

The Power of Empathy

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Negotiators know the downward spiral of a long and complicated labor negotiation. What begins with rational contract proposals can turn into a civil war in the workplace. Making the other party wrong becomes the justification for why talks stalled, and demonizing the other side steers the discussions toward aggression. Alternatively, expressing empathy for the other party's concerns leads to breaking the gridlock.

Social psychologist and researcher, Kurt Lewin, established field theory, a fascinating study for anyone leading teams. Lewin's research showed how in a group setting, *we affect our environment and we are affected by our environment*. This human dynamic means we must carefully consider the expertise and interpersonal characteristics of those involved in problem-solving. While one person demonstrating understanding through empathy can shift a negotiation from hostile talks to problem-solving, someone with a toxic attitude can effectively block any progress.

When a person feels threatened, it is human nature to feel defensive, and then fear and anger. However, sharing these feelings daily with constituents drives the parties further apart. Negotiators vehemently portray the other party as harmful, and the result is no one budes. Consequently, factual proof in support of one's position does not lead the other party to cave and let go of theirs. In a protracted negotiation, it is humbling to search for the path to an agreement while stepping down from the hill of righteousness.

The author, Wayne Dyer, wrote extensively about compassion and how it softens and resolves disputes. The power of empathy cannot be overstated to solve the toughest negotiation dispute. Empathic understanding moves intractable talks from the grip of impasse and pending strike toward an agreement.

Roger Fisher, dispute resolution author, said that to reach a negotiated agreement, you must first be able to argue the opposing party's position. I found role-playing another party's arguments with a negotiating team triggered empathy and a eureka moment. This technique led to creative counter proposals that formed the basis for an agreement.

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In one negotiation, a teacher union declared an impasse over long-simmering problems with salary, class sizes and workplace safety. As teachers ramped up their information-sharing activities, the district's negotiator expressed compassion for the teachers' concerns. They found his empathy disarming and engaging, which led to productive talks and a contract.

Negotiators can become convinced their proposal is superior in its terms and language and no further talks are necessary. However, suggesting take-it or leave-it leads to a deadlock, and then negotiators learn the idea of garbage in, garbage out. Contract language developed one-sided, and not sufficiently discussed with the other party, results in disputes in the implementation phase. Consequently, differences arise in the administration of the agreement.

Conflict resolution researcher, Morton Deutsch, observed that when a person has an opportunity to apply a threat to another in a competition, they will use it. Nevertheless, intimidation does not lead to dependable agreements. In the absence of a party's full disclosure of the impact of their proposal, or joint scrutiny of proposed language, the parties may blindly sign contractual misunderstandings.

Reflective listening, another form of empathy, is a technique to test your full understanding of the speaker. This practice clarifies the presenting and underlying reasons why a proposal exists. Further testing your knowledge by asking "what if" and "suppose," can lead to a jointly written proposal that resolves complex issues. Reflective listening reduces future uncertainty about the parties' intent of contract language.

History shows that in labor negotiations, an impasse will likely end in one party's favor. Then new conflicts continue to arise, and the next contract lies on the horizon. Alternatively, when the negotiator uses empathy to break a stalemate, this moves the parties toward mutuality, collaboration, dispute resolution, and finally, an enduring contract. If the same negotiators are involved in future bargaining, the parties benefit from the negotiators' initial success. Roger Fisher reminds us, *in a negotiation, your problem is my problem*. The powerful bond of empathy awaits those who strive for enduring agreements.

About the author: Renée Mayne is an arbitrator and mediator exclusively for labor and employment disputes. For more information: www.reneemayne.com.

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