



Mama Said There'd be Days like This

The Art of Negotiation

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In an article titled, "Ease-Ment: The Art of Negotiation," in the January/February 2011 issue of Right of Way Magazine, Meg Phillips and Joe Norman, Right of Way Agents for Mountain Range Telecom met with Mr. and Mrs. Stillner to discuss an easement that would allow the placement of fiber optic on their farm. The course of their negotiations goes from bad to worse as the property owners refuse to grant an easement on their property.

The key points from the first lesson were as follows:

- Never, never, never use the word "take" to negotiate. Incorporate words like "use," or "easement covers x-feet of land," etc.
- Educate the property owner about legal terms and concepts.
- Avoid legalese and technical terminology - speak in plain English. Remember the KIS method: Keep It Simple.

Listen in on Meg and Joe's conversation as they discuss their experience with the Stillners.

"Wow! I feel as though we just got tossed out to the Stillner's pig pen." Joe said as he loosened his necktie.

"Meg, now I understand why the department sends teams of agents out to this part of the country. These folks are tough,"

Joe exclaimed as he rolled down the car window hoping the fresh country air would ease his pounding headache.

"Do you remember what Morgan said as we left the office to meet the Stillners?" Meg asked.

"Morgan is always saying something crass. I rarely pay attention to him."

"Regardless, sometimes he comes up with good ideas," Meg said rallying to Morgan's defense. "I think he's got something here. Listen, Joe! He said, 'You guys can't go to the country dressed like that. Those farmers will laugh at you as they slam their door in your faces!'"

Joe shrugged his shoulders as he skooted into his seat and laid his head on the headrest.

"You have to admit that we were definitely over-dressed. Me in high heels and you in a suit and tie." Meg offered.

"Think you've got something there, Meg."

"When the Stillners met us, they must have thought that we were better than they were."

"The next field meet we have with farmers, let's say we dress similar to them," Joe concluded.

"Let's think of other things we could have done differently to improve the negotiations." Meg challenged.

“Well for starters, Mrs. Stillner really got fired up when she heard the word take.” Joe said.

“Did you see the look on her face when we said we couldn’t offer compensation for the easement because of the tariffs?”

“Yep! If looks could kill, we’d be goners!” Joe said jokingly. “We didn’t have an answer when they asked why we decided to place the fiber on their property and not their neighbors.” Meg said with embarrassment.

“Guess we should have checked with Engineering before the meeting.” Joe confessed. “Do you think they understood the definition and the benefits of fiber optics?”

“Don’t know how we could have explained it better. I felt as though we were on a roller coaster by explaining the same thing over and over!” Joe said, a bit irritated. “Maybe we gave too much information all at once. I mean, that fiber optic lingo confuses me.”

“There’s got to be a simpler explanation. When I return to the office, I’ll give Barney from Construction a call and ask him if he has fiber samples we can show to property owners.” Meg suggested.

“That reminds me! When we were at the trade show, I picked up one of those fiber pens that lights up. We can use that as well,” Joe said as he felt a hint of encouragement for an idea that could help future negotiations.

As they continued their drive back to the office, they discussed ways to simplify the explanation for the benefits of fiber. They observed existing overhead lines along the roadside and noted how aesthetically pleasing the skyline was due to the significant difference in diameter between copper cable and fiber. At another location, they noticed that one fiber line had replaced several copper cable lines, thus further cleaning up the skyline. They chatted about its improved transmission and low maintenance qualities. They agreed that being able to hear telephone conversations better had to be a plus. And the fiber was more resilient in the inclement country weather.

Their brainstorming proved that knowing their product is one of the first steps to success. By the time they reached the office, they agreed there’s more to negotiations than riding on the coattails of a large company.

“Joe, would you be interested in a negotiations course?” Meg inquired as she parked the car in the company lot.

“I sure could use something,” Joe said as he dragged himself out of the car. “Meg, some days they just don’t pay enough for this job!”

“Yep! Mama said there’d be days like this!” Meg said with a chuckle. She offered to make arrangements to enroll in a negotiations course if Joe promised to attend. Knowing that he needed to improve his skills, he agreed to take the course. They entered the building and proceeded down the long hallway to their respective offices. As they turned the corner they ran into their coworker, Morgan.

Morgan gave them a glance and said in his usual sarcastic way, “Looks like you two got chewed up in your fancy go-to-church-meetin’-clothes!”

The Second Lesson:

- a) Know your property owner. What part of town do they live in? What class of people live there? Dress in a way that helps them to identify with you and you with them. This is the beginning of establishing rapport with the property owner that leads to TRUST.
- b) Know your product and its benefits. When you know your product, it’s easier to explain the most complex concept.
- c) Do your homework before you talk with the property owner. Know why engineering designed the job in a particular way. Why this route? Why this property? Is there a possible alternate design? If so, what is it? If not, why?
- d) Good agents not only excel in negotiations, they are a marketer and a psychologist, as well. In order to accomplish successful negotiations, agents need to sell their product and its benefits, and must be able to identify the property owner’s behavior in terms of awareness in body language, change in attitude, change in communication, both verbal and nonverbal, and change in voice intonations.

In the next issue, tag along with Meg and Joe while they attend an IRWA course titled, “Skills and Attitudes for Successful Negotiations -Part I.”



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