

# Bargaining behavior and philosophy: Understanding bargaining approaches on a continuum

The bargaining process is an exchange. At its best, negotiators are engaging in cooperative problem solving as a form of communication. Negotiation is not without competition, conflict, or tension inherent in other human interactions. The way that participants view the process and the philosophy driving our behavior, however, should be a conscious decision.

Negotiators should attempt to understand different approaches to bargaining and learn how the approaches differ. Understanding one's personal style and approach, as well as how to use different approaches and behaviors can help reach agreement at the table. Different situations may call for different approaches.

We can understand bargaining behaviors on a continuum. The two extremes are Confrontational and Concessionary bargaining. During any negotiation, even in the same meeting, negotiators may choose to take different approaches.

- Confrontational Bargaining is generally polarized and adversarial.
- Concessionary Bargaining is characterized by conciliatory behavior and ready agreement to the other party's positions.
- Problem-Solving Bargaining means using a "win-win" approach to arrive at mutually agreeable resolutions to issues.

	<b>Concessionary bargaining</b>	<b>Problem-solving bargaining</b>	<b>Confrontational bargaining</b>
How do participants view each other?	Inferior/superior	As equals	As enemies
What is the goal of bargaining?	Get what you can	To find solutions to issues raised by both parties.	To win all of our proposals and agree to as few proposals from the other party as possible
How do parties feel about trust?	We trust them to do the right thing	Trust, but verify	We trust them very little
How are concessions viewed?	A conciliatory demonstration of good faith	Compromise is necessary to reach agreement.	A sign of weakness
How is flexibility in position regarded?	Flexibility indicates lack of preparation	An accepted part of the process	A sign of weakness

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	<b>Concessionary bargaining</b>	<b>Problem-solving bargaining</b>	<b>Confrontational bargaining</b>
What is the approach to wins and losses?	Do the best you can	Look for a win for both parties	We either 'gotcha' or 'we got screwed.'
How are options viewed?	Other options are welcomed	Options are generated in balance by both parties	My way or the highway
How is pressured used?	Very seldom	Strategically to protect important bottom lines	As a hammer

### *Considerations for local negotiators:*

Before going to the table, it is worth talking together as a bargaining team about the approach of each team member and the direction the team plans to take as a group. The following questions will help:

1. What philosophy does the team want to use based on the following:
  - a. Where do we think the board is on the continuum?
  - b. Where do we think the local is on the continuum?
  - c. What are the needs of the local?
  - d. Where do the personalities of the local negotiations team fit?
2. If we are going to change our approach in negotiations, what will be needed to get the team to the place they've decided they want to be?
3. What kind of past and negative "baggage" is present for the local and for the board?
4. What will be our ground rules for these negotiations?
5. What kind of negotiations climate will we want to set?

### *Communication Tools*

Our goal is to bargain a contract with integrity and establish positive labor management relations. To achieve our goal, we must enter the collective bargaining process as problem solvers. Our responsibilities will include open and honest communication about facts, opinions, and feelings. We must control the process and continuously look for solutions to achieve agreements. To be successful, both sides must win.

- 1. Treat all parties with respect**
  - a. What about the past? What were the problems? Confront past problems.
  - b. Treat the other party as you expect they should treat you.
  - c. Practice openness and honesty.
  - d. Use active listening skills
- 2. Agree to treat issues or proposals as problems and deal with them as tasks**
  - a. Define the problem. Be specific.
  - b. Separate personalities from the problem
  - c. Separate real facts from feelings or opinions. Assumptions are thoughts and ideas not based on reasonable proof and fact.
  - d. Understand and discuss the needs each party has with both issues and process.
  - e. Gather data and validate the information.
  - f. If we make a mistake, we should correct it.

### 3. Communication strategies to avoid

- a. Axe grinding – boxing yourself in over a single issue.
- b. Far-reaching hypotheticals as a reason not to agree to a proposal.
- c. We're the experts – know what's right because of my vast experience.
- d. Playing Devil's advocate to excess can lead to communication breakdown and misdirection.
- e. Preconceived ideas – leads to communication breakdown and misdirection.
- f. What's your real motive – question someone's integrity.
- g. What's the catch – suggests something is suspicious.
- h. Threats or bluffs not used – just a poor power game.
- i. Retaliation or get even – a mindset which is totally destructive.
- j. Gotcha – you made a mistake by saying that, now I gotcha!

### 4. Agree to disagree. Defeat the problem, not each other

- a. Don't be afraid to agree, even on parts of the issue.
- b. If the process doesn't work, don't lose what we have gained.

### 5. Procedures to help reach agreement

- a. Force field analysis
- b. Brainstorm (off the record)
- c. Separate facts from feeling! (Make a list.)
- d. Time out or caucus
- e. Use of outside neutral mediator
- f. Task Committee
- g. Options procedure.

### *Keep in mind these important behaviors as well:*

- Harmonizing. Attempting to reconcile disagreements, reducing tension, getting people to explore difference.
- Gate keeping. Helping to keep communication channels open, facilitating the participation of others, suggesting procedures that permit sharing remarks.
- Encouraging. Being friendly, warm and responsive to others, indicating by facial expressions or remarks, that acceptance of other's contributions.
- Compromising. When your own idea or status is involved in a conflict, offering a compromise which yields status, admitting error, modifying in the interest of the group's cohesion and goals.