

Dealing with Aggressive Negotiators

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SUMMARY

Not all negotiators come to the table open to a calm discussion. When dealing with an aggressive negotiator, you can consider these six tips provided below.

RECOGNIZE THE TACTICS

A basic principle of negotiating is to attack the problem, not the person. Not everyone learns how to negotiate this way, however. Without the knowledge or skills to negotiate collaboratively, some people resort to aggressive tactics. Others deliberately employ tactics that most people consider off-limits. Aggressive tactics include the following:

- Bullying
- Using threats and ultimatums
- Playing good cop/bad cop
- Using misleading information
- Withholding key information
- Insulting the other person
- Presenting take-it-or-leave-it offers
- Presenting unreasonable offers
- Employing emotional outbursts
- Negotiating in bad faith

RESPOND IN KIND, OR WALK AWAY?

How do you maintain composure when facing a person who uses aggressive negotiating tactics? When should you fight fire with fire?

As a general rule, do not respond in kind unless the other party proves to be so unreasonable, unethical, or dysfunctional that hardball responses are the only way of achieving your objectives. But beware. Unless the project or issue at hand is of vital importance, you may be better off not reaching an agreement. How people behave during a negotiation usually indicates how they will act throughout a relationship. Do you really want to do business with

people so unreasonable that, to protect your interests, you need to stoop to their level?

KEEP A LEVEL HEAD

For design professionals, effectively managing a negotiation can mean the difference between profitability and jeopardizing one's livelihood, between accepting reasonable terms and accepting onerous terms, and between establishing a productive relationship and establishing an adversarial one. When negotiating with an aggressive person, try the following:

Recognize the game. Once you understand that your opponent's behavior is simply a tactic, you can respond coolly and effectively rather than reactively and emotionally.

Detach yourself. Even if the other party insults you or attacks your integrity, don't take it personally. That person probably has little regard for most people in his or her life—you're no different. Maintain your composure. Keep telling yourself that this behavior reflects on the other person, not you.

Ignore the tactics. When tactics don't bring desired results, people eventually change their behavior. Respond only when behavior is acceptable. Otherwise, move on to the next topic. Spend your energy crafting solutions that satisfy all parties.

Befriend the aggressive person. Emphasize what you have in common. Agree with the aggressor whenever possible. Compliment whatever he or she has achieved to date during the negotiation.

Discuss the negotiating process. Point out that the larger goal of reaching agreement is at stake. Suggest that the negotiations resume based on trust and respect. Consider bringing in other people to help the process get back on track.

Concede on an item. It never hurts to appease someone now and then. Choose an issue that has little significance to your firm but is of great importance to the other side. See if the concession leads to a spirit of cooperation.

ABOUT THE CONTRIBUTOR

Michael Strogoff, FAIA, was the managing principal of a 40-person architecture and planning firm for 13 years, has negotiated and managed complex projects for more than 20 years, and has consulted closely with many business owners for over seven years.

Mr. Strogoff is the publisher of *Negotiating Strategies*, a monthly newsletter about negotiating better agreements written specifically for the architecture and engineering professions. To view a sample newsletter or subscribe, visit the Web site, www.strogoffconsulting.com.



RESOURCES

More Best Practices

The following AIA Best Practices provide additional information related to this topic:

- 09.03.03 Mediation for Conflict Resolution
- 17.01.06 Steps for Reviewing a Contract
- 18.02.02 Owner-Architect Agreements for Small Projects

For More Information on This Topic

See “Agreements with Clients,” by Edward T. M. Tsoi, FAIA, and “Construction Agreements,” by Dale R. Ellickson, FAIA, in *The Architect’s Handbook of Professional Practice*, 13th edition, Chapter 11, pages 275 and 299, respectively.



See also the 14th edition of the *Handbook*, which can be ordered from the AIA Bookstore by calling 800-242-3837 (option 4) or by email at bookstore@aia.org.



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