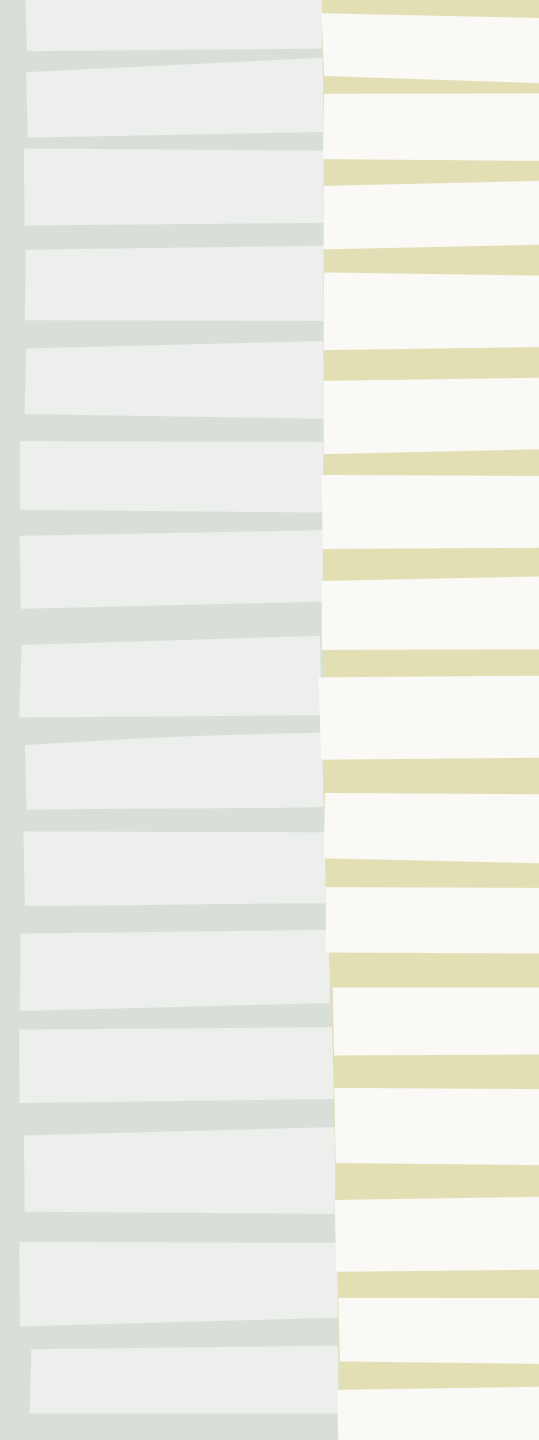


Negotiation Skills – The Art of HR

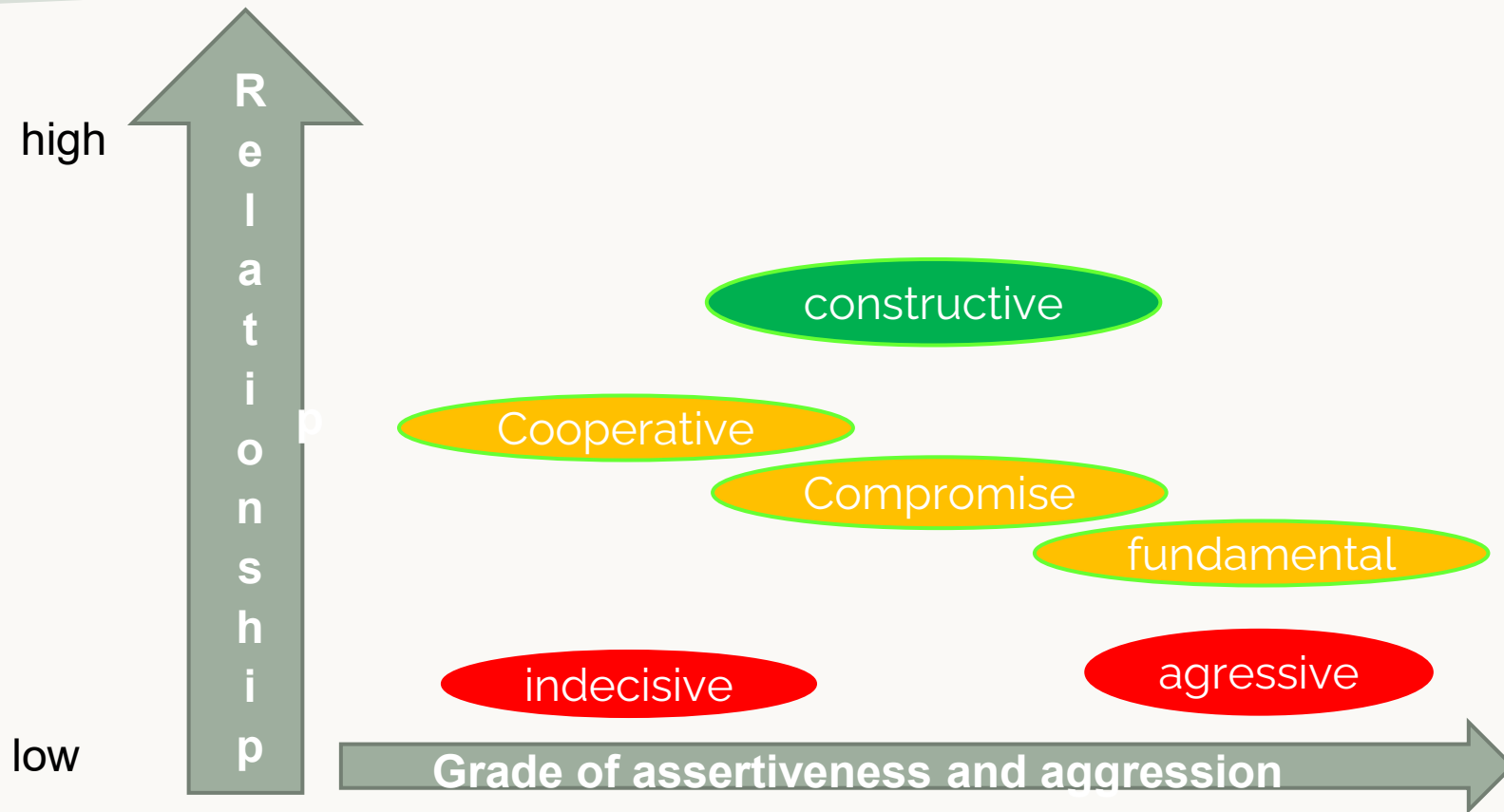
LSZ FOW KAPRUN 2025

GERNOT N. BRENSCHEIDT

DIRECTOR EMPLOYEE & LABOR RELATIONS EMEA



WIR HABEN DIE WAHL.....



WIE KOMMEN WIR DAHIN....

“Hard on the matter - hard on the people ”

- Position centred
- Little to no interest in the concerns of the negotiating partner
- At best, short-term success - negotiating partner feels like a loser
- Negotiating partner if necessary closes in for "counter-stroke" - "one sees each other twice in life“

“Soft on the matter - soft on the people”

- Too compliant in matters
- fear of burdening the relationship with the negotiating party
- No clear own profile towards the negotiating partner
- Negotiation result as a rule not satisfactory based on the target horizon

WIE KOMMEN WIR DAHIN....

The HARVARD PRINCIPLE *

"Hard and clear on the matter, but soft on the people"

- Appreciative treatment of negotiating partners
- Want to get to know the interest of the negotiating partner
- Include this interest in the outcome of the negotiations
- Create a win-win situation

In contrast to the compromise - here the negotiating parties deviate from their interests (loss for everyone) - a solution is sought which forms the synthesis of both interests (gain for each) and thus achieves greater added value. The win-win principle therefore always has the profit on the content and the relationship level in view

* Roger Fisher, William Ury, Bruce Patton: *Das Harvard-Konzept. Der Klassiker der Verhandlungstechnik*. 24. Auflage. Campus-Verlag, 2013 . Das Konzept beruht auf dem *Harvard Negotiation Project* der Harvard Law School

VERHANDLUNGSVORBEREITUNG

- Clarify negotiation team and role allocation
- What is my negotiation goal (ZOPA * or best case, mid point, worst case)?
- Which negotiating positions are available?
- What is my idea of a fair negotiation outcome?
- For several negotiating partners (often for unions and reps): Are the goals of all negotiating partners the same? If not, set priorities.
- What is my best alternative to the negotiation result? (BATNA ** or Plan B)
- What is the best alternative of my negotiating partners

* **Zone Of Potential Agreement**

** **Best Alternative To Negotiated Agreement**

RICHTIG VERHANDELN...

- Preparation is everything
- The more I am informed about the negotiating partner and his interests, the better
- Create a positive climate
- Avoid unnecessary stresses
- Clothing / status icons, here and there problematic, but could be used purposeful
- Body language and eye contact
- Language
- Do not corner or threaten, leave avenues open

DIE 6 VERHANDLUNGSPHASEN

(1.-3.)

1. Greeting

- Small talk
- Explain the purpose of the call
- Define framework conditions together

2. Information exchange

- Explain and justify positions
- Touch boundaries
- Keep distance and be unemotional with regard to the subject matter of the negotiation

3. Negotiating in its true sense

- Explain concrete demands and offers
- Clarify advantages and disadvantages
- Clarify interests - actively listen
- Do not insist on positions unnecessarily
- Observe negotiating partners and use findings if necessary

DIE 6 VERHANDLUNGSPHASEN

(4.-6.)

4. Agreement / result / interim result

- Record intermediate or final result together
- Discuss documentation

5. Adoption

- Affirm appreciation of negotiating partner
- The last emotional impression is very important

6. Postprocessing

- Analyze negotiation content and history
- Maneuver review within the negotiating group
- Collect and document take aways for the next round of negotiations

DAS HARVARD PRINZIP

1. Harvard principle (separation of factual and relational level)
 - How do I treat the person / What do I know about my negotiating partners?
 - Are there topics on the emotional level that can prevent a good outcome?
 - How much faith do I have in the other negotiating partner (s)?
2. Harvard principle (put balance of interests in the foreground)
 - My interests are...
 - The interests of my negotiating partners are probably ...
 - Which positions of my negotiating partners are known and which interests lie behind them?

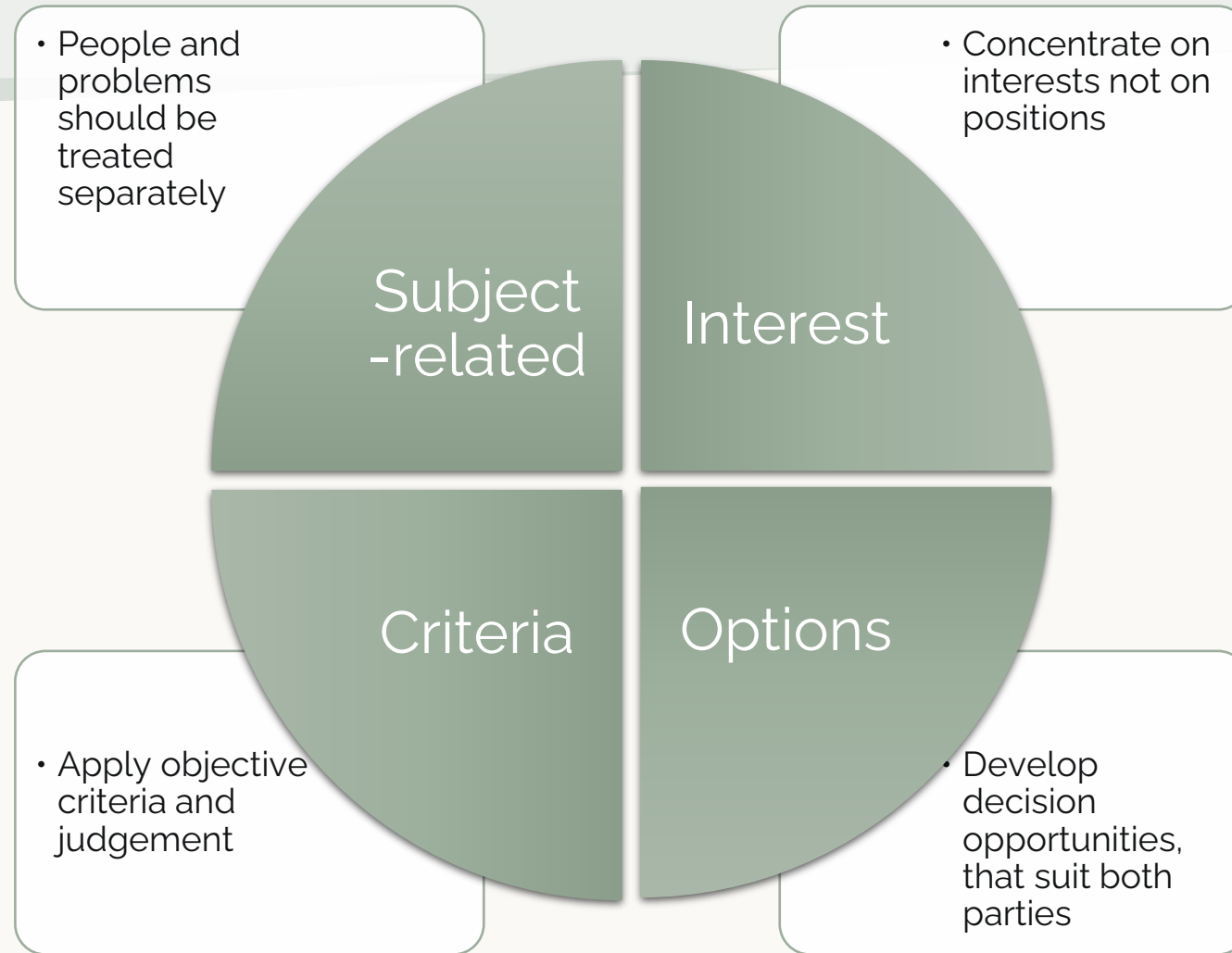
DAS HARVARD PRINZIP

3. Harvard Principle (search for mutually acceptable decision options)
 - Mutual benefit as the goal of developing decision-making opportunities
4. Harvard principle (insist on application of "neutral" assessment criteria)
 - The following fair standards can be accepted by both sides: ...



WIN-WIN situation

4 PRINZIPIEN SACHORIENTIERTEN VERHANDELNS



1. HARVARD PRINZIP

TRENNE SACH- UND BEZIEHUNGSEBENE

- Negotiating partners are people with basic interests
 - subject of negotiations
 - personal relationships
- The problem factor human

Imagination

Do not deduce intentions from your own fears

No unjustified finger-pointing

Put yourself in the shoes of the other side

Emotions

Do not take anything personally

Recognize and understand one's own emotions and those of the negotiation partner

Communicate feelings in the negotiation

Communication

Tackle problems, not people, sit on one side of the table

Build relationship with the negotiating partner

Listen actively and give feedback

Clearly express / avoid misunderstandings

2. HARVARD PRINZIP STELLE INTERESSENAUSGLEICH IN DEN VORDERGRUND

- Address and record interests on both sides
 - Affirmative on the topics but gentle in tone to the negotiating partners involved
 - Be affirmative but stay flexible
 - Clear representation of interests
 - Recognize the interests of the negotiating partner as part of the problem

- Clarify "Why?" And "Why not?"

3. HARVARD PRINZIP

SUCHE NACH AKZEPTABLEN OPTIONEN

- Find options
- Evaluate options
- Multiply options (create choices)
- Look for advantages for both sides
- Search for soft problem solutions

4. HARVARD PRINZIP BILDE NEUTRALE KRITERIEN

- Solution should be based on principles, not on pressure
- Agree on fair criteria
 - Objective and independent of interpretation of the parties
 - e.g. statutory or ethical standards

UND WENN NICHTS FUNKTIONIERT....

- Because the negotiating partner acts only at the relationship level but not at the case level or
- if the negotiator is more powerful
 - direct his aggression to the problem of the subject
 - View adversarial negotiating position as a solution option, no matter how outlandish it is
 - Derive the outlandish solution option as a solution scenario
 - Can lead to the realization of the feasibility

GOOD LUCK!!!

KONTAKT

Gernot N. Brenscheidt
Director Employee & Labor Relations EMEA
BPM Leiter Fachgruppe Arbeitsrecht
BPM Vorstandsmitglied
Aufsichtsrat
Volljurist (D)

Mail: gernot.brenscheidt@t-online.de

Cell: +49 171 2239510

WA: +49 171 2239510

22927 Großhansdorf / (close to Hamburg)
Up de Worth 44