Things to remember in negotiations
Art Stewart, VADOE

1. Your first task is to get to know people, to understand what it is like for them to be in the circumstances in which they perceive themselves to be. Seek to establish rapport and common goals.

2. Variability of value: elements may not be equally valued by the parties. What are people’s values, beliefs, goals, fears?

3. Shifts happen: they may not be flagged or underlined

4. Spend time framing the issue: it is an opportunity to engage people’s motivation and problem-solving energies.

5. Poor negotiators talk too much. Good negotiators listen, listen, listen. They ask questions to elicit, clarify and narrow the issues.

6. When a plan is agreed upon, try to find agreement on how progress will be measured: “How will we assess how this is working?”

7. People are risk-aversive. Focus on maximizing the gain rather than reducing the risk.
8. Bridging: How can you build a bridge toward understanding? What are the hidden assumptions in people’s thinking? How can you look at two opposing options and find the non-opposing sub-interests?

9. Don’t let your hot buttons get pushed. Don’t get defensive. Restate what you’ve just heard in the positive.

10. Things that people value highly which are easy to give:
   - Respect
   - Validation
   - Praise
   - Help
   - Concern for their and their child’s welfare
   - Unconditional positive regard

11. Biases we bring to negotiations:
    - Anchoring bias
    - Recall bias
    - Overconfidence
    - Resistance to new, disconfirming information
    - History of negotiations
    - Stereotypical expectations
12. Create a team at the table: use inclusive “we” language

13. Consider using visual aids to help you make your point.

14. Consider using self-deprecating humor to make a point.

15. Bring your whole self to the table. Dale Carnegie said: “When dealing with people, remember that you are not dealing with creatures of logic, but with creatures of emotion.

16. How do people inform themselves? How would you like for them to inform themselves?

17. Timing is everything.

18. Precision in language and meaning is everything. Word choice needs to be exquisite. Check to see if what you said was what they heard.


20. Narrow the issues to what can be decided. Don’t let one unsettled issue hold the rest hostage.