

Deal with Constituents by Negotiation

Most of the time when you negotiate it is in behalf of constituents, and that makes your life a little harder. You have bosses at your company, or the other employees who depend on you—the CEO. Or you have other members of your committee, labor union, faction of a board of directors, etc. You get the point. These individuals all have an idea how things should turn out and how to get there. What should you do?

First, please recognize that your relationship with your constituent or client is similar to that with your bargaining partner across the table. That is, your constituent has chosen you to represent them because of your skill and experience. At the same time, they have something they want from the bargaining—such as a certain price for their property or a motion passed or something. It may be something you cannot deliver. Similarly, your bargaining partner may, not be able and willing to deliver what you ask of them. What is to be done?

Your main role representing constituents is as *communicator*. Communicate what? All the news about what has taken place across the table, for one thing. Of course, that means to summarize, but certainly tell what the negotiating partner across the table had to say. But it does not mean to hide inconvenient truths or overly emphasize what may incite instead of informing. It is also important to communicate your analysis based on what has happened and on your own skill and experience. After your analysis can come your recommendations on what if anything to do when negotiation resumes.

Sometimes your recommendations will not be happily received, often because you believe less demand and more realism is called for. Part of the answer is more communication, especially of why you hold your opinion, and asking why your constituents hold theirs. You may need to remind them that your role is not that of a passive stick in their hands but to use your skills and experience to represent them.

After communicating with them, you need to negotiate with your own constituents.

“OK, I will put forward your suggestion that the people across the table just accept our proposal and be done with it. But then I will also invite them sincerely to describe both why they cannot (and they have already said they cannot) and what they need from the negotiation. Can we agree to that strategy?”

So part of your negotiation with your people, as their rep, will be about process. Part will be about substance.

“They have offered to increase the amount they will pay for our building, but only by 10%, leaving us far apart, and only if we accept less than all cash at settlement. We can probably handle financially getting some of our money later, provided we provide in the agreement for a mortgage or something like that to protect us if they later don’t pay. What do you think?”

...

“Candidly, I don’t think they have the cash or the future prospects for paying what we have discussed—we have all seen the article about them in the paper—and I don’t believe they value the building as high as we do. We can pay for an appraisal, but if it appraises

near what we think, we will need to look for another buyer. How important to us is a fast deal?

...

“OK, I will agree to insist on that much, if I can go down as much as another 10% if I cannot persuade them the building is worth that much. Otherwise, I will be wasting your time, their time and my time, and I won’t do that. Are we agreed?”

So we have three simple ideas to make your job easier as a representative.

1. Do not start without first communicating clearly what has happened since your side last caucused. Make sure you communicate everything, not just the good news.
2. Make sure your people understand they have selected you for your skill and experience, not to be just a stick.
3. Negotiate with your constituents about what is reasonable to discuss and ask the other side for, based on your own opinion—supported by facts—about what the other people will consider to be either good faith bargaining or, on the other hand, an invitation to walk away.

If you are a good negotiator, you can handle this dual negotiation with both your constituents and your negotiating partners.

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