

Interest-Based Bargaining & Alternative Dispute Resolution



ChangeWorks
Inc.

They have their position and we have ours. We don't agree.

We can: (1) fight over our respective positions; or
(2) attempt to resolve our differences through some type of consensual dispute resolution

Alternative Dispute Resolution typically means some form of third-party involvement such as **arbitration** (where the third party has the power to decide - to act as "judge") or **mediation** (where the third party acts as a counselor to help the parties resolve their differences, but has no power to decide). While the several variations on this third-party-help theme are useful, it is always more effective for the **parties themselves** to develop a mutually-satisfactory process to resolve their disputes.

One such process is **Interest-Based Bargaining**. First, three dictionary definitions:

POSITION "a point of view adopted and held to."

INTEREST "participation in advantage and responsibility;"
"right, title, or concern in something."

CONCERN "an uneasy state of blended interest, uncertainty, and apprehension."

These definitions highlight the sharp difference between "positional bargaining: adopt our position and hold to it at almost any cost," and "interest-based bargaining."

INTEREST-BASED BARGAINING WORKSHOP:

In this highly interactive and participative skill-building workshop, participants learn, experience, understand, practice and apply the competencies necessary to:

- (1) get their own interests met;
- (2) help the other party get their interests met; and
- (3) strengthen the relationship between the parties.



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At the conclusion of this workshop, participants will be able to:

- ❖ Separate the people from the issue(s)
- ❖ Make a human connection
- ❖ Level the playing field
- ❖ Overcome organizational and structural barriers to effective communication and interaction
- ❖ Treat the people as equals and resolve the issue(s) on its merits
- ❖ Identify the interests (both their own and others') that underlie positions
- ❖ Develop multiple options (alternative courses of action) that satisfy all or most of the parties' interests
- ❖ Apply objective standards to resolve remaining differences
- ❖ Understand and value their own interaction / communications style and the styles of others
- ❖ Flex their interaction / communication style for best results
- ❖ Get their interests met, help others get their interests met, and strengthen the relationship

This workshop is available in several formats.

