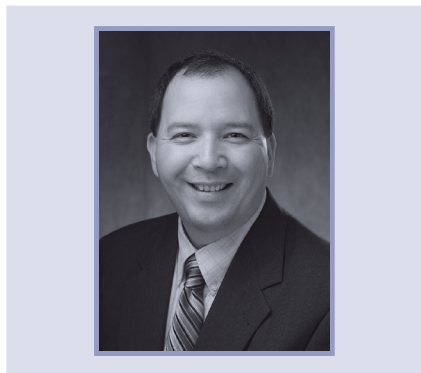


NEW PERSPECTIVES

A Systems Approach to Negotiation

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Much like medical students who acquire the skills to take a history and physical assessment, the science and art of negotiation requires a similar approach. General internists in particular can identify with this approach given their education and practice in assessing multiple organ systems. In this same way, performing a review of systems as part of any negotiation can provide invaluable information in achieving a desired outcome.

A tool found to be effective is referred to as *Spotting and Changing the Game*,¹ based the development of the seven-element framework by the Harvard Negotiation Project.² Like any “H&P” template, a tool that seeks to aid in identifying a patient’s signs and symptoms, these elements inform the negotiator of opportunities in making a diagnosis and devising a course of action or treatment. These seven elements are: 1) interests, 2) legitimacy, 3) relationship, 4) alternatives, 5) options, 6) commitments, and 7) communication.

Recently, I was working with a medical director to develop the clinical schedule for the next year. In doing so, one of the medical director’s interests was distributing holiday assignments across all faculty. When the notification went out, one of the faculty questioned the legiti-

macy of the holiday assignments given that his clinical duties were only a small fraction of others. It was felt that these holiday assignments should be proportional to attendings’ clinical duties in the number of holiday assignments per year and the frequency of being assigned any specific holiday from year to year. Reaching agreement, however, required the medical director to communicate these expectations. In questioning the legitimacy of these expectations, the faculty member proposed an option. Because the option was fair, an agreement was reached while maintaining the collegiality of the relationship.

To use this technique in other situations, spot the elements that are specifically being used or not being used. These signs and symptoms will inform you in diagnosing the causes, purposes, and how you contributed to the response. By doing so, you can devise a plan or strategy to change the direction of the negotiation in reaching a satisfying outcome. In deciding upon your plan, ask yourself:

- How can I change the way a particular element is being used by my counterpart?
- How can I shift the focus to a different element?
- How can I call out my counterpart’s “game” altogether and propose a new approach?

In my experience, people (including general internists) are either quite active or vocal about calling out a counterpart’s game or passive to the point of eroding morale over time. Being vocal is acceptable as long as the person understands that this can come at a price to the relationship element. Conversely, passivity is the lack of appreciation for the communication element. If I am the

negotiator—or in many cases the senior colleague, leader, or even administrator who uses the element of communication to convey my interests, in the absence of reciprocity—I will often invoke silence as a convenience for an agreement or a commitment. This interplay often leads to misunderstandings and can also fray the relationship element. So not only is awareness of these elements essential but the way in which each is used or not used can have an effect on the outcome. In the end, clarity of agreement is required to achieve the best long-term result.

Negotiation is a process, a practice, and a skill—not a disease. General internists should have confidence in the ability to incorporate this kind of systems approach to negotiation. Your education and training provides the prerequisite skills to successfully incorporate it into practice. The approach itself is a paradigm much like learning the “why” and “how” to performing a good history and physical assessment—one that (like negotiation) requires understanding and practice. Reflect on instances and situations you experienced recently and the seven elements that you and your counterpart used or did not use and how you could have changed the situation. Consider using these elements and the tool *Spotting and Changing the Game*¹ the next time you find yourself negotiating for a new position, requesting additional resources for your area, or just maintaining what you already have!

References

1. Spotting and changing the game. Boston: Vantage Partners, 2003.
2. Hughes J, Weiss J, Kliman S, Chapnick D. Negotiation systems and strategies. Boston: Vantage Partners, 2007.