

INTEREST-BASED NEGOTIATION

PCOP PRESENTATION

March 24, 2022

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U.S. ARMY CORPS OF ENGINEERS

**Collaboration &
Public Participation**
CENTER OF EXPERTISE



**US Army Corps
of Engineers**



GOALS FOR TODAY

Understand

Interests
vs.
Positions

Explain

5 Steps of the
Interest-Based
Negotiation
Process

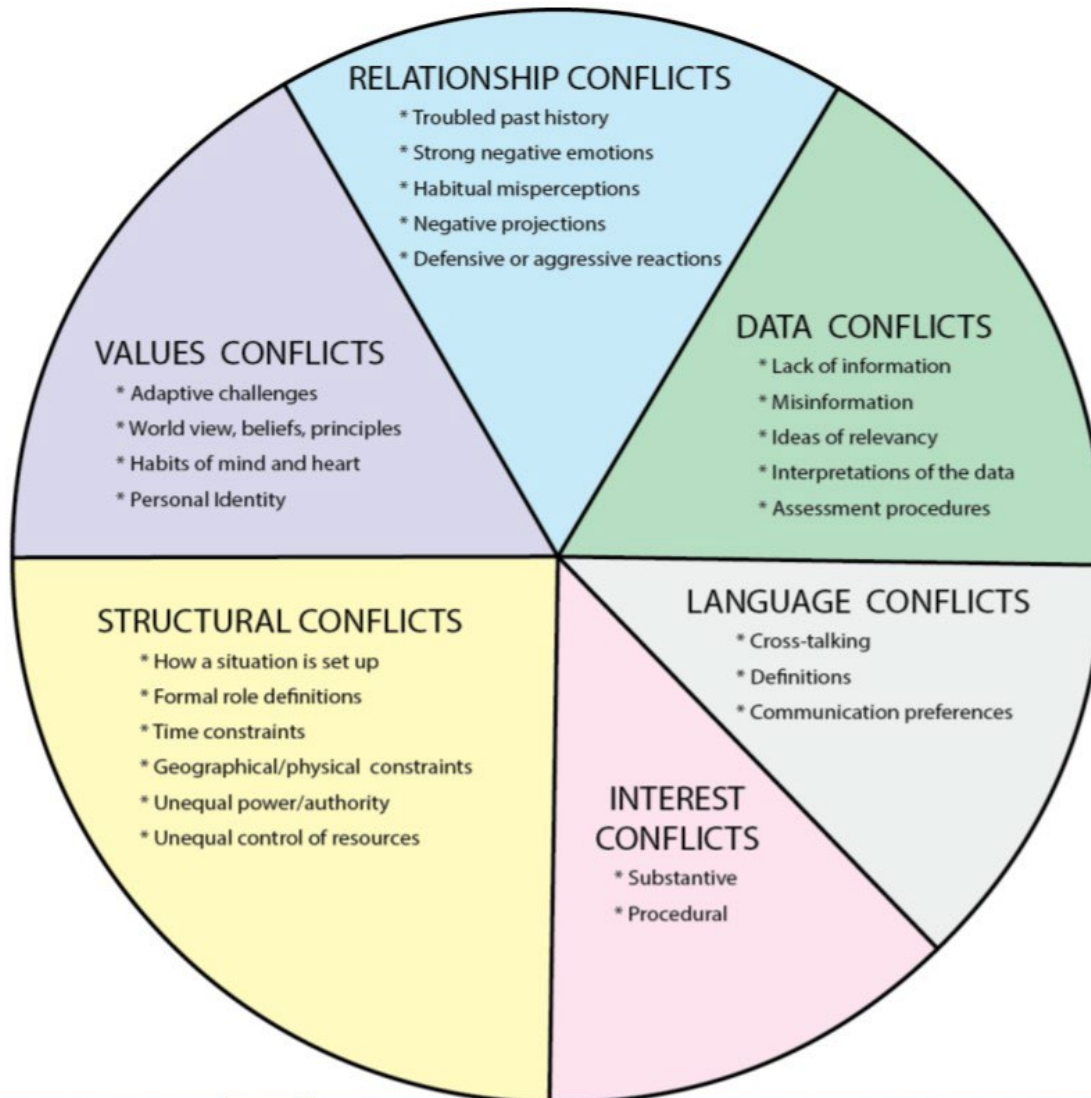
Apply

IBN in different
work and person
contexts

Share

Share YOUR
stories and
perspectives on
IBN

SOURCES OF CONFLICT & SOME CONFLICT RESOLUTION TOOLS



Some conflict resolution tools:

- Communication skills
- Positive intent & reframing
- Address power imbalances
- Personality assessments
- Interest-based negotiation

TYPES OF NEGOTIATION

Distributive – Position-based (Divide the Pie)

- Negotiation is a **contest**.
- Sides pursue their **own interests**.
- Useful in situations when...
 - want to maximize the value from **a single deal**, and
 - the **relationship is unimportant**.

VS.

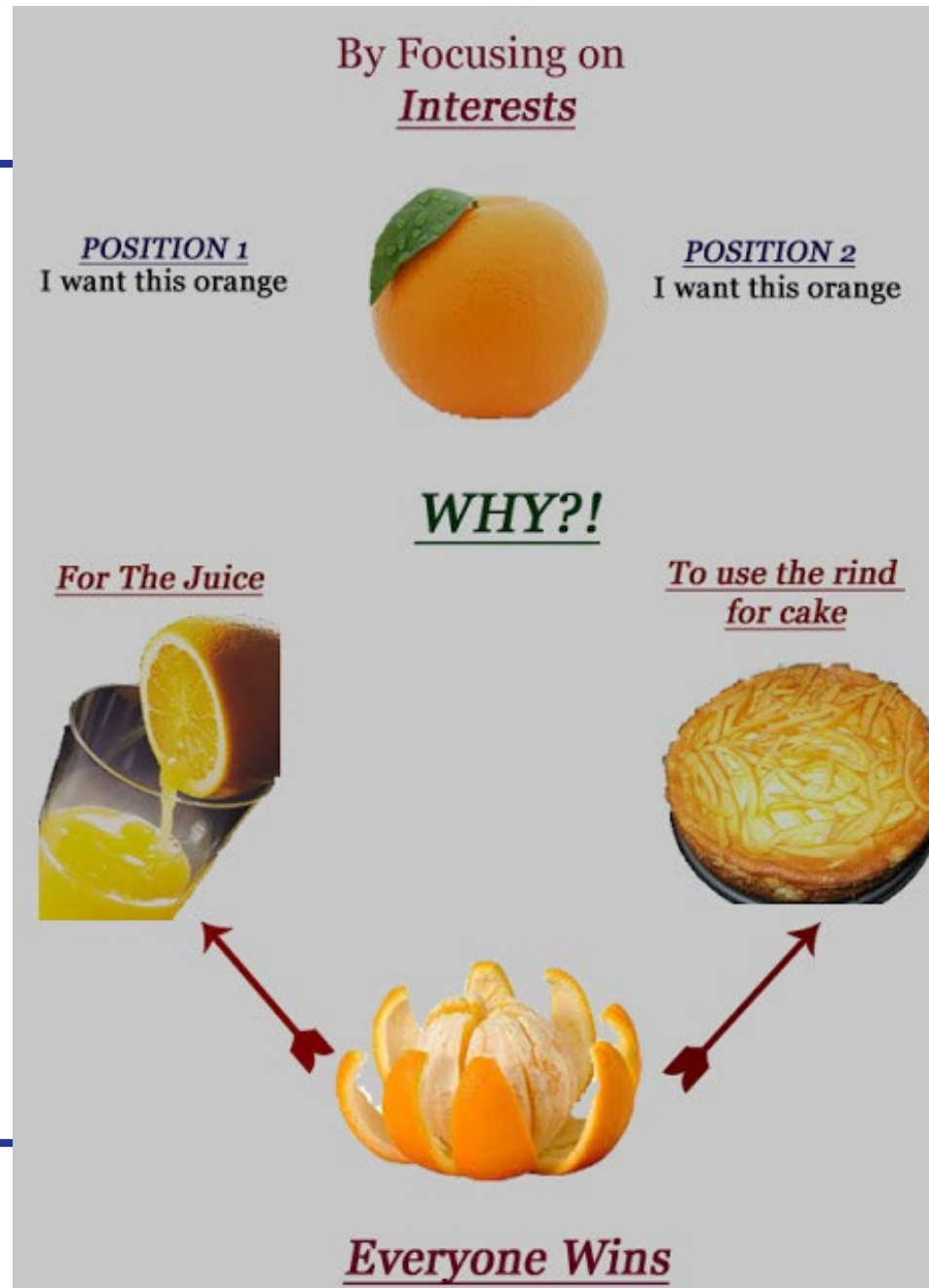
Integrative – Interest-based (Expand the Pie)

- Negotiation is a **collaboration**.
- Sides work **together** for **mutual satisfaction**.
- Useful in situations when...
 - positive interdependence and
 - relationship is important.

THE PARABLE OF THE ORANGE



THE PARABLE OF THE ORANGE



STEPS IN AN INTEREST-BASED NEGOTIATION PROCESS

1. Identify Interests
2. Develop Joint Problem Statement
3. Generate Options
4. Evaluate Options
5. Reach Agreement

CASE STUDY – PETS IN THE OFFICE



STEP 1: IDENTIFY INTERESTS

POSITIONS	INTERESTS
What you want	Why you want it
Solution	Underlying desires, concerns, motivations , values, fears...
The sides people take to achieve their own interests (the HOW)	Fundamental needs / conditions for continued survival, success or fulfillment of specific groups/people (the WHAT / WHY)

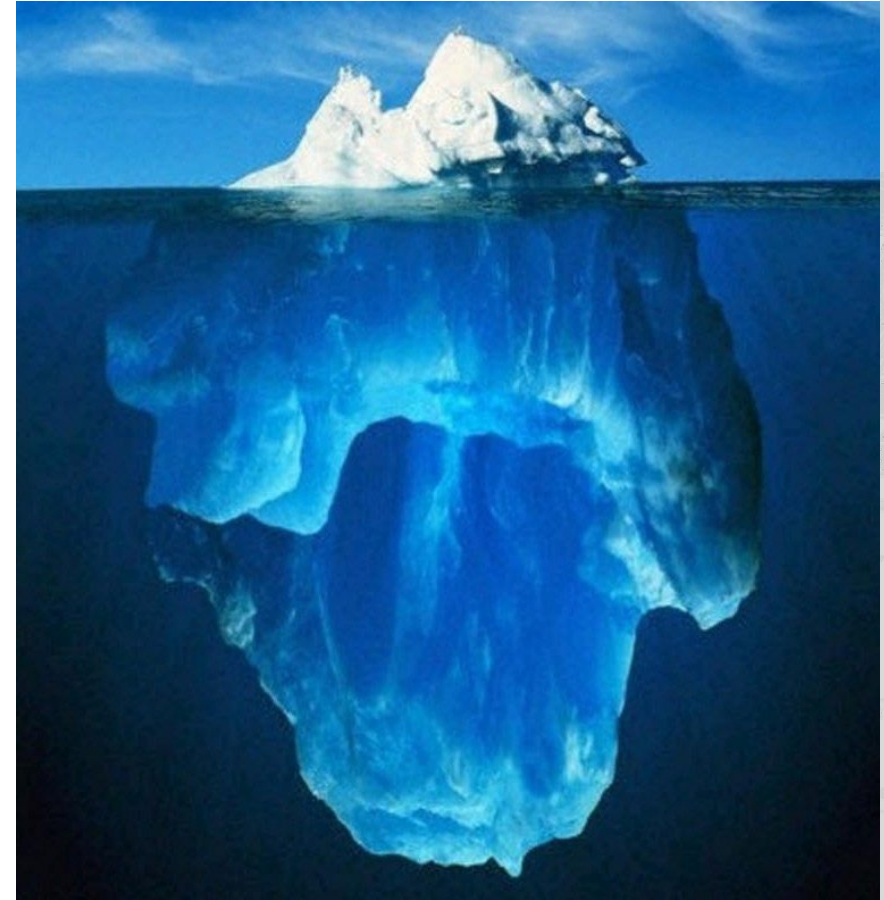
HOW TO IDENTIFY INTERESTS

Tools like

- **Active listening**
- **“5 whys”**
- **Mirroring**

Questions to help ID interests from a position:

- If you had what you want, what would that do for you?
- What would that achieve?
- Why/how would that help you?
- What's important to you?



CASE STUDY – IDENTIFY INTERESTS – CHAT/ANNOTATE

Position 1:

ALLOW PETS IN PRIVATE OFFICES

INTERESTS:

Position 2:

NO ANIMALS IN THE OFFICE!!

INTERESTS:



CASE STUDY – IDENTIFY INTERESTS

Position 1:

ALLOW PETS IN PRIVATE OFFICES

Interests...

- EMOTIONAL SUPPORT
- PET CARE
- BREAK/FUN
- HEALTH

Position 2:

NO ANIMALS IN THE OFFICE!!

Interests...

- PEACE AND QUIET
- PRODUCTIVE ENVIRONMENT
- REPUTATION
- HEALTH



STEP 2. DEVELOP INTEREST-BASED PROBLEM STATEMENT

Problem Statement: “How do we address [*insert issue here*] in a way that would accomplish [*insert Party A’s interest here*] and achieve [*insert Party B’s interest here*]?”

Result: Both parties see the problem representing their interests; **Instead of the problem standing between them, they are now on the same side of the problem.**

Integrative – Interest-based (Expand the Pie)

- Negotiation is a **collaboration**.
- Sides work **together** for **mutual satisfaction**.
- Useful in situations when...
 - positive interdependence and
 - relationship is important.

CASE STUDY PROBLEM STATEMENT

How do we address the issue of pets in the office in a way that would enable emotional support and maintain a productive environment?



STEP 3. GENERATE OPTIONS

Creatively think of options that would meet all (most?) interests

Joint gains... *Where are they?*

- Interests that are valued differently
 - *“You take the juice, I’ll take the peel.”*
- Interests that are mutual
 - *“I didn’t know you wanted xxx too!”*



CASE STUDY – BRAINSTORM OPTIONS – CHAT

How do we address the issue of pets in the office in a way that would enable emotional support and maintain a productive environment?

Considering all the interests together...

EMOTIONAL SUPPORT
PEACE AND QUIET
REPUTATION

PET CARE

PRODUCTIVE ENVIRONMENT

BREAK/FUN
HEALTH
HEALTH



CASE STUDY – BRAINSTORM OPTIONS – CHAT

How do we address the issue of pets in the office in a way that would enable emotional support and maintain a productive environment?

Options:

- Create a dog/pet park inside and/or outside the office
- Allow them in certain locations
- Allow them on certain days
- Add telework justification to be with (or avoid) pets
- Schedule office pet walks/play dates
- Allow some types of pets (quiet, hypoallergenic)



STEP 4. EVALUATE OPTIONS

1. Clarify as needed
 - What specifically do you mean by this?”
 - How does this option meet the interests of both parties?”
 - How would this be implemented?”
2. Narrow down the list of options:
 - Test each option against the interest-based problem statement. Does the option under discussion meet the interest of both parties?
3. Evaluate remaining options with agreed-upon criteria.

STEP 5. REACH AGREEMENT




1. Generate a **tentative** agreement.
2. **Check acceptance** with group members, stakeholders, constituents, additional users/audiences
3. **Pilot** the agreement for a specific period of time
4. **Resolve remaining differences** as needed
5. **Finalize** agreement

Fist of Five

Informed Consent

BATNA

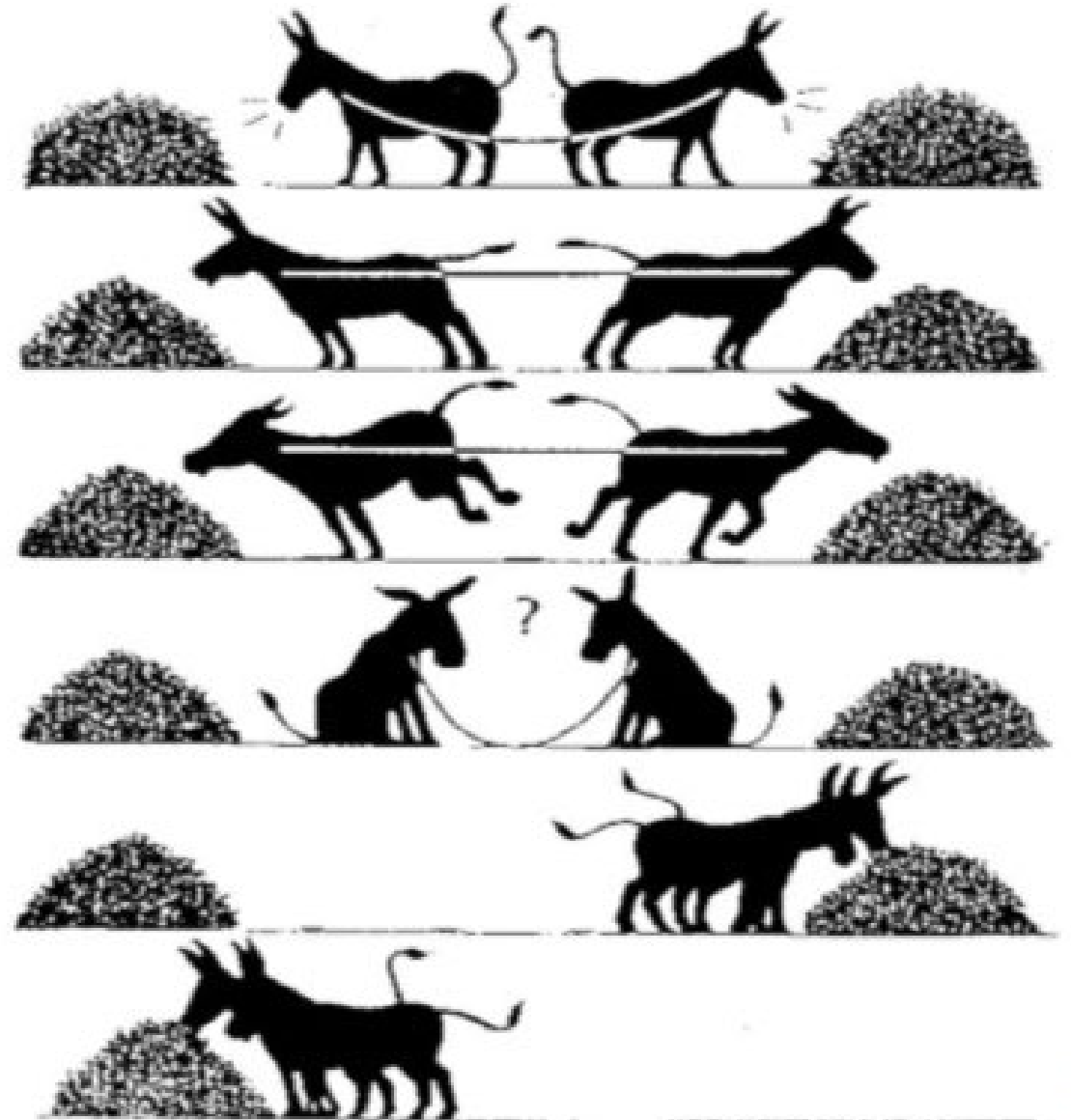
USACE EXAMPLE – SUSTAINABLE RIVERS PROGRAM

	Positions	Interests
	Spring Pulse	<ul style="list-style-type: none"> • Species preservation • Natural systems • Reputation
	Either	<ul style="list-style-type: none"> • Safety • Legal/authorized purposes • Reputation
	No Spring Pulse	<ul style="list-style-type: none"> • Property values • Financial • Family

Give some Examples from your work - Navigation, FRM, ESA, other?

KEY TAKEAWAYS

- Bring all conflict resolution skills to the table during the IBN process
 - Be open-minded & creative
 - Ask why
 - Negotiation is a collaboration:
Problem-solve together
-



LEARN MORE

Getting to Yes: Negotiating Agreement Without Giving In,
Rober Fisher and William Ury, 1981

Getting to Yes with Yourself, William Ury*, 2015

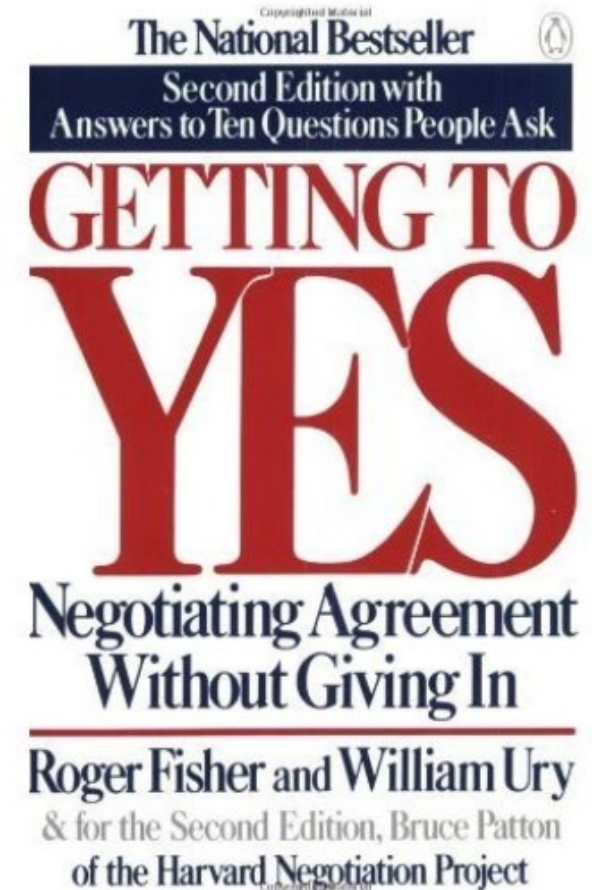
FWS-USACE micro videos:

- Getting to Yes With Yourself: An Introduction
- Getting to Yes: Practicing Skills

<https://www.fws.gov/nctc-microlearning>

Interests met through dam reoperation –
USACE/TNC Sustainable Rivers Program:

https://www.iwr.usace.army.mil/Portals/70/docs/sustainable_rivers/Sustainable_Rivers_Overview-Apr_2005.pdf



*Ury has a youtube channel + 97 posted videos

FOR MORE INFORMATION

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Sites

CPCX - www.iwr.usace.army.mil/cpc

Collaboration & Public Participation CoP -
<https://cops.usace.army.mil/sites/CPP/default.aspx>

