



Principles of Negotiation



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Panel Discussion for Architects and Engineers in Collaboration with NEA and SONA

Types of professional conflicts

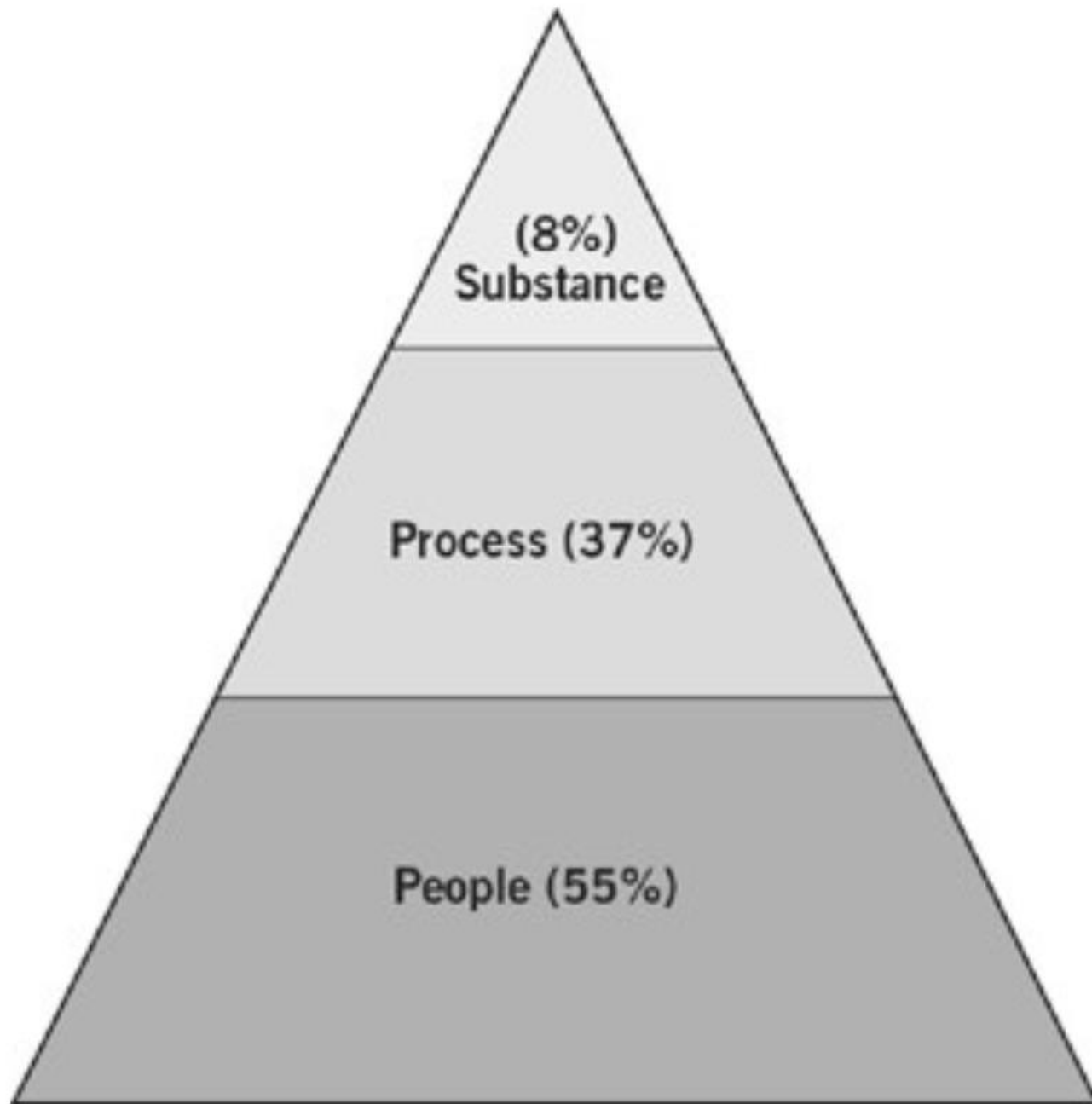


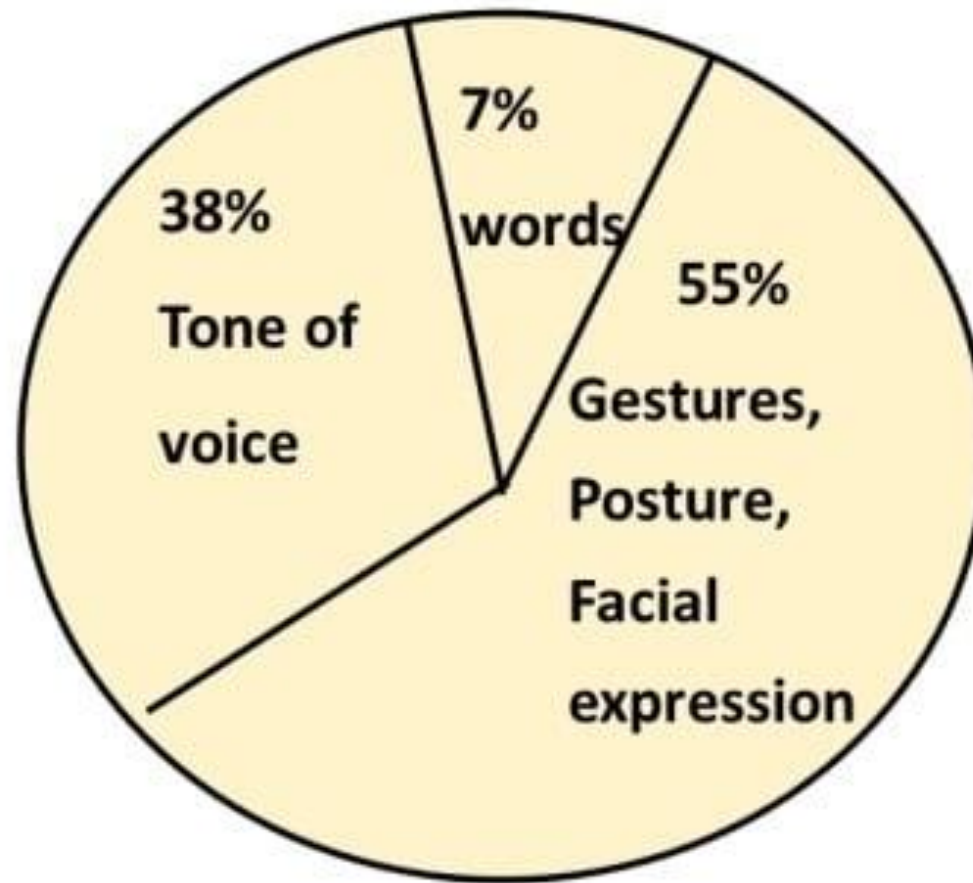
- Client discards architect's design inputs and imposes his own
- Contractor replaces **black stone** by **white ceramic** tiles without notice
- Senior architect denies salary to junior for wrong measurement

What is negotiation?

- Framing polite sentences/ creating good feelings/ securing cooperation
- Shifting situation from No to Yes-environment







Communication is 93% body language and 7% words

Source: Albert Mehrabian

How to Create good feelings for securing cooperation from **clients** and **contractors**

- Anger/ reaction



- Harsh word selection



- Poor Listening



Basic Mantra for dealing with clients

- Never give up/ Stay calm/ continue the dialogue
- Be Respectful even if the other is Disrespectful
- Negotiation is not about you but the other side
- Know what is inside the curtain/ inside the head



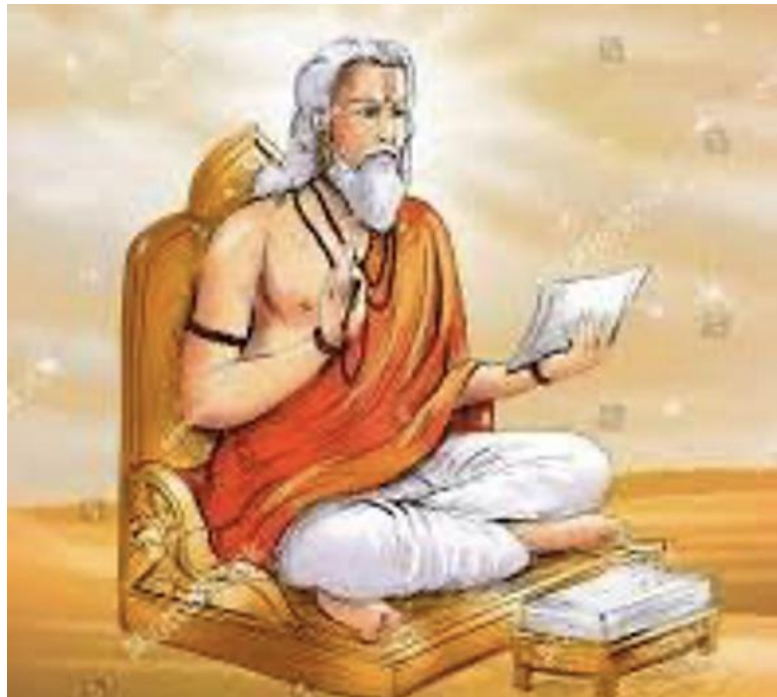
What you don't know might kill you



What is inside the head?



Principles of Negotiation



Pay attention to 6 principles



1. Collaboration not confrontation
2. Never break the relationship
3. Focus on problem not on people
4. Focus on interest not position
5. Generate several options
6. Base your agreement on criteria



1. Collaboration not confrontation





2. Never break the relationship





3. Focus on problem not on people





4. Focus on interest not on stand



5. Generate multiple mutually beneficial options



6. Base agreement on some criteria

Panel's Conflict stories



Short Break.....10 minutes

Communication Skills for Negotiation



Communication Skills

1. Tactical Empathy
2. Mirroring
3. Labeling
4. Calibrated question



5. Accusation audit
6. Pre-warning
7. No-oriented question



Example from Hostage negotiation

Kidnapped US journalist J. Schilling in Philippines

- Demanded a large ransom, threatened to cut the head
- Terrorist believed the U.S. government Oppressive
- It says we are animals
- Claimed himself as freedom fighter



Kidnapper
Abu
Sabaya



Schilling



Communication skills applied



Tactical empathy (Others Perspective)

- “It sounds like you see yourselves as freedom fighter, ignored and disrespected.”

Mirroring

Terrorist says:

“We are doing this because no one listens to us.”

❓ Negotiator mirrors:

- “*No one listens to you?*”



Terrorist says:

“This is the only way we get respect.”

❓ Negotiator mirrors:

- “*The only way you get respect?*”



Communication skills applied



Labeling (concerns, worries)



- *"It seems like you're angry that no one has taken your cause seriously."*

Calibrated Question



: No talk, money, I will end the conversation

1:



"How am I supposed to make progress if you end the conversation?"

2:



- *"What' could meet your goal without anyone getting hurt?"*



Communication skills applied by the negotiator



Accusation audit



“You probably think I’m just another American trying to trick you”:

“ I don’t care about your cause and just here to distract.”

Pre-warning Heads up



- “This may sound harsh, and I understand it could upset you...”
- “...but I have to be completely honest with you—no one is going to pay that ransom.”

The Kidnapping in the Philippines



No-oriented question



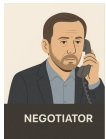
“Would it be ridiculous to address your concern without anyone getting hurt?”

- *“Is now a bad time to keep talking?”*
- *“Is it wrong to ask you how we can move forward together?”*

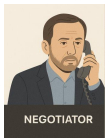
Last dialogue with labeling



"We are surrounded... maybe you are not lying."



"You've come this far. That tells the world you are not animals."



"Then release Jeffrey. That's how you leave this with honor."

Outcome

- **Jeffrey Schilling released, April 2001 several months later**
- **No ransom was paid**



Can we apply these ideas to influence clients, contractors, and boss?



1. *Tactical Empathy:*
2. *Mirroring:*
3. *Labeling:*
4. *Calibrated Questions:*
5. *Accusation Audit:*
6. *Prewarning:*
7. *No-Oriented Questions:*



Architect and Client



Micromanaging and interfering Client

Project: Home on hillside

- Architect: Young, detail-oriented
- Client: A retired bureaucrat

Conflict:

- Client: interferes in design, overrules Architect's inputs
- Client: "Aesthetics is waste of money"
- Architect threatened to withdraw

1. *Tactical Empathy:*

Interferes in
design, overrules
Architect's inputs

2. *Mirroring:*

Aesthetics is waste of
money

3. *Labeling:*

4. *Calibrated Questions:*

5. *Accusation Audit:*

6. *Prewarning:*

7. *No-Oriented Questions:*



Micromanaging and interfering Client: Communication Skills



Tactical Empathy:

- “It appears that cost effective design is your priority.”

Mirroring:

- **Client:** “Why do we need these big windows?”
- **Architect:** “Big windows?” (inviting to explain his concern)

Labeling:

- “It sounds you’re worried that the aesthetics would upset your budget.”

Calibrated Questions:

- “How would you feel if you see the final product ugly?”
- “What long-term benefits you foresee by this short-term savings?”

Accusation Audit:

- “You may feel I’m pushing expensive ideas.”
- “You might think I’m not experience enough.”

No-Oriented Questions:

- “Would it be a bad idea to explore both of our version before we decide?”

Micromanaging and interfering Client: Communication Skills



No-Oriented Questions:

- Is it wrong to make cost effective design without compromising aesthetic
- “Would it be a bad idea to explore both of our version before we decide?”

Tej and Saha story Nepal Bar Association Building



1. *Tactical Empathy:*

2. *Mirroring:*

3. *Labeling:*

4. *Calibrated Questions:*

5. *Accusation Audit:*

6. *Prewarning:*

7. *No-Oriented Questions:*



Rajbiraj Bar
Association
building



Architect and Contractor



Contractor Change Materials without consultation: Arvind and Kumar

Project: Renovation of **Siddhi Chowk**, a culturally significant public square.

Architect: Arvind – passionate about heritage, insists on **local black stone**

Contractor: – experienced builder who prioritized **cost-efficiency** and **deadlines**

Conflict:

- Contractor Kumar: **Replaced** black stone with **white ceramic tiles**
- **Cites** cost and time as the reason
- Architect: halted the project, upset that the **ceramic tiles violated the cultural soul**.



Contractor Change Materials without consultation: Arvind and Kumar

- **Tactical Empathy:**

- “I get that you're trying to avoid delays and meet targets. That pressure must be intense.”

- **Mirroring:**

- Contractor: “No one will even notice the change in the wall.”
- Architect: “No one will notice?”

- **Labeling:**

- “Seem you're concerned that black stone makes the work slow and costly.”

- **Calibrated Questions:**

- “How do you think the heritage office would react to unapproved changes?”
- What can address your concern without ignoring heritage rules?

- **Accusation Audit:**

- “You might think I’m being rigid or slowing the project.”

- **Pre-warning**

- It may sound harsh and may upset you, there is no way the



Contractor Change Materials without consultation: Arvind and Kumar

- **No-Oriented Questions:**
 - “Is it a bad idea to ensure we meet the heritage standards?”

What Communication Technique does?

- | | |
|--|--|
| 1. Tactical Empathy: calms chaos | 1. Accusation Audits disarm mistrust |
| 2. Mirroring: builds connection | 2. Pre-warning (prepares them to accept) |
| 3. Labeling: reduces emotional charge | 3. No-Oriented Q. shifts control |
| 4. Calibrated Question (gives illusion of control) | |

Sen. Arch. (boss) denies salary to Junior



- **Senior Architect:** Asked to verify a contractor's plaster bill—typically done by engineers
- **Junior Architect, Manish:** Carried out the task responsibly
- **April 25, 2015 Earthquake stalled office work**

Conflict:

- Manish was not called back
- When asked about the pending salary
- The boss blamed "irregularities" in measurement.
- Denied the salary, Manish quit

Senior and Junior Architect conflict



1. Tactical Empathy

“You may have felt overwhelmed handling staff and contractor payments after the earthquake.”

2. Labeling

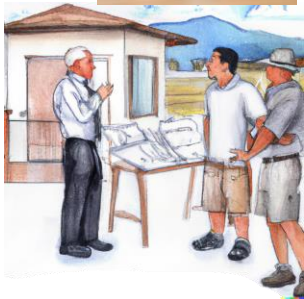
- *“It seems like you're saying I caused measurement error, but never told me for months until now.”*

3. Calibrated Questions

- *“How am I supposed to leave my whole months salary, just for one error?”*
- *“What would you achieve by denying monthly salary?”*

6. The “No”-Oriented Question

- *“Are you against being considered as an empathic boss in town?”*



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