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Roadblocks ahead

How to get past the hurdles of underhanded ploys attempted in negotiations

Question:

What are some common underhanded ploys people use to get leverage in a negotiation? How do you recommend responding to such tactics?

Answer:

Fortunately, the majority of business negotiations are forthright. People want to preserve the relationship, so they look for mutually agreeable solutions.

However, there are people who use ploys and tricks to get the upper hand. Sometimes it works to their advantage — in the short-run they get what they want.

Other times it backfires and they compromise a relationship.

People have long memories. When they feel the other party played by a different set of rules, trust is broken and resentment builds. It's only a matter of time before the tricksters "get what they deserve."

Ploys are only limited by the imagination of the wily. While the list may be ever changing, we have identified six common tactics. They include:

1. Intimidation – This is when the other party is abusive, insulting, hostile, loud or incessantly demanding. All of those are bully tactics. It's not easy — in fact, it's sometimes impossible — to negotiate with someone who is overbearing.

The best approach to dealing with this type of negotiator is to match the person's voice tone and volume, stand up and say, "Jack, I want to continue our discussion, but not like this. If we can't talk in a respectable manner, than I will need to leave until you are in a better state of mind!"

When you do that, if the other party continues to talk right on top of you, then say his name loud three times, "Jack. Jack. Jack." Pause. "I want to work with you in finding a mutually agreeable solution, but not like this." Pause. "If you continue, I will leave."

Usually saying the person's name three times at the same intensity and volume as he is speaking will interrupt his brain just enough that he will stop.

If that doesn't work, then pick up your things and say, "Jack, when you are ready to talk and are more in control of yourself, call me." Then walk out.

I once had a boss who was just like this. Intimidation was his tactic of choice. I was young and inexperienced. Then I read a book about how to handle difficult people.

It only took two confrontations to end his insulting and belittling behavior. The key was practicing until the shaking stopped and I felt confident.

The first time I used the tactic, I interrupted him saying his name, and told him I was going to leave. He threatened to fire me. I swallowed my fear and said, "Jim, I do my job and gets results. I deliver. I am not paid to be insulted and belittled by you. Fire me if you must. But know that I will make sure every executive in this company knows exactly what you said to me and how you said it. I promise I won't leave a detail or insult out."

I was shocked — it worked!

The next time he raised his voice and started to insult me, I only had to say his name once and he just shut up.

It's been my experience that most people who threaten you or use anger as a tactic have a weak negotiating position they are trying to hide.

Or they are trying to see just how strong of a backbone you have. Best advice: Hold your position. Have staying power. Let your confidence rule.

2. Stonewalling – This is when the

other party refuses to budge from their position. You have three options.

First, explain the dire consequences of not investigating other possible options. In some cases, the dire consequences may be that you will be forced to walk away and let the negotiation fail.

The second option is to stonewall your position. The risk in taking this approach is that the focus of the negotiation becomes one of posturing rather than resolution. Rarely does it facilitate movement toward an agreeable solution.

The third option is to walk away. Say, "John, I'd like to find a way for us to explore some possible solutions. If we are unable to talk through the issues, then you will force me to walk away. I would prefer not to do that, but I am prepared to do so."

3. Evasion – You can expect some degree of evasion in every negotiation. This is often purposeful so the other party can assess your negotiating acumen at the bargaining table. What matters is the motive behind the evasion. What is the person avoiding? What would this information disclose that would impact your position or decision? How does this work to the other party's advantage?

A consistent pattern of evasion is often a veil to hide something of importance.

If you are unsuccessful, tell the other party that you are at a standstill unable to move forward unless you receive the information you requested.

Assuming you are not satisfied with the response, you must walk away and let the negotiation fail.

If you do proceed, be sure to include in the written agreement any provisions you feel are necessary to protect your interests.

4. Stalling – These are often used when the other party knows you have a deadline. Their intent is to slow the process down so they garner a better deal from you.

If this is the case, you may want to inform the other party that you have found a new option that has promising potential and you need to know whether he or she is still interested in talking or not.

If you find that you can't get through to that person directly, leave a voice-mail message. In your message, state that if you don't hear back by a certain date, you will assume he or she is not interested.

That almost always gets a return telephone call. If the person doesn't call, then at the very least you know he's not interested.

5. Deadline pressures – This is when the other party uses a deadline as a threat to get you to accept unreasonable demands. They make an unreasonable offer and then give you a short timeframe with which to make a decision.

You can turn this to your advantage by saying, "Since you have a deadline and can't discuss the issues, I've given you my best offer. Let me know by your deadline if it's acceptable."

That leaves the next move up to the other party. You can bet if it was a ploy, they will come back with a restatement of their position.

6. Taking you out of the loop – This is when someone goes around you and tries to negotiate the deal with someone else in your organization. It's usually because they didn't like the terms you presented. They want to find someone else who might be a softer touch.

The best approach is for the new negotiator at your company to listen intently to everything the other party says.

Your associate needs to ask probing questions to learn about motives and outcomes. Then he or she needs to tell the other party, "I appreciate you contacting me. At this time I am not prepared to respond. Where can I reach you on ___?" (Give yourself at least two days.)

Your associate should then discuss that conversation with you.

Then on the scheduled date, call the other party and say, "It appears that it is our company policy not to get involved with another employee's negotiation unless invited by that co-worker. You will need to resume negotiation discussions with that person."

These are some of the most common tricks and ploys. Rarely are these effective in building relationships. In fact, they can be the trigger that causes the negotiation to fail.

Once respect is lost, the negotiation becomes personal. The original intent to achieve some degree of win/win is negated. It now becomes a fight over pride and territory, and no one really wins.



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