



SELF-ADVOCACY

For Students Who are Deaf or Hard of Hearing

Second Edition

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LESSON 8

Negotiating with Others

PURPOSE OF LESSON 8

This lesson gives students some basic information about negotiation: how to recognize when negotiation is necessary, how to negotiate fairly, and how to negotiate effectively.

For more information about negotiation, the instructor may want to read the following book:

Fisher et al. (2011): *Getting to Yes: Negotiating Agreement Without Giving In* (3rd ed.).

EXPECTED LEARNER OUTCOMES

1. Learners will give examples of two kinds of negotiation standards (objective versus subjective standards).
2. Learners will apply four strategies to conduct "win-win" negotiations.

Instructional Activities	Performance Activities	Materials
1. Warm-up activity: "What to do on a Friday night"	Students complete worksheet	Worksheet 8a
2. Core material	Students take notes	Worksheet 8a
3. Learning activity: "Martina needs help with phones at work"	Students role play, evaluate techniques	Worksheet 8b
4. Summary, homework	Homework assignment	Worksheet 8c

SUGGESTED INSTRUCTIONAL/ PERFORMANCE ACTIVITIES

1. Review main points of Lesson 7: Last time, we looked at some strategies to use to express your goals and needs clearly. We also talked about some ways to clear up misunderstandings that occur due to hearing problems.

2. State today's goal: Sometimes a person understands a request but has ideas that are different from yours. When that is the case, it is necessary to talk about the differences and work out an agreement. Today you will learn another interpersonal skill: ways to reach an agreement through *negotiation*.

3. As a warm-up activity, ask students to read the scenario on Worksheet 8a and write down two different solutions. [Possibilities: One friend might get mad and refuse to negotiate (aggressive approach); one friend might agree to do what the other wants, just as he agrees every time (passive approach); the two might agree to let one choose this time and the other choose the next time, or agree to go to the game on Friday night and the movie on Saturday night (assertive or fair approach).] Ask students to discuss their solutions and introduce the topic of negotiation as a process of working out an agreement.

4. Present Lesson 8 Core Material while students complete Worksheet 8a.

5. Provide practice with new information: Organize students into three groups and ask them to present three solutions to the scenario described on Worksheet 8c. Lead them toward an understanding of each approach:

Passive: Martina meekly accepts boss's decision as the final word.

Consequences: She continues to experience a great deal of trouble on the phone, feels very upset about her poor performance, eventually gets confused about a telephone

conversation, makes a big mistake, and gets fired. Or, she gets so discouraged she quits.

Aggressive: Martina blurts out: "Oh yeah? Well, tough luck, boss, you *have* to get me a captioned phone or I'm calling a lawyer!" *Consequences:* Boss is very offended at being yelled at, resents being threatened, and now sees Martina as a troublemaker. She will not be willing to work with Martina, and will look for opportunities to fire her.

Assertive: Martina says, "True, there is no phone line near my desk, but I still need your support in working this out. I have researched a couple possible solutions that could help, because I really want to do my best work here. Is this a good time to discuss options?" *Consequences:* Mrs. B is not feeling attacked; she appreciates that Martina has assumed the responsibility of developing some suggestions, saving her time and effort. She is ready to see that a real problem presents itself and requires a real solution. She is therefore more open to working with Martina.

6. Discussion: Ask the class to evaluate the effectiveness of each approach by answering the questions on Worksheet 8b.

7. Summarize: Today we learned about working out an agreement with others. We talked about using an objective standard and using four win-win negotiating techniques. Your homework assignment is to interview an adult about his or her experience in negotiating.

8. State topic of next meeting: Next time we meet, we will talk about resolving problems with people who are not easy to negotiate with.

LESSON 8 CORE MATERIAL

Negotiation means a back-and-forth communication used to reach an agreement.

Example	Objective	Subjective
The price of a used car	Data reported in consumer magazine	Sentimental value: first car; happy memories of a road trip vacation
The value of a house	Opinion of professional appraiser	Should include "sweat equity" of new paint, garden
The need for an interpreter	Protected by law	A nice idea if we can afford it

We negotiate with others all the time. One of the best examples is ordering a pizza. Almost everyone has different favorite toppings, and some agreement has to be reached in order to share an order.

Negotiation is not needed when two sides are in exact agreement. If a coach says that two hours of practice is required to stay on a team, and you want to stay on the team, then you and the coach have the same idea and do not need to negotiate this requirement.

But the more we work with groups of people, the more differences we discover and have to work out. When you worked with a group of students to identify a goal for the school for Lesson 6, you negotiated with your group members to decide what to do and how to do it.

Negotiating is often seen as a "win-lose" situation: It may seem that one side has to get everything it wants, and the other side gets nothing of what it wants. There is another way to negotiate, however: You can look for a "win-win" situation, where both sides are reasonably happy with an agreement. In a win-win agreement, you can develop a positive, productive working relationship between sides, rather than a negative, adversarial ("me versus them") relationship.

A win-win negotiating approach means that the two parties focus on issues that are based on an *objective* standard rather than a *subjective* standard. An

objective standard is determined by an independent source; a subjective standard is determined by personal considerations. Above you will find three examples that show the differences.

Using an objective standard helps negotiators stay focused on the issue (costs, job requirements) rather than on people's feelings. Staying focused on the issue helps keep negotiations fair and uncomplicated.

Four negotiating strategies

There are many techniques to use when working with someone to reach an agreement (negotiation). Here are four that are easy to learn:

1. *Create options.* Be creative. Be prepared to generate a variety of solutions to consider, rather than focus on one and only one solution. When you show that you are willing to consider a range of possibilities, the other person is more likely to be flexible as well, and it becomes much easier to work out an agreement together.

2. *Put yourself in the other person's shoes.* Try to better understand the other person's position. Understanding the other person's concerns will help you come up with creative solutions.

3. *Use "I-first" language.* This means directly stating or explaining what you want, rather than insisting that the other person do what you want.

Examples of “I-first” and “You-First” language:

I-first	You-first
I will require this	You need to get me this
I need this	You have to do this for me
I have to have this	You must arrange for this

4. *Use assertive listening.* Assertive listening means listening carefully and with respect, using eye contact and "open" body language, because you want to show that you are working hard to understand the other person's point of view as well as trying to get your own point across. How you react to a person's comment will have a direct effect on his or her next comment.



Examples of effective and ineffective reactions:

Effective Reactions	Ineffective Reactions
Let me see if I understand what you're saying...	What? Are you nuts?
You're saying ... Do I have that right?	No way, I won't agree to that.

Conclusion

Learning to negotiate, and learning how to do it fairly and effectively, takes a lot of practice. Do not get discouraged if you have trouble at first. But keep trying, because it is an important skill for a person who wants to protect his or her rights at work and at school.

WORKSHEET 8a

Scenario:

Two friends want to go out on a Friday night. One friend wants to go a movie; the other friend wants to go to a basketball game. How can this be resolved?

Describe either an aggressive or passive approach:

Describe an assertive or fair approach:

The skill used to arrive at an assertive and fair approach is called: _____

What is a “win-win” outcome? _____

Objective standard means: _____

Subjective standard means: _____

Example

Objective Standard

Subjective Standard

Four techniques I can use in “win-win” negotiations:

1. _____

2. _____

3. _____

4. _____

WORKSHEET 8b

“Martina Needs Help With Phones at Work”

Scenario: Martina has started a new job as a paralegal in an insurance company. Usually, she uses a telephone coil with her hearing aids, but for this job she is worried that she might miss important details while talking to attorneys about claims, especially if they are using cell phones with intermittent signal. She realizes that in order to avoid mistakes, she will need details in writing, using either a phone with captioning, or a company cell phone dedicated to confidential texts or emails. She knows she is not permitted to use her personal phone for company business because of the confidential nature of the communications.

She explains the situation to her boss. Mrs. Barberton looks around and says, "I don't think we can help you with either idea. For one thing, when we moved to this new building, we put everyone on wireless handsets or headsets, so there are very few phone lines in the walls now. There certainly are none by your desk for a captioned phone.”

Group 1: Develop a response that would demonstrate a *passive* approach to the situation. Present to the class, and describe the likely consequences of this approach.

Group 2: Develop a response that would demonstrate an *aggressive* approach to the situation. Present to the class, and describe the likely consequences of this approach.

Group 3: Develop a response that would demonstrate an *assertive* approach that includes an effort to negotiate. Present to the class and describe the consequences of this approach.

Discuss the following conversation:

- MARTINA: I could use the desk over there by that phone line. Or if that won't work, we could install a phone line here by my desk.
- MRS. B: That could be expensive.
- MARTINA: Yes, there is some expense to installing a line, as well as in buying the captioned phone. We could ask Vocational Rehabilitation (or other agency) to help with the cost.
- MRS. B: Maybe. I just don't know.
- MARTINA: A bit of a hassle, I know. I also mentioned the option of obtaining a company cell phone used strictly for the use of confidential texts, but according to my research, that costs even more per month. I have no preference, but I do need help, and either solution would be considered a reasonable accommodation, something described in the Americans with Disabilities Act. Do you have other suggestions?

Did Martina use an objective or subjective standard for her request? Did she create some options? Put herself in Mrs. B's shoes? Use "I-first" language? Use assertive listening?

WORKSHEET 8c

Summary

1. Negotiation is a back-and-forth discussion used to reach an agreement with two parties that have different ideas about an issue.
2. "Win-win" negotiation is possible when the issue is based on an objective standard.
3. Four techniques will help a person negotiate: developing options, considering the other person's point of view, using "I-first" language, and "listening assertively" (carefully and with respect).

Homework

Interview an adult (family, teacher, etc.) with these questions:

1. Can you describe an incident in which you had to negotiate with someone else?
2. Did it feel like a win-lose situation or a win-win situation? Why?
3. Have you ever tried the four techniques described in this lesson? (Explain these, listed in Summary Point #3 above.) If yes, what seemed to work? If not, do you think they would have worked?

Add these worksheets to your Self-Advocacy File.

