

Basic Negotiations



Washington State
Council of Fire Fighters

Tim Hoover - WSCFF 6th District
Representative, IAFF 7th District DFSR

Chad Blashill - WSCFF 10th District
Representative, L1296 President



WSCFF

Agenda

- The Negotiator
- Increasing your power at the bargaining table
- Signaling, packaging, caucusing, sidebar
- Counter offers
- Common Words
- Hard bargaining tactics

Traditional vs. Interest Based



WHAT TYPE DOES YOUR
LOCAL USE?



HOW HAS IT WORKED?

Laws and Steps

What is the RCW that covers:

- *Bargaining*
- *ULP*
- *Mediation*
- *Arbitration*

What Skills Does it Take to Negotiate?

Confidence
Patients
Respectful
Creative Solutions
Good Listener



Traits of a Skilled Negotiator



Manages Stress Effectively



Comprehends Contracts



Grasps Budgets



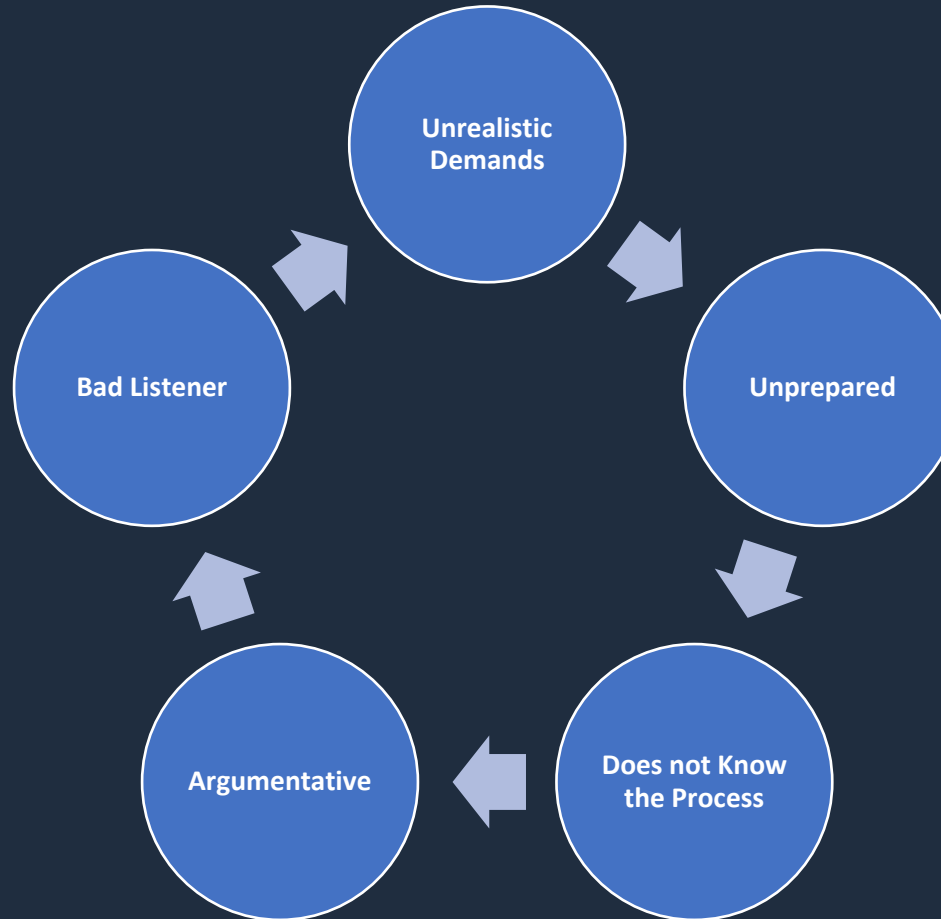
Knowledgeable about Bargaining Laws



Recognizes the negotiation process



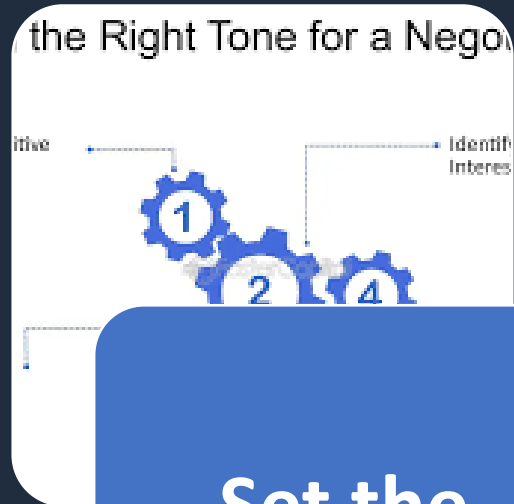
What Makes Negotiations Difficult



Ground Rules



They start
the
negotiation
process



Set the
tone



Cover a
variety of
topics

Increase Your Power at the Bargaining Table

Prepare, Prepare, Prepare

Increase Your Power at the Bargaining Table

Show Confidence

Increase Your Power at the Bargaining Table

Present a Unified Front

Increase Your Power at the Bargaining Table

Be organized

Increase Your Power at the Bargaining Table

Work From Your Documents

Increase Your Power at the Bargaining Table

Plan Your Counter-Offers

Increase Your Power at the Bargaining Table

Listen Carefully

Increase Your Power at the Bargaining Table

Keep Emotions Out of It

Increase Your Power at the Bargaining Table

Use an Objective Observer

Increase Your Power at the Bargaining Table

Dress Appropriately

Increase Your Power at the Bargaining Table

Build a Relationship With Management



Increase Your Power at the Bargaining Table

Build Coalitions

Increase Your Power at the Bargaining Table

Improve Public Image

Signaling

“Signaling” is the act of the negotiator indicating his/her intentions or priorities at the bargaining table without saying it outright.

Conceptual Proposals

Verbalize or write “What-If” package proposals.

Counter Offers

Plan your counter offers appropriately.

Counter Offers

Save some counter-offers for the end.

Counter Offers

Be realistic, but aim high.

Counter Offers

Do not bid against yourself.

Counter Offers

Be careful when accepting a proposal from management.

Caucus

The impromptu private meeting, called by either side.



Sidebar

A private meeting, held between the two chief negotiators.

Common Words in Contracts

Words and phrases can significantly affect how an Article is administered and enforced.

Common Words in Contracts

- **May**
- **Should**
- **Shall or Will**
- **Must**
- **When Appropriate**
- **When Practical**

Common Words in Contracts

- When practicable
- Normally
- When possible
- To the extent practical
- Days
- "At employer's discretion" or "At chief's discretion."

10 Hard Bargaining Tactics

1. Extreme claims followed by small, slow concessions
2. Commitment tactics
3. Take-it-or-leave-it offers
4. Inviting unreciprocated offers
5. Trying to make you flinch

10 Hard Bargaining Tactics

6. Personal insults and feathering ruffling
7. Bluffing, puffing, and lying
8. Threats and warnings
9. Belittling your alternatives
10. Good cop, bad cop

These 10 steps are from “Beyond Winning .”

Mediation

**Assisted
Negotiations**

**Neutral
third party**

Voluntary

Confidential



Steps of Mediation

Mediator Opens

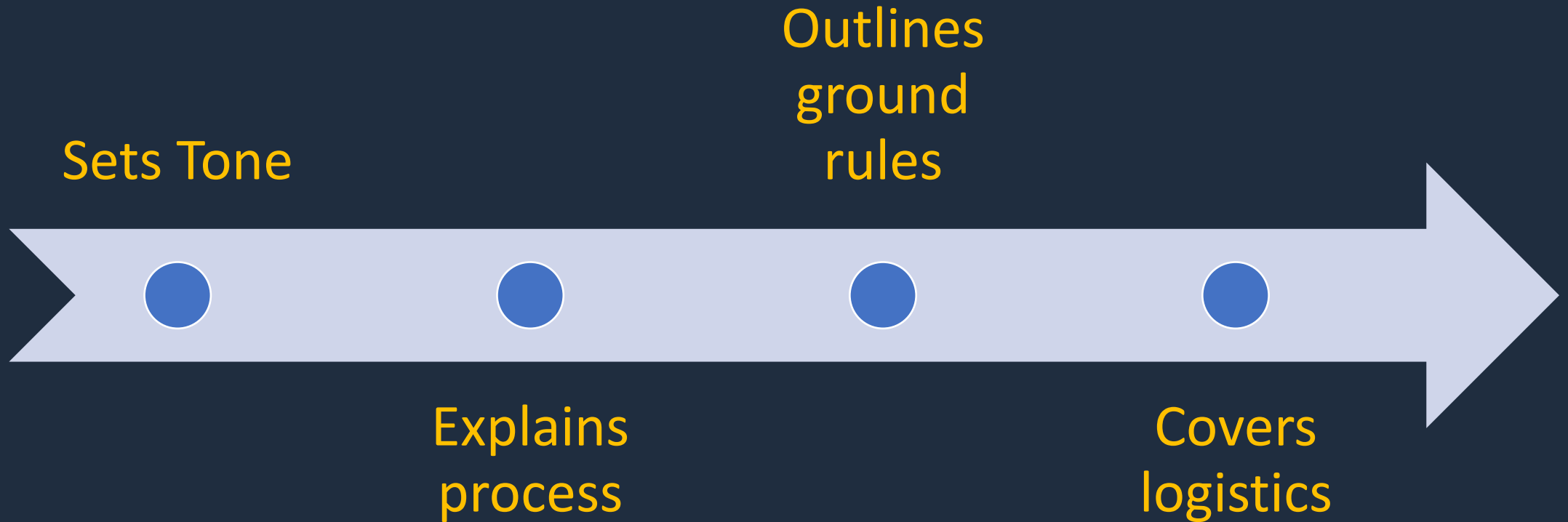
Party's Open

Build agenda

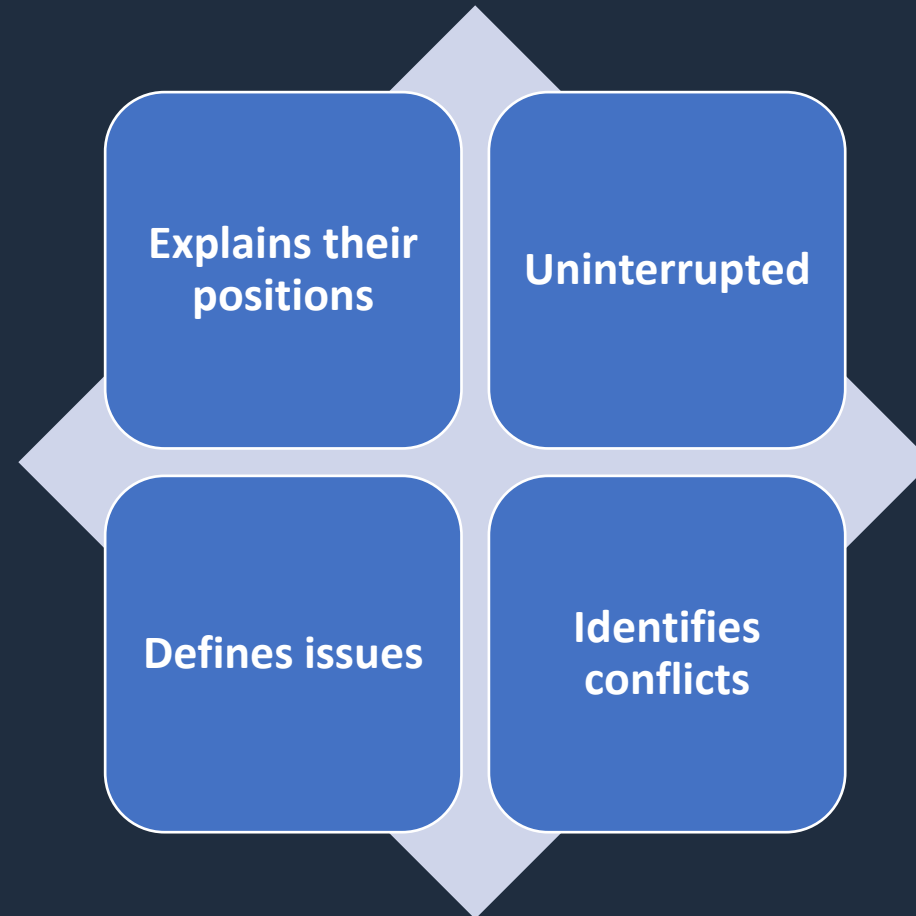
Solution development



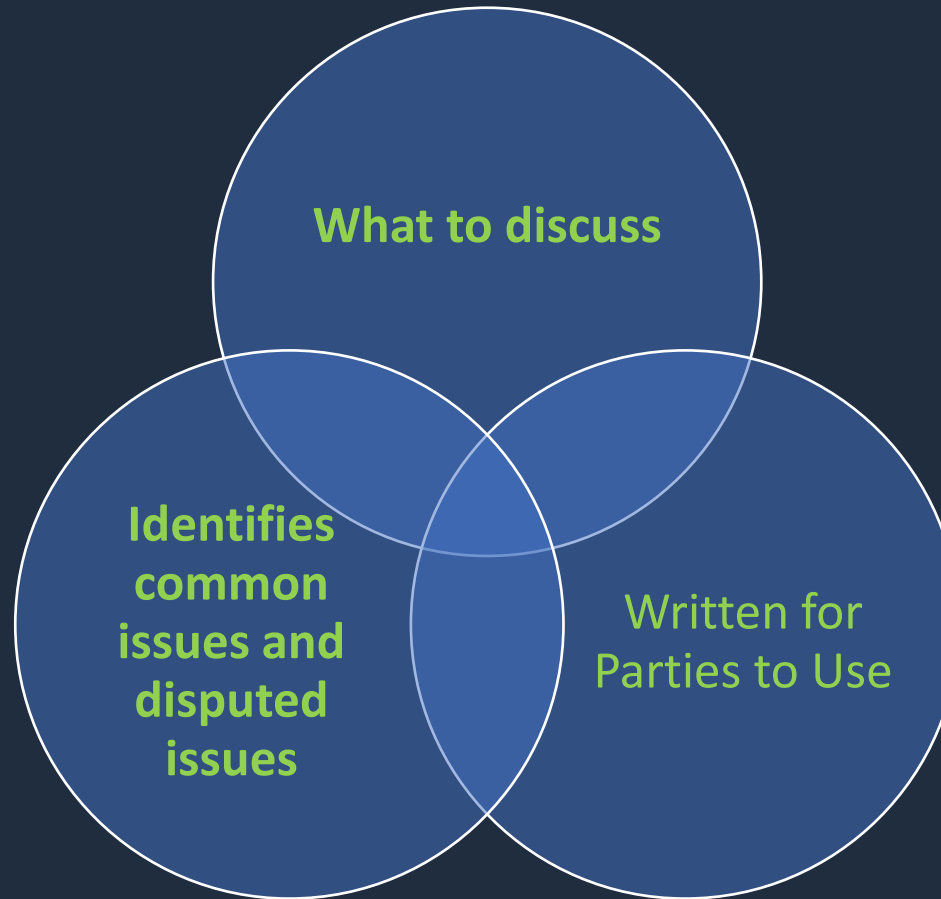
Mediators Opening Statement



Opening Statements by Both Parties



Mediator Sets the Agenda



Steps to Success

Can this plan solve the issues and move this item to a consensus

Does it have the elements needed to clarify future issues

It is exact enough to use simple terms with an easy-to-understand resolution

What Mediators Do

- Active listening
- Reframing
- Sets agenda/tone
- Manages the discussion

If An Agreement Cannot be Made

The mediator will recommend that issues be certified for arbitration.

Arbitration

Arbitration is binding on both parties.

Arbitration

- Similar to a court setting.
- Each side presents an opening statement.
- Both sides present their case with witnesses.
- Both sides can cross-examine the witnesses.
- Closing statements are made, or a written brief is submitted.
- The arbiter makes a binding ruling.

The Must-Knows

Relevant Laws, Standards, Acts, Administrative
Codes

For more information, contact:

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Chad Blashill, WSCFF 10th District Rep

Thank You



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Council of Fire Fighters



**International
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