Engineering the Art of Negotiation
Part 2: How to Handle Your Colleagues

By John G. Shulman
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Introduction

You can like them, even love them. Sometimes, you dislike or even hate them. But you can’t live without them.

Who are we talking about? Your colleagues!

If you work in a large organization, or even a not-so-large organization, you are constantly forced to deal with your colleagues. In fact, you are constantly forced to negotiate with them.

You have to negotiate with your colleagues about time lines and responsibilities, credit for work done and blame for work not done, or done wrong. You negotiate with your colleagues day in and day out.

And like family, you negotiate with your colleagues because you have to. You are tied together — part of a team that must function effectively for the larger organization to function well. These are special kinds of negotiations, where relationships matter because you have to deal with each other, over and over again.

This book is the second installment in a series of e-Books published by IEEE-USA, in partnership with the international negotiation training and consulting firm, Alignor. In coming months, you can look forward to additional books on how to deal with difficult people, how to negotiate for a new job, how to negotiate better terms in your existing job, and how to hold people accountable.

This book will focus on how you can build strong relationships with your colleagues and get them to do what you want. We will explore together how the most effective team leaders and team members use:

- A deep understanding of their own interests
- A willingness to listen to their colleagues
- Flexibility in seeking solutions that satisfy their own needs and the needs of their colleagues

The approach to negotiation shared in this book is deeply practical, and has also been recognized as a global best practice.

IEEE-USA and Alignor hope you enjoy the Engineering the Art of Negotiation series. We hope you apply the lessons in these books to make your professional (and your personal) life more rewarding and less stressful.

We also welcome your feedback and suggestions on how we can make this series more useful. In addition to the e-Book series, IEEE-USA and Alignor will be offering webinars, online learning resources, and other opportunities for you to apply and improve key negotiation skills that can make the difference in your career advancement and success.

You can get more information about these resources at www.alignor.com. You can also reach me directly at jshulman@alignor.com. I look forward to hearing from you.

~John G. Shulman
Is handling your colleagues really a negotiation? Isn't it just a matter of common sense?

Shouldn't you just follow the Golden Rule: *Do unto others as you would have them do unto you?*

These are great questions. They form an excellent starting point in figuring out how to handle our colleagues.

Is handling your colleagues really a negotiation?

Yes, it is. Whenever you interact with your colleagues, you are participating in a relationship. Each interaction forms part of a web of expectations that becomes a “history” of perceptions each of you has of the other. Through those interactions, you either build trust, or you undermine it. You either grow closer, or you grow apart.

Such interactions hold true not merely for relationships with your colleagues, but for any other meaningful relationship you have.

Now, the point is not that every interaction with your colleagues is a negotiation. It is to recognize that every interaction you have with your colleagues potentially affects your relationships with them, because each of you is assessing the reliability, likeability, trustworthiness and consistency of the other. And when that perception of the other affects your relationships, it has a profound impact on your ability to persuade your colleagues to do what you want, when you want them to do it (and vice versa).

When you want to persuade your colleagues to do something — or when they want to persuade you — now that is a negotiation!

So, in the sense that your ability to persuade others is affected by your relationships with them, and your relationships are affected by potentially every interaction you have with them, you are negotiating with your colleagues more than you think!

In handling your colleagues, shouldn’t you just use common sense?

Look, when people say, *Just use common sense* to handle your colleagues, they really mean: I know how to handle my colleagues, but I don’t feel any particular need to share my insights with you! The point is not that you should ignore common sense, but that the term itself is not enough to describe how you should handle your colleagues.

So, in this book, we will look at applied common sense. Nothing in this book should strike you as counter to common sense. On the other hand, you may find that some of the suggestions in this book are far from obvious, and perhaps even counterintuitive. I’ll let you be the judge of that.

What about the Golden Rule?

Okay, this may surprise you. The Golden Rule sounds good in theory. In practice, you may find it needs to be modified. Here’s why.

If you merely *do unto others as you would have them do unto you, you may or may not meet their actual needs.*
That’s right; the Golden Rule may not apply to all people and all situations. For example, what you want may be exactly what your colleagues want, but it also might be different from what your colleagues want. And if you project your own wants and needs onto others, you may be surprised to find that even though you are applying the Golden Rule, your colleagues are not as pleased by this as you would expect.

So let’s modify the Golden Rule. Let’s agree on a new Golden Rule for negotiating with your colleagues:

**GOLDEN RULE OF NEGOTIATION**

*Do unto others as they would have you do unto them, as long as doing so satisfies your own interests as well.*

You can put this Golden Rule for Negotiation right into practice. Let’s see how it is done.

**The Difference between Positions and Interests**

When you deal with your colleagues, they will generally tell you what they want. In doing so, your colleagues often take positions.

For example, if you are trying to convince a colleague to help you on a project, you might say, “I need your help with something. Could you give me some time this week?”

In response, your colleague may say, “I’m really busy right now. I can only spare two hours tomorrow.”

In our example, you communicated an interest in obtaining help from your colleague. You asked for “some time,” but did not specify the amount of time you need.

By contrast, your colleague communicated a position in response. Your colleague offered a specific amount of time — two hours (the position) — that was intended to satisfy her underlying interest in minimizing the amount of time she commits to your project.

A position is generally one way to satisfy a person’s underlying interests. But it is not necessarily the best way to satisfy those interests.

In response to your colleague’s position, you might negotiate for more time over the course of the week. You might say, “Look, I really need you to be available Thursday and Friday as well.”

Your colleague might then respond, “I can give you another hour on Friday, but not Thursday.”

Now you have to decide whether to accept what your colleague has offered, or go for more. If you do not want to accept what she has offered, you could say, “I need an hour on Thursday as well.”

The ball has shifted to your colleague’s court. Will she end the discussion and create an impasse? Or will she respond with another position, such as “half an hour on Thursday and half an hour on Friday”? You wait to see what your colleague will do.

I call this the high-low game. Each round of back-and-forth is a game to see how much you can get and how little you have to give. And your colleague views it the same way.
The problem with this approach to negotiation with your colleagues is it wears people out. You and your colleague get tired of the game. If one of you “wins” one time, the other often resents it, and then tries to get even the next time by starting “higher” or “lower,” depending on the circumstances.

This strategy is a bad way to manage relationships. And as we have seen, handling your colleagues is fundamentally about building and leveraging relationships. If you find yourself playing the high-low game with your colleagues, it’s a key indicator that you are on the wrong track.

How do you fall into the high-low game?

By taking or responding to positions, rather than staying focused on your underlying interests.

What are your underlying interests? Interests are your wants or needs.

Remember, a position is, at best, just one way to satisfy a person’s underlying interests. A position is not necessarily the best way to satisfy interests, however. Let’s take a look again at our example.

In our example, it may be that you do not need two hours from your colleague tomorrow. In fact, you may need less of her time but spread out over the week. In our example, perhaps you would prefer to run some ideas by your colleague, as certain test results become available, over the course of the week. And it may take your colleague only five minutes each time to give you her expertise.

So, how exactly do positions relate to interests? And why does it matter? These are key questions!

**Positions are what people say they want; interests are what they really want.**

Does this mean people are lying about what they want?

Sometimes they are. More often, they just get focused on one way of getting what they want.

The reason you should understand the difference between a position and an interest is, you don’t want to get stuck negotiating against someone else’s position by taking positions of your own. Instead, you want to try to figure out what the other person’s real interests are, based on the positions they take.

For example, if your colleague says she can only give you two hours tomorrow, her real underlying interest is to minimize the time she commits to help you. And your real interest is not to maximize her time commitment to you but to get access to your colleague’s expertise when you need it.

So, rather than responding to your colleague’s position with a position of your own — such as by asking for three hours later in the week — you can find other ways to satisfy your colleague’s interest. You can minimize her time commitment, and satisfy your interest in getting access to her expertise when you need it. For example, you might agree to coordinate sharing test results over the rest of the week with your colleague’s schedule, so that she can plan opportunities to provide feedback without a large time commitment, and without disrupting her other work.

When you negotiate with your colleagues, or anyone else with whom you have an ongoing relationship, you should focus on interests, not positions.

When you focus on interests, you avoid the high-low game, improve relationships, and turn negotiations into a collaborative, problem-solving exercise. It is the best way to handle your colleagues.
How do you do this?
The first step is to understand your interests.
Does that sound easy and obvious? Let’s take a look.

**Understand Your Interests**

If you haven’t read Part 1 of the *Engineering the Art of Negotiation* series, you should. The beginning of that installment in the series gives you an overview of a Three-Step Process you can use to prepare for negotiations. The Three-Step Process applies to all negotiations.

The three steps are as follows:

**THREE-STEP PROCESS**

**Step One:** Who is involved and what do they need?

**Step Two:** What can we do to meet the needs of others and get what we want?

**Step Three:** What are the consequences if we do not come to agreement?

Step One is all about figuring out who the *stakeholders* are and what their *interests* are.

We will focus for a moment here on one aspect of that analysis, which is figuring out your own interests.

What do we mean by *figuring out your own interests*? We mean you should figure out what you really want or need in a given situation. You should figure out your wants and needs to the best of your ability before you start negotiating with other people, such as your colleagues. It doesn’t mean you’ll know all of your interests before you start talking with your colleagues, but you should make your best effort to figure out what you need and want before you talk with others. Then, if during conversations with your colleagues, you realize your interests are a bit different from what you had previously thought, you can always adjust.

Remember, we are talking here about your underlying interests, not positions. So, rather than get stuck on one specific option, try to figure out what need or want you are trying to satisfy. Then, as you will later see, you can be flexible about how to get that interest satisfied.

This strategy may sound easy. In my experience, I have found that it is not always so easy.

For example, *we* often think we know what we want because *in the past, we have come to expect certain things*. Let’s say every time I asked for help from my colleague, she said, “Okay.” So, I figure that my interest is to have her do what I ask her to do. But that is not the end of the story. Maybe I didn’t pay close attention. As it turns out, she has been grumbling to others that she is tired of me taking her for granted. If I thought more carefully about my interests, I might realize that my real underlying interest is not to have my colleague do what I ask her to do, but it is to get the help I need from her.
when I really need it. And I might also have an interest in preserving my ongoing relationship with my colleague.

Another way that we can misunderstand our own interests is when we think we know what we want, because other people tell us what we should want. Perhaps my colleagues have convinced me that I should be in charge of a project. But it turns out that the project is headed for disaster, and I will be blamed for the mess. My real interest here might be to ensure accountability for all, rather than for me to be in charge of the project.

Or sometimes we think we know what we want; because other people tell us we cannot have something! It's just like the reverse psychology parents play with young children: “I bet you can't clean up that mess on the floor!” What is amazing is how often we can fall for it as adults. My colleague might say, “I don't think you have a chance to get this project right.” Taking on the challenge, I think, “I'll show you!” And before I know it, I've convinced myself that my interest is to do something that I never would have wanted to do before my colleague issued the challenge.

The problem with all of these ways of thinking is, they are all forms of reacting, rather than thinking for yourself.

So, before you negotiate with your colleagues, try to figure out what you really want to get out of the situation. That is, try to figure out your interests.

Figure Out the Interests of Your Colleagues

After you have developed a good understanding of your own interests, turn your attention to your colleagues. Try to figure out their interests.

How can you do this? Great question!

First of all, try putting yourself in your colleagues' place. If you were they, what would you want?

But don't stop there. Think of all the things your colleagues have said and done in similar situations in the past. It will give you a sense of what their underlying interests are. Most people will act in a manner they think will help them satisfy their interests. So, just by observing what people have said — and more important — what they have done in the past, you can often get tremendous insights into what their underlying interests are.

Also, don't be afraid to ask your colleagues what they want or need. Sometimes they will tell you exactly what their interests are, to the extent they are clear about their own interests.

Other times, they may respond to your questions by taking positions. But that is okay, too. Why? Because one way to understand the interests of your colleagues is to listen to the positions they take.

Wait a minute. Didn't we just discuss earlier about how you should focus on your underlying interests, rather than on positions? That's exactly right -- when we are talking about our own interests. But it turns out that the positions others take can be helpful when we are trying to understand their interests.

For example, if my colleague tells me she can only give me 15 minutes of her time, she is taking a position. Now, I could respond with a position of my own, and tell her I need at least three hours. But that would only get us into the high-low game. And my objective here is to understand my
colleague's underlying interests. So, instead of responding with my own position, I ask myself: What position is my colleague taking that tells me about her underlying interests? And the answer is obvious. She wants to minimize the amount of time she helps me!

We saw earlier that a great way to respond to your colleagues when they take a position is to ask the question: *Why?* Asking this question not only helps you stay out of the high-low game, it also provides you with information that can lead you to a deeper understanding of your colleagues’ underlying interests.

So, if your colleague tells you she can only give you 15 minutes, you could ask her why that is. Then your colleague might say, “I have a meeting with the boss in an hour and I have to prepare.”

What did we just learn about your colleague’s underlying interests? We learned that her actual interest is to delay helping you until after her meeting with the boss. Why is this significant? Because rather than just accept your colleague’s offer of help for 15 minutes (which may not be enough for you), you could potentially satisfy both her interest in delaying the help and your own interest in getting sufficient time from your colleague — if you schedule your meeting with her for after she has her meeting with the boss.

Another way to help you understand a colleague’s interests is to ask other people. You may be surprised how much the people around you know about each other and are willing to share. It’s not participating in idle gossip — but having constructive conversation about your colleague’s needs that you can use to prepare you for problem-solving conversations about how to meet those needs.

So, don’t be shy! Ask your colleagues about their needs. Ask other people about your colleagues’ needs. And put yourself in their place to anticipate what you think their needs might be.

Once you have a sense of your own and your colleague’s needs, it’s time for problem-solving. Let’s see how that works.

**Invite Your Colleagues to Help Find Solutions**

It’s time to come up with solutions. What do we mean by *solutions*? We mean it’s time to figure out ways to satisfy your own and your colleague’s interests.

And once you have done the hard work of understanding your own interests, and figuring out the interests of your colleagues, it should get easier to find solutions — for two reasons. First, you are trying to find solutions to a targeted set of interests (yours and theirs). Second, you don’t have to do this work alone.

We are now talking about Step Two of our three-step process. Step Two is where we first brainstorm possible options for satisfying stakeholder interests. Then, we evaluate the actions that most effectively satisfy identified interests, and put together a package.

It sounds simple. And it actually is pretty straightforward, if you follow some basic ground rules. So, let’s look at what these ground rules for finding solutions mean in real life.
First, you should brainstorm ideas for satisfying your own interests and the interests of your colleagues. You can do this on your own. Or you can invite your colleagues to participate in the brainstorming. When you brainstorm, be sure to keep a list of the interests you are trying to satisfy in front of you, so that your brainstorming is targeted at those interests. But don’t evaluate the ideas you are brainstorming yet. Just let them flow and record them.

Second, if you are able to get your colleagues to participate in brainstorming, clarify that the generated ideas will not be “owned” by, or attributed to, any individual. This clarification will free participants to throw out all sorts of ideas without worrying that someone will later say, “Whose [rotten] idea was that?!” If your colleagues choose to take credit for a good idea later, you can decide at that point how to handle it (give them credit, or refute their claim).

Third, don’t criticize or praise any ideas during brainstorming sessions. Criticism or excessive praise during brainstorming tends to constrain people. They begin worrying about how others will react, and censor themselves from throwing out unconventional ideas that might draw criticism. By contrast, if there is no evaluation during brainstorming, then the flow of ideas will be freer. You may be surprised how often breakthrough ideas are generated in that atmosphere. You can take plenty of time to evaluate later.

Fourth, when it’s time to evaluate the brainstormed ideas, be sure to look at packages of ideas. Don’t prematurely rule in or out certain isolated ideas. Instead, see how various ideas that satisfy you or your colleagues may fit together. For example, while one isolated idea may harm your interests, you may still want to consider that idea in a package that effectively satisfies your interests overall.

After you have brainstormed and evaluated possible ideas, you may need to consider whether you must hold your colleagues accountable.

Accountability often comes up when your colleagues don’t do what they say they will do. It also arises when your colleagues refuse to come to agreement with you. Such situations can happen through outright disagreement, or through a more subtle failure to make clear commitments. Let’s take a look at what you should consider under those circumstances.

**GROUND RULES FOR FINDING SOLUTIONS**

- Separate brainstorming from evaluating.
- Do not attribute ideas to any specific individual
- Do not criticize (or praise) any ideas during brainstorming
- When evaluating ideas (after brainstorming), evaluate groups of ideas as a package
**Hold Your Colleagues Accountable**

Look, most of us would rather not deal with conflict. And a few of us look for opportunities to provoke conflict. Either way, conflict is a fact of life for all of us. We cannot completely avoid it, much as we may try. And we can’t control it, even if we think we can use it as a tool to get what we want.

So how does conflict relate to holding your colleagues accountable?

Let’s say your colleague promises to do something, but doesn’t do it. You have to decide what to do.

The first question you have to ask is whether your colleague clearly agreed to do what you think she agreed to do. The answer is no small matter. Very often, each side leaves ambiguity intentionally. In plain words, you and your colleague may each intentionally try to be a little tricky, so that you give yourselves a little flexibility, some maneuvering room.

If it’s not clear whether your colleague clearly agreed to do something, then you should discuss the situation with her before you impose consequences on her, or escalate the situation into conflict. The reason you should talk about the situation is you don’t want to start conflict over a legitimate misunderstanding. On the other hand, if it turns out your colleague had, in fact agreed, to do something but ended up not doing it, you need to know that.

If your colleague agreed to do something but did not do it, you should ask her why she did not do what she said she would. Maybe there’s a good reason for the failure to keep her commitment. If so, you will have to decide what to do next. If not, you will have to determine what the consequences will be for this failure to keep the commitment. There are two related sets of consequences. One set is what you can and should do to chastise your colleague for her failure to do what she said she would do. The other set of consequences is what will happen if you do not hold your colleague accountable for failing to keep her commitment.

Before you act or decide not to act, you should think these sets of consequences through carefully, and then decide what to do about your colleague’s failure to keep her commitment. We are talking about “sets” of consequences because conflict involves more than one person. In a conflict situation, each person will do what she thinks will satisfy her own interests and will potentially put consequences on others. So, when you think about consequences, remember to consider not just what you will do and what your colleague may do, but also try to anticipate what others (such as other colleagues or your boss) may do, if they do not agree with the situation.

Holding your colleagues accountable can get complicated fast. That’s one reason it makes so much sense to try to figure out your colleagues’ interests, and come up with creative ways to satisfy those interests, before you get into a conflict scenario. You should only consider imposing consequences when you can’t get your colleagues on board. And remember, if you do so, your colleagues will likely find ways to retaliate against you.

The following mini-case study will illustrate the best way to handle your colleagues.
Case Study: Getting a Colleague to Help You Solve a Problem

Here is the situation. You are working on the neuron collection initiative, a key project for the entire organization. You are on a tight timeline and you are the project lead. Everyone in the organization needs this project to succeed.

You have just received an email from the VP. The email says, “Client changed the specs — get Sam on board. He handled a similar issue last year. And don’t even think about an extension of the deadline.”

Sam is an extremely talented engineer. He has expertise that no one else in the organization has. Unfortunately, Sam is also a very difficult guy to work with. He has ignored your emails asking for his help. Sam only seems to think about his own personal reputation in the organization. When you finally locate him, Sam complains he is “so busy.”

If you are going to get Sam’s help, you will have to find a way to persuade him to help. You are in a negotiation with your colleague.

Before you find Sam and talk with him, see if you can better understand your own interests and Sam’s interests. You can use the Alignor Process Worksheet on the next page to keep track of your own interests and Sam’s interests. You should identify yourself, Sam, and probably the VP as stakeholders. The issues you can list on the worksheet might be things like: project success; deadline; Sam’s time; and Sam’s reputation.

See if you can figure out how to describe your interests and Sam’s interests. And while you are at it, you may want to try to identify the VP’s interests, as well.

A completed sample interest chart follows the blank worksheet. Check your own work against that sample.
The Alignor® Process Worksheet

Step 1: Interests Analysis

<table>
<thead>
<tr>
<th></th>
<th>STAKEHOLDERS</th>
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<tr>
<td><strong>ISSUES</strong></td>
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Step 2: Brainstorm Possible ACTIONS

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Step 3: Understand FIGHTING ALTERNATIVES

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**Case Study Step One: Simple Interest Chart**

Step 1: Interests Analysis

<table>
<thead>
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<th>ISSUES</th>
<th>YOU</th>
<th>SAM</th>
<th>VP</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Project Success</em></td>
<td><strong>ENSURE</strong></td>
<td><strong>ENSURE</strong></td>
<td><strong>ENSURE</strong></td>
</tr>
<tr>
<td><em>Deadline</em></td>
<td><strong>MEET</strong></td>
<td><strong>MEET</strong></td>
<td><strong>MEET</strong></td>
</tr>
<tr>
<td><em>Sam’s Reputation</em></td>
<td><strong>DEPENDS</strong></td>
<td><strong>PROTECT</strong></td>
<td><strong>ACCOUNTABLE</strong></td>
</tr>
<tr>
<td><em>Sam’s Time</em></td>
<td><strong>MAXIMIZE</strong></td>
<td><strong>MINIMIZE</strong></td>
<td><strong>SUFFICIENT</strong></td>
</tr>
</tbody>
</table>

Step 2: Brainstorm Possible ACTIONS

Step 3: Understand FIGHTING ALTERNATIVES

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**Part 2: How to Handle Your Colleagues**
Did you try to understand your own interests and figure out Sam's interests, in the case study? How did your assessment of the interests compare to the sample interest chart above?

I think you will find that the idea of understanding your interests and figuring out the interests of your colleagues seems sensible and easy. But actually doing so can be difficult, and it requires practice.

In my experience, these skills are well worth practicing. Take another look at the interests in the sample interest chart.

What jumps out at you?

For example, do you notice that while you both have some divergent and even opposed interests, both you and Sam have the same interest in ensuring the success of the project? At the same time, even though you and Sam both have the same interest on that issue, it is critical for you and just important to Sam. The same goes for the next issue, in which you both have the same interest in meeting the deadline, but it is critical to you and important to Sam.

On the issue of Sam’s reputation, Sam has a critical interest in protecting his reputation. By contrast, your interest in Sam’s reputation depends on whether he cooperates with you. If he cooperates, you would be happy to see him look good. If he does not cooperate, you may not want him to look good.

On the issue of Sam’s time, you and he appear to have opposite interests. While Sam wants to minimize his time on the project, you want to maximize the time he makes available to help you, particularly given the overall importance of ensuring the project’s success.

A final observation about the interests in the sample interest chart: you may be able to leverage the VP’s interests, if necessary, to persuade Sam to help you — since the VP shares many of your interests. Such observations help us when we try to understand our own interests, and also figure out others’ interests, including our colleagues.

So, what do we do with this information once we have developed and confirmed it by examining people’s behavior, and talking to them and to others?

Great question! We turn now to Step Two of our three-step process. We invite our colleagues to help us find solutions.

Look at the sample interest chart above. You can see your interests in the case study and the interests of your colleague Sam. Take a moment now to try to come up with ideas that might satisfy your interests in the case study. Then keep adding to your list of ideas by thinking of ideas that might satisfy Sam’s interests. If this were real life and not a case study, you could talk with Sam and see what ideas he might have — just remember the ground rules above for brainstorming.

Go ahead and make your list of ideas. When you are done, you can check your list against the ideas in the sample list below.
SAMPLE LIST OF POSSIBLE ACTIONS FOR CASE STUDY

Project Success:
- Make this project top priority
- Identify success factors and necessary inputs for project
- Focus on critical success factors
- Benchmark project success factors on ongoing basis
- Defer other non-essential work until this project is done

Deadline:
- Commit to completing project on time
- Do our best to finish project on time
- Re-evaluate scope and timing of project on ongoing basis
- Set up clear project timeline

Sam’s Reputation:
- Publicize Sam’s key role in the success of the project
- Allow Sam to define his role on project in a way that supports his career goals
- Have VP present award to Sam, if project is successful
- Build a testimonial to Sam into the project itself

Sam’s Time:
- Agree to help Sam with some of his other work
- Talk with VP about shifting some of Sam’s work
- Coordinate scope and sequence of project work with Sam’s other work
- Agree up front on parameters for Sam’s time
- Don’t ask for Sam’s help until absolutely necessary

Compare your own list of ideas, the ideas in the sample list above. Did you come up with some of the same ideas? Were there more ideas on your own list? Were there different ideas on your list?

As you can see from the sample list above and from your own list, you have many creative ways to potentially satisfy your and Sam’s interests in the case study. In fact, the sample list above is just the tip of the iceberg. In real life, you can come up with many more ideas than the short list above, especially when you invite your colleagues to help you come up with ideas.

Remember to separate the brainstorming part of Step Two of our three-step process from the evaluation part. You will have an opportunity to evaluate the ideas after you have done your brainstorming.

When you evaluate the ideas, you will find that some ideas satisfy your interests and others that satisfy Sam’s interests. Some ideas will even satisfy both of your interests, particularly where you
have interests in common. You might find that some ideas will satisfy one set of interests very effectively, and will not necessarily harm the other’s interests very much. Those are special ideas, since you can sometimes package them in ways that tend to maximize the overall value to you and your colleague(s).

The purpose of evaluating actions is to put together a package of actions that satisfies your interests and the interests of your colleagues as effectively as possible. You want to be both creative and flexible as you examine both individual ideas, and a package of ideas that will meet your needs. Put together the best possible package of ideas with your colleagues to get everyone on board and working effectively together.

In our case study, that package might look something like the following:

**SAMPLE BEST CASE PLAN FOR THE CASE STUDY**

**Success of Project:**
- Make this project top priority
- Identify all success parameters and necessary inputs for project
- Benchmark project success factors on ongoing basis

**Deadline:**
- Commit to completing project on time
- Set up clear project timeline

**Sam’s Reputation:**
- Publicize Sam’s key role in the success of the project
- Have VP present award to Sam, if project is successful

**Sam’s Time:**
- Agree to help Sam with some of his other work
- Coordinate scope and sequence of project work with Sam’s other work
- Agree up front on parameters for Sam’s time commitments

The above package represents a mutually beneficial set of ideas that you and Sam could agree to and implement. It is not the only set of ideas you could implement, but presented as a sample of what a package of acceptable ideas might look like.

At this point in our case study, you would confirm with Sam that you both agree to this plan. Once that agreement is confirmed, you would typically document the agreement in some manner, such as in a confirming email. Then, you would move forward implementing the plan.

So, what happens if Sam does not agree to a plan that is also acceptable to you? Or what if Sam agrees to your face but then does not fulfill his commitments?

Great questions! Let’s take a look.
Whether your colleagues refuse to agree to a mutually acceptable plan, or agree and then fail to keep their commitments, you have to hold them accountable. And the process for doing so is the same either way.

When you have agreed with your colleagues on a plan of action based on a specified, mutually beneficial package of ideas, you must be prepared to hold your colleagues accountable, if they do not keep their commitments. To do so, you must first understand what you may do, if you are unable to move forward as agreed. Then, you should think about what your colleagues and any other stakeholders may do, if everyone does not fulfill their commitments.

Take a moment now and see if you can anticipate what you would do in our case study, if Sam does not keep his commitments. Think about how likely you are to pursue a given consequence (or fighting alternative). Then, go through the same analysis for your colleague Sam and for other stakeholders, such as the VP.

When you are done, take a look below at the list of sample fighting alternatives for the case study.

### SAMPLE FIGHTING ALTERNATIVES FOR THE CASE STUDY

<table>
<thead>
<tr>
<th>You:</th>
<th>Likelihood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Give your best until you burn out</td>
<td>70%</td>
</tr>
<tr>
<td>Try to find someone else to help you</td>
<td>50%</td>
</tr>
<tr>
<td>Complain to the VP about Sam</td>
<td>40%</td>
</tr>
<tr>
<td>Blame Sam for any problems</td>
<td>30%</td>
</tr>
<tr>
<td>Quit your job</td>
<td>10%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sam:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Say he will help, but fails to give his best</td>
<td>80%</td>
</tr>
<tr>
<td>Blames you for any problems</td>
<td>70%</td>
</tr>
<tr>
<td>Sabotages the project</td>
<td>20%</td>
</tr>
<tr>
<td>Refuses to help with the project</td>
<td>10%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VP</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Punishes you for any perceived failure</td>
<td>90%</td>
</tr>
<tr>
<td>Forces Sam to do the work</td>
<td>80%</td>
</tr>
<tr>
<td>Gives you a bad annual review</td>
<td>70%</td>
</tr>
<tr>
<td>Badmouths you to other leaders</td>
<td>30%</td>
</tr>
<tr>
<td>Fires you</td>
<td>20%</td>
</tr>
<tr>
<td>Fires Sam</td>
<td>10%</td>
</tr>
</tbody>
</table>

The above list gives a sense of what you, Sam and the VP might, do if you cannot move forward together. Once you have determined what each of you might do, you must decide whether to confront Sam with this information. Your purpose in confronting Sam should not be to shame, humiliate or
irritate him. Your purpose should be to hold him accountable, and help him make a good decision to do what you need him to do.

If Sam has previously agreed to do certain things, but fails to keep those commitments, ask him why. Don’t question him with anger (even if you are irritated with Sam), but with a calm purpose to get the relationship and commitments back on track. If Sam cannot give you a good reason why he has failed to keep his commitments, talk with him calmly about the consequences of that failure. Again, do not be accusatory. Be helpful.

The process is pretty much the same, if Sam refuses to agree to a reasonable, mutually acceptable plan of action.

For example, you could calmly explain to Sam that because it is critical to the organization to ensure the success of the project, the VP will force Sam to do the work, if necessary. As part of that conversation, you could say that you do not want to go that way, but Sam is leaving you little choice.

The idea in holding your colleagues accountable is not to threaten them, but to educate them. You proceed this way to hold everyone to their commitments. So, don’t make empty threats or berate your colleagues. Speak in a calm, straightforward tone. Explain that you want to work together with your colleagues in a productive manner. And most of all, communicate your flexibility about finding solutions that meet the needs of your colleagues, as long as your own needs are still met.

Now that we have looked at the best ways to handle your colleagues, let’s look at some common mistakes people make when they negotiate with their colleagues.

**Common Mistakes:**

You can make a number of common mistakes when negotiating with your colleagues. Five common, avoidable mistakes are:

- Responding to your colleague’s positions by taking positions of your own
- Not being clear about your own interests before you negotiate with your colleagues
- Projecting your own interests onto your colleagues, in place of their true interests
- Allowing past history or relationship difficulties to interfere with your negotiations
- Not communicating flexibility about how you can satisfy your own and your colleague’s interests
- Being unwilling (or overeager) to hold your colleagues accountable

Let’s take a look at how you can avoid or correct these mistakes.

**Responding to positions with your own positions** — When your colleagues take a position, resist the urge to communicate a position in response. As we saw above, the positional high-low game is a recipe for disaster. At best, you will damage relationships. At worst, you will find yourself unable to satisfy your interests as well.

When your colleague takes a position, ask questions to try to identify the underlying interests driving that position. Then, look for options that might satisfy the interest without taking a position in response. Be clear at all times that you are looking for ways to satisfy each of your interests without getting into the back-and-forth of the positional “high-low” game.
Not understanding your own interests — You may think you know your interests. My experience is that we often do not think carefully enough about our own interests before we negotiate. That is, we find as we negotiate that our understanding of our interests evolves. Now, to some extent this evolution is unavoidable. But it is crucial that you do your best to figure out your own interests in advance of negotiations, to the extent possible.

It can be confusing for your colleagues and unsettling for you when you seem to be unclear about what your own interests are. The more clarity you have about your interests in advance of negotiations, the more confidence you will have in your evaluation of various options that may arise during the negotiations. Clarity gives you the flexibility to consider various options, and encourages a reciprocal flexibility and problem-solving environment with your colleagues.

Projecting your own interests onto your colleagues in place of their true interests — This problem is simple, though not easily recognized or corrected. The nature of the problem is that it is self-serving to assume that your colleagues share your interests, when, in fact, their interests may diverge from yours. It is self-serving to project your interests onto your colleagues, because if you can convince yourself that your colleagues share your interests, then you will feel they should do what you want them to do.

If you find that your colleagues do not say, Yes, sir! or Yes, ma’am! whenever you ask them to do something, it is likely that they have interests different from yours. So, force yourself to take an honest look at what your colleagues’ interests really are. Try putting yourself in their shoes and ask yourself, “If I were my colleague, what would I want?” The answer to that question will almost always lead you toward your colleagues’ true interests.

Allowing past history or relationship problems to interfere with negotiations — Let’s be honest. Some colleagues can get on your nerves. Maybe you have had outright conflict with them in the past. You don’t really want to deal with them.

But sometimes, you have to figure out how to handle even those difficult colleagues. You may need them to do something, or not do something.

The good news is, if you avoid falling into the high-low game; stay focused on finding ways to satisfy your interests and their interests; and keep interpersonal conflict to a minimum, you have your best chance at handling that difficult colleague in a manner that works for you and for her. At best, you may find over time that your sincere focus on finding solutions that work for each of you helps change the relationship in a positive way. At worst, you will know that you are handling a difficult relationship in the best way possible, and that you are not the one causing the difficulties.

Failing to communicate flexibility about how you can satisfy your own and your colleagues’ interests – Sometimes, we get focused on a certain thing we want. Maybe we think we know what should be done. So, we tell our colleagues what to do. The problem with this approach is our colleagues can resist our dictating specific solutions. They may resist for a variety of reasons. Perhaps our preferred solution is not the best way to solve the problem. Or perhaps our preferred solution harms certain key interests of our colleagues.

So, be open to solving problems in a variety of ways. If a package of ideas satisfies your interests effectively, that is what matters (not who originally came up with the ideas in the package). And, as important, communicate your flexibility to your colleagues! Communication and flexibility encourages your colleagues to be flexible as well, even as it invites them to offer their ideas.
Being reluctant or overeager to hold your colleagues accountable — This problem is often closely related to the past history and bad relationship problem. And let's face it, conflict can be hard. When our colleagues do not keep their commitments, we have a problem. What are the two sides of this problem?

On the one hand, you may feel reluctant to try to hold your colleagues accountable. Perhaps you do not like conflict. Or maybe you are unsure of yourself, and fear being overwhelmed by your colleagues. The key here is that you must recognize the ongoing nature of conflict when your colleagues don't do what they say they will do. Sticking your head in the sand will not make the problem go away. Rather than allowing resentment to build, or letting your colleagues perceive you as soft or weak, deal with them right away when they don’t keep their commitments.

Now, this doesn’t mean confronting your colleagues in an emotional, accusatory manner. Nor does it mean looking for opportunities to provoke conflict. These tactics go to the other extreme.

When you feel that you have to hold your colleagues accountable, do so in a calm, deliberative manner. Focus on how your and your colleague’s interests may be harmed by your colleague’s failure to live up to his/her commitments.

Summary

As you apply the methodology and techniques outlined in this book, keep the following in mind:

- Choose the interest-based approach to negotiation (rather than taking positions or falling into the high-low game)
- Understand your own interests before you start negotiating with your colleagues
- Figure out your colleague’s interest, to the extent you can, by putting yourself in their shoes; talking to them; and asking others what your colleague’s interests might be
- Build your own stakeholder interests analysis (Step One of the three-step process) and fill out an Interest Chart
- Confirm your understanding of your colleague’s interests
- Invite your colleagues to brainstorm ideas that may satisfy their interests and your own (Step Two of the three-step process)
- Finally, if necessary, hold your colleagues accountable by helping them understand the harm to their interests, if they do not cooperate with you (Step Three of the three-step process)

Good luck, as you use engineering the art of negotiation to work with your colleagues!
About the Author

John G. Shulman is the President and CEO of the negotiation consulting and training firm, Alignor. An experienced attorney and negotiator skilled in the art and science of interest-based negotiation, Mr. Shulman has worked with dozens of large organizations and personally negotiated business deals worth hundreds of millions of dollars across the globe.

With an A.B. in English from Harvard College and a J.D. from Harvard Law School, Mr. Shulman trained with leaders in the negotiation field. He has worked with the Program on Negotiation at Harvard Law School on a project in the Middle East addressing conflict over Gaza and the West Bank, and has provided negotiation and conflict resolution training to United Nations personnel at the War Crimes Tribunal for Rwanda. He is currently a Director of the Center for Negotiation and Justice at William Mitchell College of Law in St. Paul, Minnesota.

Mr. Shulman has employed advanced interest-based strategies on behalf of a wide variety of clients, including 3M, Thomson West, US Bank, Sandoz Pharmaceuticals, AstraZeneca, HealthPartners, Blue Cross/Blue Shield, Grupo Televisa, PanAmSat, Pepsico, General Mills, International Dairy Queen, Schwan’s, Northwest Airlines, the CCIM Institute, Xcel Energy, and Imation Corp., which awarded Mr. Shulman its prestigious Chairman’s Business Turning Point Award in 2002.

Mr. Shulman has been a featured presenter on negotiation and leadership topics at numerous international seminars and conferences. He has conducted seminars and training workshops around the globe for thousands of business managers and leaders, sales professionals, and procurement professionals in interest-based approaches to negotiation, sales, project management, account management, supply chain management, leadership, and conflict resolution.

Along with one of the co-founders of Alignor, Mr. Shulman wrote and directed the award-winning human rights movie JUSTICE. He has played professional soccer in Asia, and has traveled to and negotiated in over forty countries around the world.
About Alignor

Alignor is the world leader in performance improvement solutions utilizing the interest-based approach to negotiation and leadership development. Alignor was founded by Harvard graduates and expert negotiators who developed a streamlined, effective process for managing key negotiations, handling business challenges, and resolving high-stakes disputes. Alignor helps its clients achieve their business objectives through a wide array of products and services, including customized training, expert coaching and consulting, evaluation tools, blended learning and e-learning, online interactive negotiation games, and customized job aids and tools.

Clients in numerous industries have embraced the Alignor approach to negotiation and leadership development as a “best practice” for numerous core activities, including sales, project management, supply chain management, account management, contract negotiations, mergers and acquisitions, strategic decisions, conflict resolution, and improving organizational alignment.

Organizations implementing Alignor’s approach to negotiation have documented reduced costs, substantial revenue increases, faster closing time for deals, and stronger relationships (internal and external) that they attribute to their work with Alignor.

Alignor has trained and worked with thousands of business professionals from organizations throughout the United States and the world, including 3M, Northwest Airlines, Grupo Televisa, Sandoz Pharmaceuticals, AstraZeneca, HealthPartners, Blue Cross/Blue Shield, PanAmSat, Xcel Energy, U.S. Bank, Thomson Reuters, General Mills, PepsiCo, Schwan’s, Supervalu, International Dairy Queen, Petters Group Worldwide, Imation Corp, and the U.S. Department of State.

Alignor works with clients on negotiation and leadership strategy and implementation, and has negotiated agreements in the health care, transportation, food, manufacturing, commercial real estate, hi tech, financial services, legal services, and entertainment industries, among others.

Alignor has partnered with IEEE-USA to bring world-class negotiation strategies and methodologies to the electrical engineering profession. Alignor has also partnered with the CCIM Institute, part of the National Association of Realtors, to bring Alignor’s process and methodologies to the commercial real estate industry. Alignor has also set up a Center for Negotiation and Justice at William Mitchell College of Law in St. Paul, Minnesota and has established a cooperative relationship with NALSAR National Law University, Hyderabad in India.

Alignor’s public interest work includes partnering with the Harvard Program on Negotiation to facilitate dialogue among Israeli leaders over withdrawal of settlements from Gaza and the West Bank. Alignor has provided negotiation and conflict resolution training for United Nations personnel at the War Crimes Tribunal for Rwanda. Alignor also trains lawyers, judges, community advocates and leaders in the United States, Africa and Asia in negotiation, empowerment, and conflict resolution strategies.

You can access more information about Alignor and its pioneering work at www.alignor.com.
Part 2: How to Handle Your Colleagues