



PREPARING FOR NEGOTIATION: QUESTIONS TO ANSWER BEFORE MEETING

Fly moved back to the farm where he grew up two years ago after saving money working in the oilfields. He had always planned to return, but over the past year, his management role in the operation increased faster than he had anticipated. His father’s dementia has progressed rapidly and his mother, who once made the majority of the business decisions, has spent more and more time as caretaker.

Ty is not the only one with a desire to farm the land. His sister, Lily, also would like to take part. They know the estate will be split 50-50 when their parents pass, but the current situation is more complicated, with planting decisions to be made and their parents still holding title to the assets. Lily has been away from the farm for many years. She has earned several advanced degrees and now runs a consulting firm she can manage remotely. The slower pace

of rural life and her desire to help care for her father all beckon her back.

Ty is excited to have his sister join him in their small town—for one thing, there are few young people around and it would be nice to have some company. However, he also knows Lily’s knack for business decisions could undermine his own standing within the operation. She has already made several suggestions to explore new markets that Ty must admit have resulted in better margins than he expected.

Ty would like to have a conversation with Lily about how farm management decisions will be made and who will make them before she moves back. He is apprehensive, for obvious reasons, about even opening the topic for discussion. However, he is convinced that they have a better chance of working things out to everyone’s satisfaction if they have the discussion before the conflicts begin.

Preparing to Negotiate

Negotiation isn't only about the meeting itself. Leading up to that meeting can be a time when some of the most important work is accomplished. Cataloguing goals, strengths and weakness, the resources you bring to the negotiation, and understanding the resources you lack can help not only prepare, but can also be useful exercises in and of themselves. Below are a number of questions to help organize your thinking. Develop a response to each question as you prepare for your meeting.

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What is your vision for the future?

This is a time to think about the larger things like an overall vision for the operation or business. Thinking “big picture” may not make sense for every negotiation, but is nonetheless a good exercise in getting started with the process. Do you have ties to the land and what are your priorities regarding how it is cared for? How does your operation fit into your local community or the agricultural community at large? How do you see your own standing with others in your business or organization, or in the community?

What are your concerns?

Often worries are easier to list by than a vision for the future. Focus on what concerns you really care about and how they might be affected by this negotiation. What might get in the way of your vision?

What options might agree with your vision, address your concerns, and be acceptable to the other party/parties involved?

Brainstorm a range of alternatives that agree with your interests. Consider alternatives that might work for the other side as well. Keep in mind that you likely won't know their circumstances with certainty until you sit down together. The other party/parties may be willing to reciprocate if you can keep them happy while satisfying your needs. Also, think about options you want to avoid. Perhaps some options would be sufficiently harmful to the other side that you could stymie negotiations just by suggesting them. Think about fairness and equity—how can you establish a good working relationship with the other side?

What comparative advantages do each of the parties hold? Disadvantages?

Each side comes to the table with different strengths and weaknesses. Try to understand those differences and use them to the advantage of all parties. Is one group time-rich but money-poor or vice versa? Does one group have particular knowledge and experience and the other have interest in learning? Think of ways you can exploit differences for the benefit of everyone concerned.

What are your alternatives to the proposed negotiation?

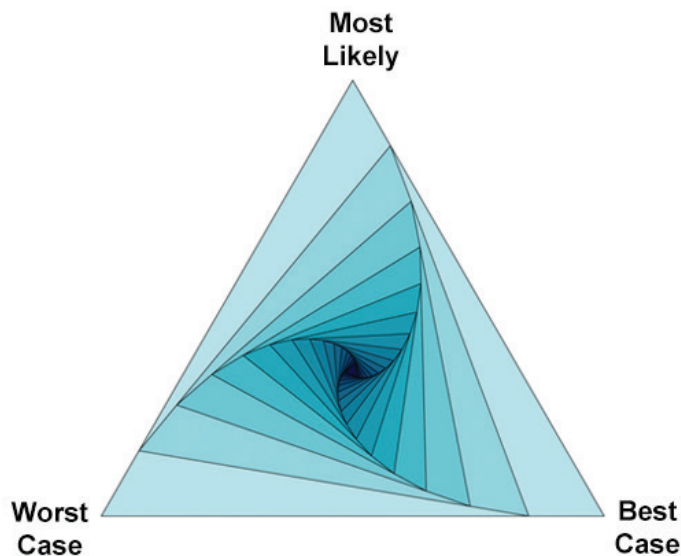
Once negotiations get going, it is easy to become focused on making a deal, so it's important for negotiators to keep their alternatives in mind. The better your alternatives, the more you can expect from the negotiation.

Think about your alternatives to negotiation from three different perspectives:

- **BEST:** best alternative to a negotiated agreement
- **WORST:** worst alternative to a negotiated agreement
- **LIKELY:** most likely alternative to a negotiated agreement

Alternatives to negotiation can also fall on a continuum, based on what follows the negotiation. The factsheet “Why Negotiate” gives an overview of the Conflict Continuum, showing various ways parties may interact. A few others to keep in mind include the:

- “Walk-away” alternative: The alternative you invoke if you break off negotiations.
- “Interactive” alternative: The alternative that you



- Describe their BEST, WORST, and LIKELY alternatives?
- What resources do they bring?
- What advantages do they have? Disadvantages?
- What potential biases and/or preconceptions do I have about the other party, and what are they based on?
- How can I address and integrate preconceptions so they do not hinder the negotiation process?

What can you determine about the unknown?

In most cases, negotiation begins with many unknowns. Uncertainties about the issues, the strength of possible options, external factors, and many other variables can affect the negotiations and your decisions. An understanding about what exactly is uncertain, the level of uncertainty, and the degree to which those uncertainties may affect your decisions can be helpful. Questions here include:

- What are the key uncertainties about your particular issues?
- How important is certainty (or uncertainty) to the resolution of one or more issues?
- What data or information can you collect to reduce the uncertainty?

invoke to make your opponent respect your interests and keep negotiations going.

- “Third-party” alternative: Bringing in a neutral third-party to help resolve the issue.

How will you evaluate options?

How will you decide which is best? You could argue the benefits of choosing Option 1 and the problems with selecting Option 2. The other side will likely do the same but in reverse. Instead, try to devise and discuss a set of criteria that you can both agree to, one that would appeal to a neutral outsider who is interested in fairness and equity. Depending on what is at stake, this can be a difficult task, one that may feel like thinking in circles—“negotiating the negotiation.” Still, it is a useful exercise in thinking about not only how you will evaluate options but also in learning about the thought process of the other side.

What do you know about other negotiators?

It is useful to enter a negotiation with some information about the people or organizations on the other side of the table. While you likely won’t have complete information before beginning your negotiation, you can create some theories about them, and test them during the negotiation by asking the following questions:

- Who are the other stakeholders (parties)?
- Why do they want to negotiate with you? Why now?
- What are their concerns?
- What perceptions do they have that might complicate matters?



Ty sends Lily a text message to set up a time to talk. He also sends her and their parents an email with a series of questions to guide their preparation. Ty has found that thinking through each question and writing a few things down that he can refer back to later reassuring.

He has discovered that his WORST alternative is losing his role as decision maker, and that this is the main reason he wants to open the conversation. However, he has also realized that the possibilities of creating shared vision for the operation is exciting and is now looking forward to the meeting with greater optimism.

RESOURCES:

Hewlett, J.P. and K.B. Fuller. "Why Negotiate?" *Negotiation in Agriculture* | Western Extension Committee. [Negotiation.FarmManagement.org](https://www.westernextension.org/negotiation). May, 2020.

Negotiation in Agriculture | Western Extension Committee. [Negotiation.FarmManagement.org](https://www.westernextension.org/negotiation).

Smutko, S. *Negotiation Skills in Natural Resources Management*. Collaboration Program in Natural Resources. The Ruckelshaus Institute | University of Wyoming. 2016.

Negotiation in Agriculture offers a series of guides and other educational materials to assist those involved in agricultural operations find solutions where perspectives differ. Settings may include a diverse range of situations: working out the terms of a lease, establishing an agreement for a crop-share, or resolving a point of contention. *Negotiation in Agriculture* is a joint effort of the Western Extension Committee, an association of Extension professionals in the 13 western states.

For more information see: [Negotiation.FarmManagement.org](https://www.westernextension.org/negotiation).



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The **Western Extension Committee** is an organization of Extension specialists from the 13 western states, Guam and U.S. affiliated Pacific Islands, supported by Extension Directors in the western region. WEC also receives support from the Western Extension Risk Management Education Center (Western Center).