

Negotiating Strategies for Women on Their Way to the Top



Carol Frohlinger is the founder of Negotiating Women, a consulting firm dedicated to educating women on how to rise to leadership positions and to advising organizations that wish to recruit, retain and advance talented women. A lawyer, Frohlinger has served on Bar Association committees at the national and local levels, dealing (among other things) with issues of gender equity and women in law. She also has served on a New York State Bar Association task force on the future of the legal profession.

Frohlinger is co-author of *Her Place at the Table: A Woman's Guide to Negotiating Five Key Challenges to Leadership Success*, a book that gives women advice on negotiating — whether they already are in leadership roles or want to advance to them. The book features lessons gleaned from interviews with more than 100 female executives from a variety of industries who shared stories about negotiations that helped in achieving success in their career, as well as situations where they wished they had negotiated differently.

Recently, Frohlinger spoke with FTI Consulting Forensic & Litigation Consulting Managing Director Dawn Hall and FTI Consulting's Women's Initiative Network. Frohlinger shared a number of key learnings talented women can use to advance into leadership positions (men may find some of these points useful, too.)

Negotiate the Conditions for Your Career Success

Women are just as good as, or even better than, their male colleagues when it comes to negotiating on behalf of *others*. Where women can struggle is when it comes time to negotiate on behalf of *themselves*. There are preconceived notions and stereotypes, held by both women and men, regarding how women should behave; those stereotypes can creep into negotiations.

Nevertheless, there are many occasions when women have to negotiate for issues that their male colleagues take for granted. For example, in the professional services industry, women frequently have to negotiate to gain access to informal networks. Much information is shared informally — whether on the golf course, at a bar or in any number of other settings. The gates to some networks aren't necessarily closed — it's just that people tend to associate with others who remind them of themselves. Therefore, women, many times, have to negotiate for access to those networks or the information shared in them.

Research shows women are judged on their performance, whereas men are judged on their potential. Women need to negotiate ways to receive ongoing feedback from a myriad of sources throughout an organization over the course of the year. Feedback on performance should not be left for the once-a-year evaluation process. It's much better to get specific, timely feedback at various points during the year — but you need to negotiate the schedule.

Generally speaking, you have to negotiate the conditions for your career success. You can't expect that anyone else will do it for you. Negotiate for credit for accomplishments and ideas. Negotiate for access to networks and strategic introductions. Negotiate for compensation. Negotiate for sponsorship. Negotiate for that stretch assignment. Too many women work hard, deliver excellent results, and hope

that the right people notice and place a tiara on their head. This is called "The Tiara Syndrome," a term cited by Sheryl Sandberg, Chief Operating Officer of Facebook, in her book, *Lean In*. In other words, "Hope is not a strategy" — negotiation is a strategy.

Know the Difference: Transactional vs. Relationship Negotiations

When you're looking to buy a car, you engage in a transactional negotiation: You use the Internet to do your homework, and you head to the automobile dealership. Your goal is to get the car you want at a fair price. Generally, you don't worry much about your ongoing relationship with the car salesperson. It's a business transaction.

Contrast that with the kinds of negotiations you have with clients and colleagues, family and friends. All of your behaviors and actions before, during and after negotiating with those people are based on your desire to maintain and improve your relationship with individuals.

Positional bargaining is useful in transactional negotiations. However, when it comes to relationship negotiations, it's a much better idea to use a mutual gains approach, also known as a win-win negotiation process.



Identify Uppercase vs. Lowercase Negotiations

It's important to recognize and know the difference between Negotiations with a capital *N* and negotiations with a lowercase *n*. Uppercase Negotiations are the ones where you know you're negotiating. You have uppercase Negotiations when you're buying a house or a car and negotiating your compensation or a promotion.

Many people fail to recognize the lowercase negotiations that take place every day. These day-to-day negotiations include issues such as who gets to take a vacation the first week in August when more than one employee wants that week off and only one person at a time can be out of the office. Another example is who's going to stay late to finish the deliverable the client is expecting the next day. These lowercase negotiations play a major role in determining our job satisfaction levels.

yourself in the awkward position of having to request another conversation in order to realistically fulfill those commitments.

Understand the Substantive Negotiation vs. the Shadow Negotiation

Substantive negotiations involve the issues on the table that you know you're negotiating. However, every negotiation also has a parallel "shadow" negotiation that is not about the issues but rather about the people who are negotiating — their interpersonal dynamics and the way they approach one another. Does each person feel heard? Does each person feel respected and trusted?

We all prepare for client negotiations by studying business parameters. Prepping for one's own professional negotiations (such as salaries or promotions or development opportunities) is just as



This gets back to the subject of networks. When you're talking about internal negotiations, personal networks can be helpful in providing guidance about what to expect in a negotiation and how to get results. Without those networks, it's more of an uphill battle.

Don't Bargain Yourself Down

One of the ways women can get in their own way as negotiators is to bargain themselves down before they even get to the negotiating table. The benchmarks on what is required to complete a project in terms of time, budget or other resources typically are known. Yet some women start by thinking, "I know I need a team of X people to get this project finished in the time frame I've been given. But I doubt that management is going to give me X, and I don't want to embarrass anybody — so I'll ask for Y." And, of course, Y is less than X in this scenario.

If you ask for Y, you never will get what you really want or need: X. Women should avoid aspirational collapse. Initially, be sure your requests are reasonable. Then, depending on the style of the person with whom you are negotiating, don't ask for resources just within the target range — ask for resources on the high end of that range.

There always are people who are not going to give you what you want. They're not win-win



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You have to be on the lookout for these lowercase negotiations so you're not blindsided. For instance, you go to a meeting and end up walking out with a long to-do list. You may not realize it, but you just participated in a negotiation where you agreed to find the time to fulfill a series of requests. You may not have identified it as such, but you were involved in a lowercase negotiation. And you may have lost the opportunity to negotiate for the time needed to complete the tasks, resulting in having to work all weekend. And you may have failed to negotiate for others to pick up their fair share of the assignment.

By maintaining a high awareness of these daily, casual, informal negotiations, you can make sure your workload remains manageable. Otherwise, you may find

important. You need to look beyond the obvious and think about how to manage the reactions you can anticipate from the people with whom you're negotiating. You can go into a negotiation with a perfectly rational proposal, but people are emotional beings, and emotions truly matter in negotiations.

The more information you have going into a negotiation, the better prepared you will be. But information is not just about facts and benchmarked data. Personal and emotional intelligence is the softer but equally critical side of any negotiation. How does the other person like to work on these issues? Does he or she like to brainstorm or do you have to come in with a few proposals and present them one after another?

negotiators. They're going to shave a little bit off. In those situations, ask for a little more than you need so you can compromise and still walk away with a winning agreement that includes the resources required to get the job done right.

Don't Avoid Difficult People

Too many of us get into the habit of avoiding difficult people. No one enjoys starting the day negotiating with a difficult colleague. So what do we do? We put off a confrontation and hope that maybe the other person will come around and see the light.

However, that is not realistic. Difficult colleagues don't just suddenly change their behaviors. Left to their own devices, they likely will cause all sorts of problems. To prevent this from happening, you need to jettison any hesitancy and deal with these querulous co-workers as soon as you realize there may be an issue to resolve.

When You're Not Happy, No One Is Happy

We can trip ourselves up when we fall into the trap of making others happy at our own expense.

This habit of selling yourself short — undermining your own interests while making other people happy — is not good.

If you are not getting your needs met — whether in your professional or personal life — you probably will be able to deal with the situation for a while. However, over time, you are likely to get so frustrated or angry that you may make rash decisions that are not in your own best interests and are counterproductive for your organization.

Know When to Walk Away

If you're not getting what you need from a negotiation, sometimes it's helpful to think about alternatives.

There are times you may be negotiating effectively, but the other party simply is not going to give you what you want. If you're unwilling or unable to recognize this fact, you can spend far too much time and effort trying to change the inevitable. The more time you spend negotiating, the more you escalate your commitment. The harder you work at the negotiation, the more determined you become to reach your desired solution.

Instead of putting your head down and negotiating harder when you reach an impasse, you may want to take a step back and figure out whether you have a realistic chance of achieving your goal. If not, it could be better to cut your losses and find an alternative way forward rather than wasting time and effort on a lengthy negotiation that has little hope of success.

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Know What You Want

Before you can hope to have success in a negotiation, you have to set your own goals and know what you're asking for. If you don't know what you want, there's no way you can get it.

Here's an illustration. There was a woman who had a difficult colleague who was not providing information on a timely basis that was needed to create a report.

The woman had a couple of conversations with this colleague, but nothing changed. It got to the point where the co-worker's intransigence was affecting the whole team and was creating high stress levels. The woman decided to talk with their mutual boss. The boss was very empathetic, nodding and agreeing with her that the colleague's behavior was unacceptable. The woman left the meeting and waited for the boss to take action, but nothing happened.

What was the problem? The answer is the woman didn't ask her boss to do anything — there was no call to action.

Perhaps he thought she was just venting. She could have asked him to talk with the irresponsible colleague or even replace that person — but the woman should have asked her boss for help in resolving the problem. He could be sympathetic, but he could not read her mind.

Use *And* Instead of *But*

Before you go into a negotiation, conduct a self-evaluation and determine what you have going in your favor.

In a promotion-type scenario, for example, what kind of experience do you have that might be applicable? Nobody is ever a perfect fit for any job so create a plan to address any shortcomings and turn them into assets. For example, you can say, "You're right. I don't have 100 years of experience balancing a ball and

juggling. *And* I have this other experience that I think is very transferable, and here's why."

Note the usage of the word *and* rather than *but*. *But* is a red-flag word in negotiations. People tend not to believe whatever follows the word *but*, or they discount everything you said before the *but* word.

You often can strengthen your argument and your negotiating position simply by replacing *but* with *and*.

Prepare a Backup Plan

Do your homework. Gather data on the issues and collect intelligence on the people with whom you'll be negotiating. Consider your alternatives. Walk into the negotiation knowing your BATNA: Best Alternative to a Negotiated Agreement.

Implement the backup plan if you can't reach an agreement on your terms with your



interlocutor. If you don't have a good understanding of your BATNA, you'll never know when to walk away from a negotiation.

Having a BATNA will save you from accepting an offer that doesn't meet your needs.

Appreciate the Other Person's Situation

Think about how you'd feel if you were standing in the shoes of the person with whom you are negotiating. You don't have to adopt that position, but it can be helpful to realize the rationale for why the other person behaves in a certain way. Presenting a proposal that mitigates

the other person's concerns increases the likelihood of reaching a mutually beneficial agreement.

Practice to Become an Instinctive Negotiator

A successful negotiation includes a number of steps — anticipating challenges, knowing your BATNA, understanding where the other person is coming from, recognizing what you want and so forth. The hallmark of a skilled negotiator is getting to the point where all the negotiating tactics come naturally, where you effortlessly remember to use those little tricks like using *and* rather than *but*.

Mastering negotiating tactics and strategy can feel a bit like learning a new sport. The first time you play golf, every swing feels awkward. Yet with time and practice, the swing becomes more natural and, eventually, instinctive. Until you perfect the art of negotiation — let's say when you are hit with a drive-by negotiation in the hallway — it is okay to say, "Let me think about that, and I'll get back to you."

This approach gives you time to figure out the *and* part of your negotiating strategy so, ultimately, you can say, "Yes, I will do that for you, *and* here are the resources I am going to need to make sure I get it done in the right way in a timely fashion." ■