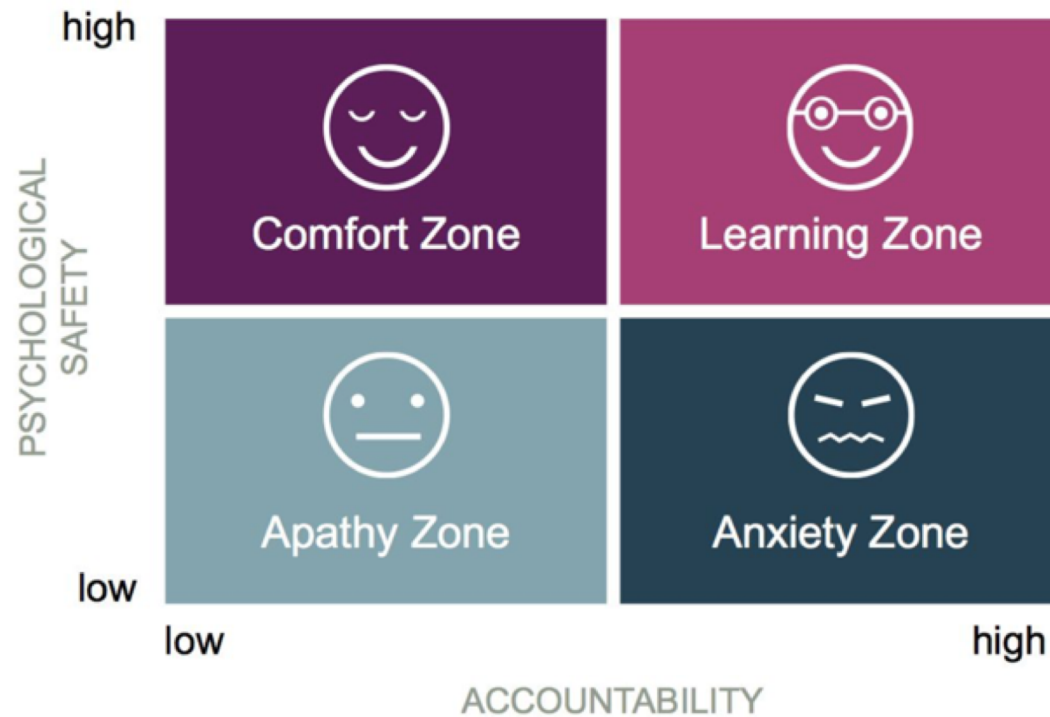
We have created a Star Wars civilization



with Stone Age emotions...

E.O. Wilson, *The Social Conquest of Earth*

How Are We Are Feeling About the Conflict?



Edmondson, *The Fearless Organization*

Conflict Behavioral Style Based on Needs

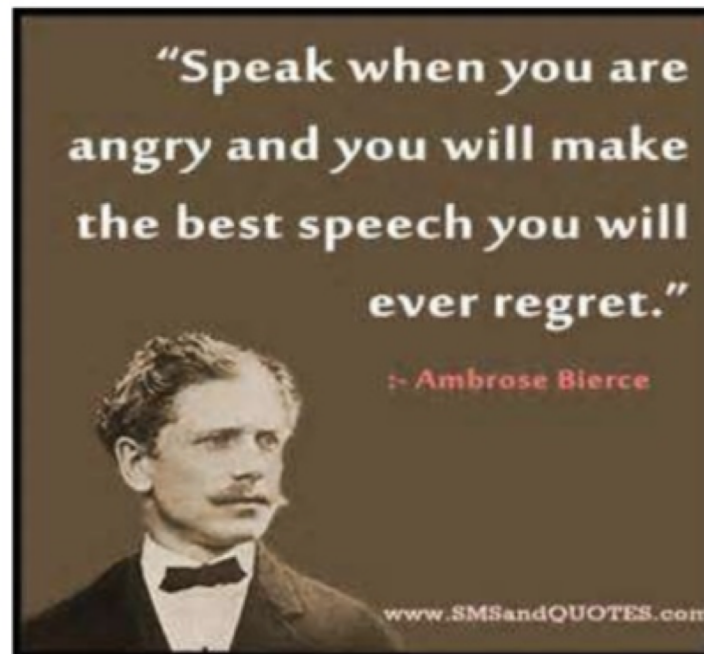


Thomas and Kilmann, *TKI Conflict Mode*

Resolving Conflict in Negotiations

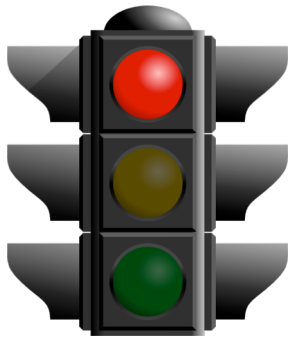
The Goal: Joint Problem-Solving	Barriers to Cooperation	<i>Breakthrough Strategies</i>
✓ Sitting side by side	✓ Emotions ✓ Interests	1. Don't react: <i>Go to the Balcony</i> 2. Don't argue: <i>Step to Their Side</i>
✓ Facing the problem	✓ Positions	3. Don't reject: <i>Reframe</i> 4. Don't push: <i>Build a Golden Bridge</i>
✓ Reaching a mutually satisfactory agreement	✓ Dissatisfaction ✓ Power Dynamics	5. Don't escalate: <i>Use Power to Educate</i>

Don't React: Go to the Balcony



Activity #4 – Self-Assessment

Don't React: Go to the Balcony



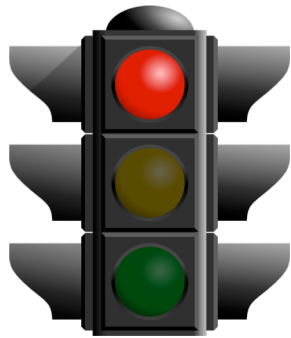
Stop!
Tune In
Catch Yourself
Get Perspective

Adapted from: Ury, *Getting Past No*

Reflection – respond to the following about your “Going to the Balcony” practices during negotiation or conflict situations in-the-moment.	Yes?	No?
1. Are you aware of the emotions you are experiencing and how they are impacting your reactions to conflict?		
2. Do you catch yourself from blurting out emotional impulses you may be feeling?		
3. Do you determine if your self-talk is fact-based or biased with cognitive distortions, and, if is this contributing to your reactions to a conflict?		
4. Do you know what triggers your hot buttons, and can you minimize the impact of those triggers?		
5. Do you identify your emotions and determine how they may or may not be helping you?		
6. Do you maintain composure either by choosing to: not respond, ask questions, or say that you need time to think things through?		
7. Do you delay making decisions on-the-spot if you feel you’re not ready or clear-minded?		
8. Do you take time to reflect by “rewinding” the conflict situation in your mind, playing it back, and seeing things differently, more clearly?		
9. Do you take other’s interests and perspectives into account by seeking to understand their points of view?		
10. Do you use calming practices to help maintain your composure and get perspective, i.e., writing, using constructive self-talk, recommending a break, etc.?		

Activity #4 – Self-Assessment

Don't React: Go to the Balcony



Stop!
Tune In
Catch Yourself
Get Perspective

Reflection – what one thing can you improve to more effectively *Go to the Balcony* and maintain composure when negotiations include conflict?

Don't Argue: Step to Their Side Where is Their Head?

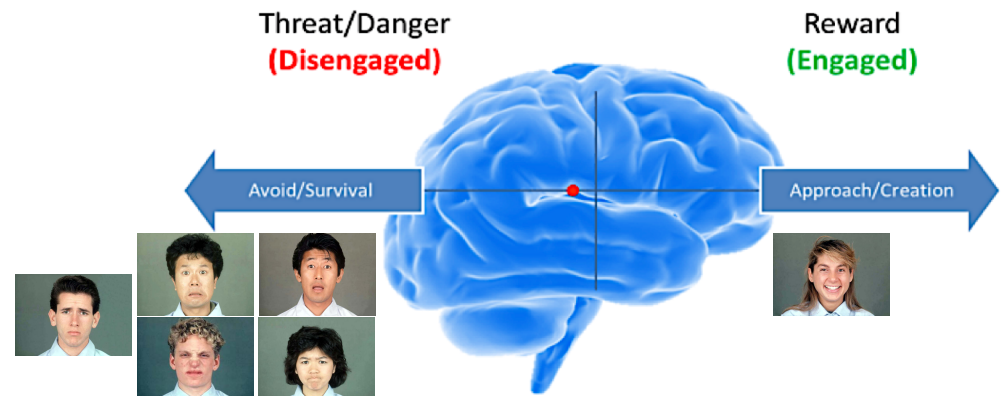
Others will judge you by determining if you will be...

- helpful or hurtful
- trustworthy or deceptive
- an enabler or an obstacle
- a supporter or detractor

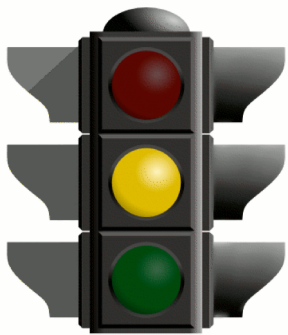
Functional
Conflict

Dysfunctional
Conflict

Goleman, *The Brain and Emotional Intelligence*;
Ury, *Getting Past No*;
Wildflower and Brennan, *The Handbook of Knowledge-Based Coaching*



Don't Argue: Step to Their Side Use Empathy



**Slow!
Listen
Understand
Think Through**

Goleman, Social Intelligence

Emotional Empathy



Cognitive Empathy

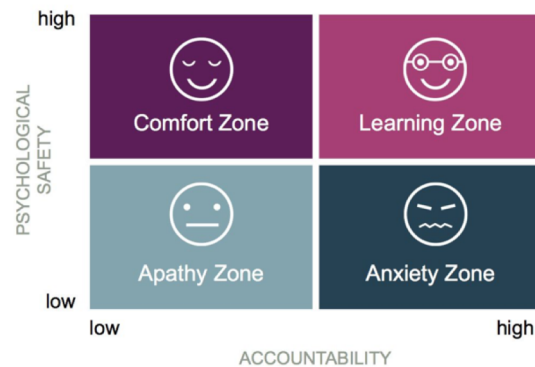


Compassionate Empathy



Don't Argue: Step to Their Side

Assertive Communication



Assertive

Passive

ACCOMMODATING COMMUNICATION

I lose, you win

Your needs are more important than my needs

OTHER-FOCUSED
INQUIRY ONLY

COLLABORATIVE COMMUNICATION

I win, you win

Our needs are equally important

BALANCED
INQUIRY & ADVOCACY

Aggressive

COMPETITIVE COMMUNICATION

I win, you lose

My needs are more important than your needs

SELF-FOCUSED
ADVOCACY ONLY

Don't Argue: Step to Their Side

Active Listening



COLLABORATIVE
COMMUNICATION
I win, you win

Our needs are
equally important

BALANCED
INQUIRY & ADVOCACY

Brief Guidelines

- Don't interrupt, don't judge.
- Listen with your eyes and ears.
- Pay attention to:
 - ✓ Content
 - ✓ Intent
 - ✓ Interests
 - ✓ Emotions

Don't Argue: Step to Their Side

Active Listening



**COLLABORATIVE
COMMUNICATION**
I win, you win

Our needs are
equally important

**BALANCED
INQUIRY & ADVOCACY**

Strategy	Method	Examples
<i>Encouraging</i> Convey interest in the other person continuing to speak.	Don't agree or disagree. Be neutral and noncommittal.	I see... Tell me more... Uh huh... That's interesting...
<i>Restating</i> Show the other person you understand the facts, the story, the details, and the data.	Paraphrase the story and make sure to repeat any relevant facts accurately.	I understand your idea is to... So, in essence, you're saying that...
<i>Reflecting</i> Show the other person that you understand how they feel and why that's important.	Reflect the basic feelings (close counts!), e.g., frustration, disappointment, concern, irritated.	You feel that... You were ____ about this... You're feeling ____ about... You seem to feel..
<i>Summarizing</i> To pull the discussion all together at the end or midpoint.	Review the main points, open items and conclusions.	These look like the major points... As I understand it To summarize...

Don't Argue: Step to Their Side

Active Listening – Questions & Probes



Less Inquiry

More Inquiry

Closed-Ended Questions & Probes

- ✓ What you get: short, quick, direct answers and responses.
- ✓ Examples: Where? When? Who? Is? Does? Are? Which?

Open-Ended Questions & Probes

- ✓ What you get: the “story,” details, facts, information.
- ✓ Examples: What? How? Why? Tell me... Explain... Describe...

Powerful Questions & Probes

- ✓ What you get: ideas, opinions, analysis, emotions, dialogue.
- ✓ Examples: How do you feel about..? What do you think about..?

Don't Argue: Step to Their Side

Active Listening – Questions & Probes

Goal Accomplishment Questions

1. What do you think needs to be accomplished?
2. How can we achieve these results?
3. What does accomplishment look like?
4. What support/buy-in do you have/could you have more of?
5. What would happen if this is not accomplished?
6. How much does this matter?

Exploratory/Scenario-Building Questions

1. If there were no constraints, what would you do differently?
2. What are the possibilities in this situation?
3. What are some options to maximize the chances of the best outcome?
4. How can you impact your outcomes?
5. How can you influence factors in your favor?



Perspective Challenge Questions

1. What assumptions are you making?
2. What facts are you not considering?
3. That's one perspective, what is another?
4. How do you know that?
5. What do you need to do more of/less of?
6. What is your role?
7. How might you need to think differently?

Encouraging/Supporting Questions

1. Explain...I see...tell me more...for example?
2. What do you think about..?
3. What is your gut feeling about..?
4. What ideas do you have about..?
5. What would ___ say about..?
6. What are your thoughts/opinions about...?
7. In essence/in summary, you're saying that...

Don't Argue: Step to Their Side

Active Listening – Questions & Probes

Information Gathering Questions

1. What do others you disagree with say?
2. What is the gap between your facts and others'?
How can this be bridged?
3. What is it about this situation that no one talks about except behind the scenes?
4. What is the history behind this?
5. How can other resources be leveraged?

Emotions/Motivation Questions

1. What makes this so important to you other than you were told/asked?
2. What is at stake for you?
3. You seem ___ about ___ because...
4. You sound like you're feeling...is that right?
5. How would this impact you if ___ is not accomplished?



Learning Questions

1. What have you learned from this experience?
2. What would you do differently if you could start over? How do you feel about that?
3. How can you recover from this?
4. What is the message/lesson here?
5. What is a tough truth in this situation you would prefer to not deal with but have to?

Action-Orientation Questions

1. It sounds like you have made a decision/come to a conclusion – what is it?
2. What is your plan/approach?
3. What could get this plan off track?
4. What people, time, resources are must-haves vs. nice-to-haves?
5. What scenario planning have you done?

Activity #5

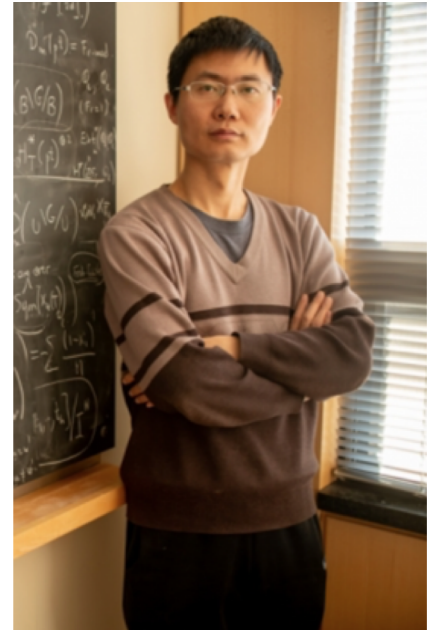
In pairs, take 5 minutes each to listen to each other's response to the statement below. Use active listening to set a psychologically safe tone.



*What I wish others knew and understood
about my role and responsibilities
is/are...*

Activity #6: Case Role Play

- Use the *Breakthrough Strategies: Go to the Balcony* and *Step to Their Side* to begin to resolve the class assignment issues with Professor Pat.
- You believe getting past an impasse with Prof. Pat will influence the rest of the Ladder faculty to resolve their issues as well, which will get the Dean off your back!
- Feel free to bring in other realistic information and resources that might be helpful to negotiate and resolve this conflict.



Negotiation...



is something that everyone does

...almost daily

...in virtually every part of their life!

Self-Development Plan

To be even more effective at dealing with conflict in negotiations, I commit to...

<i>continue doing...</i>	<i>start doing/do more of...</i>	<i>stop doing/do less of...</i>