



Negotiations

There are many points in your campaign when a contact with an expert, partner or stakeholder can turn into a collaborative relationship or a competitive battle. To the extent possible, you will want the turn to be toward collaboration.

You might have more challenges with the resource experts – resource providers, government, funders, etc. – because they may see you as competing for funds, status or community support. If you can establish a collaborative relationship in the beginning, built on trust and shared interests, you will save yourself many headaches in the future.

In this lesson we are going to talk about finding shared interests upon which to build a relationship.

By the end of this lesson you will be able to:

- Use three methods for facilitating an effective negotiation process.
- Differentiate between position and interest.

Ugli Orange Activity

Instructor Procedure

Step 1

Prepare the Activity

1. *Review the full activity carefully in advance. If you have not conducted this activity as a facilitator before, be sure to go through it in a pilot situation with an experienced instructor coaching you. This activity is designed to require negotiation and may result in some strong emotional responses. Some pairs will come to a negotiated agreement, but some will not. You need to be a skilled facilitator to help people feel they are learning (and they are) whether or not they successfully negotiate with their partner.*
2. *There is no Lesson Content for this activity and only a few PowerPoints, to introduce the lesson and share the objectives. The Ugli Orange activity is an experience we want them to have so that they can figure things out on their own and also have a strong but safe experience should their negotiation fail.*
3. *Decide if you are going to distribute the roles the day before or if you will build in time for them to read their roles at the beginning of the class. Handing out at the beginning of class reduces the risk of people sharing the roles. Handing out the day before gives people more time to become the character. Be very sure the participants understand that there are two roles (Dr. Jones and Dr. Roland). They cannot share anything about their character with the other character.*
4. *Develop a very thoughtful ORID. Consider preparing two, with one for if things get tense (really have people think about what happened, how they felt, what they think of what happened and what they have learned from the experience).*

5. Make enough copies below so that half the class can be Dr. Jones and half the class can be Dr. Roland.

Dr. Jones

Role of Dr. Jones

You are Dr. John W. Jones, a biological research scientist employed by a pharmaceutical firm. You have recently developed a serum useful for curing and preventing Redesign. Redesign is a disease contracted by pregnant women. If not caught in the first eight weeks of pregnancy, the disease causes serious brain, eye and ear damage to the unborn child. Recently there has been an outbreak of Redesign in your state and several thousand women have contracted the disease. You have found, with volunteer patients, that your recently developed serum cures Redesign in its early state. Unfortunately, the serum is made from the juice of the Ugli orange, which is a very rare fruit. Only a small quantity (approximately 4,000) of these oranges were produced last season. No additional Ugli oranges will be available until next season, which will be too late to cure the present Redesign victims.

You have demonstrated that your serum is in no way harmful to pregnant women. Consequently, there are no side effects. The Food and Drug Administration has approved the production and distribution of the serum as a cure for Redesign. Unfortunately, the present outbreak was unexpected and your firm had not planned on having the compound serum available for six months. Your firm holds the patent on the serum and it is expected to be a highly profitable product when it is generally available to the public.

You have recently been informed, on good evidence, that Mr. R.H. Cardoza, a South American fruit exporter, is in possession of 3,000 Ugli oranges in good condition. If you could obtain the juice of all 3,000, you would be able to both cure present victims and provide sufficient inoculations for the remaining pregnant women in the state. No other state currently has a Redesign threat.

You have recently been informed that Dr. P.W. Roland is also urgently seeking Ugli oranges and is also aware of Mr. Cardoza's possession of the 3,000 oranges. Dr. Roland is employed by a competing pharmaceutical firm. He has been working on biological warfare research for the past several years. There is a great deal of industrial espionage in the pharmaceutical industry. Over the past several years, Dr. Roland's firm and yours have sued each other for infringement of patent rights and espionage law violations several times.

You have been authorized by your firm to approach Mr. Cardoza to purchase the 3,000 Ugli oranges. You have been told he will sell them to the highest bidder. Your firm has authorized you to bid as high as \$250,000 to obtain the juice of the 3,000 available oranges.

Dr. Roland

Role of Dr. Roland

You are Dr. P.W. Roland. You work as a research biologist for a pharmaceutical firm. The firm is under contract with the government to do research on methods to combat enemy use of biological warfare.

Recently, several World War II experimental nerve gas bombs were moved from the U.S. to a small island just off the U.S. coast in the Pacific. In the process of transporting them, two of the bombs developed leaks. The leaks are presently controlled by government scientists who believe that the gas will permeate the bomb chambers within two weeks. They know of no method of preventing the gas from getting into the atmosphere and spreading to other islands and very likely to the U.S. West Coast as well. If this occurs, it is likely that several thousand people will incur serious brain damage or die.

You have developed a vapor that will neutralize the nerve gas if it is injected into the bomb chamber before the gas leaks out. The vapor is made with a chemical taken from the rind of the Ugli orange, a very rare fruit. Unfortunately, only 4,000 of these oranges were produced this season.

You have been informed, on good evidence, that a Mr. R.H. Cardoza, a fruit exporter in South America, is in possession of 3,000 Ugli Oranges. The chemicals from the rinds of this number of oranges would be sufficient to neutralize the gas if the serum is developed and injected efficiently. You have also been informed that the rinds of this number of oranges are in good condition.

You have also been informed that Dr. J.W. Jones is also urgently seeking to purchase Ugli oranges and he is aware of Mr. Cardoza's possession of the 3,000 oranges. Dr. Jones works for a firm with which your firm is highly competitive. There is a great deal of industrial espionage in the pharmaceutical industry. Over the years, your firm and Dr. Jones' have sued each other for violations of industrial espionage laws and infringement of patent rights several times. Litigation on two suits is still in process.

The Federal government has asked your firm for assistance. You've been authorized by your firm to approach Mr. Cardoza to purchase the 3,000 Ugli oranges. You have been told he will sell them to the highest bidder. Your firm has authorized you to bid as high as \$250,000 to obtain the rind of the oranges. Before approaching Mr. Cardoza, you have decided to talk to Dr. Jones to influence him so that he will not prevent you from purchasing the oranges.

Step 2

Conduct the Activity

1. Pair up participants so that there is one Dr. Jones and one Dr. Roland in each pair.
2. Tell them they have 10 minutes to reach agreement on who gets the oranges. They should find a quiet place to negotiate, but they need to be close enough for you to quickly find them.
3. At eight minutes, give them a two-minute warning.
4. At 10 minutes, stop the exercise.

Step 3

Debrief the Activity

- *Be sure to do a very thoughtful debrief. The more emotion (sometimes seen as withdrawal) the more important to reflect. You want to be sure people also have a chance to discuss and practice the three key ways to manage negotiation.*
- *Ask each team to report out on the result of their negotiation.*

Participant Procedure

Step 1

Purpose

To experience a safe environment in which you are required to use negotiation.

90 minutes

Step 2

Participate in the Activity

1. *Get into pairs.*
 - a. *If you have already been given your role, pair up with someone who is not your role.*
 - b. *If you have not been given your roles, your instructor will hand out the roles and give you time to read and "prepare" your character.*
2. *You will have 10 minutes to work in pairs. If possible, find a quiet place to work. Remember you have only 10 minutes.*
3. *Come back together as a class for a debrief. Your instructor will lead a focused discussion.*

Summary

When many people think of win-win negotiation outcomes, the conventional wisdom causes them to think of compromises. Compromises are circumstances in which nobody loses. But, in reality, compromises are not win-win, but lose-lose. By compromising, you are splitting the difference. Compromise necessarily concludes the negotiation which ends the value creation process. Thus, you are likely to leave value on the table. Obviously, there are interests that cannot be expanded away. Even on these issues you should not split the difference but reinforce your position with clear, objective principled standards. This will help you to avoid being taken advantage of, and lead you to the best total outcome.