

Stop Negotiating Agreements for Protection, & Start Creating Agreements for Results

By Stewart Levine, Esq.

[This article is adapted from “The Book of Agreement: 10 Essential Elements for Getting the Results You Want” (Berrett-Koehler, Dec. 2002.) “*With less focus on the purely psychological aspects of reaching agreement than GETTING TO YES, Levine's becomes a much more pragmatic approach.*” Perdido, Leadership with a Conscience: Review in Fall '02 issue.]

It is much easier not to exercise or brush your teeth in the morning. It is much simpler just to get on with your day. Although stopping to form an agreement before moving forward is more tedious than moving into action immediately, it will not likely produce the results you desire. It's the difference between

Ready...Fire...Aim

and

Ready... Aim... Fire

The later is much more effective because it provides clear direction before action. This is true for all collaborative activities - teams, professional relationships, sales transactions, customer service, and implementing marketing activities.

When introducing the concept of *Agreements for Results* to an audience, I think of the tag line from an old Quaker State Motor Oil commercial - *You can pay me now, or you can pay me later*. That line holds true when thinking about agreements. Most people never think about investing the time to make explicit the implicit agreement they believe they have at the beginning of a new personal or professional relationship, team, or project. They're off and running, everyone with their own vision of the destination, and how to get there, without the clarity necessary to minimize the potential for conflict. Like the Quaker State warning of engine damage if you don't do the preventative maintenance of changing your oil, they will incur the cost of inevitable conflict, a cost that can be prevented.

When we think about the idea of having an *agreement* we usually think about long legal documents, lots of “what ifs” and how we can protect ourselves from something we do not want to happen. I am a bit brainwashed because of my background as a lawyer, and the mindset I was taught to step into when “protecting” clients. When I serve others in my role as a *Resolutionary* protection is what people are concerned about. They do not want to get hurt. I believe that we would all be better off if when beginning a new endeavor we could shift our focus to a vision of results you want to produce, not the calamities you want to avoid.

The following Ten Essential Elements make up the template of items that are elementary items that must be discussed if you want to create a vision and a map to getting the results you want. I have compared the mindset of an "Agreements for Results" perspective, with the traditional "Agreements for Protection" mental model. Notice the difference and please think about which one is more effective.

The essence of "Agreement for Results" is that we get into conflict because we never learned how to craft explicit agreements that create a meeting of mind and heart with people we want to collaborate with in personal or professional relationships. The best way to prevent conflict and to have more productive and satisfying relationships with others is to have "agreements for results" on the front end. The 10 Essential Elements are:

1. INTENT & VISION - Big picture of what you want. The clearer and more specific the desired outcomes, the more likely you will succeed as visualized.
2. ROLES - The duties, responsibilities, and commitment of everyone you need to achieve the desired results.
3. PROMISES - Promises of action steps. Specific commitments tell you if the actions will get you to the desired results, and the actions are missing.
4. TIME / VALUE - All promises have "by whens" and the time the agreement will be effective. Is the exchange fair and does it provide enough incentive.
5. MEASUREMENTS OF SATISFACTION - The evidence you achieved your objectives must be clear, direct, and measurable to eliminate conflict about whether you accomplished what you began.
6. CONCERNS AND FEARS- Unspoken difficulties need to be expressed and the fear behind them addressed. This deepens understanding of what you are taking on, and the partnership you are creating with yourself.
7. RENEGOTIATION - No matter how optimistic and clear it will become necessary to renegotiate promises and conditions of satisfaction because things change. The quality of working relationships is more important than anything.
8. CONSEQUENCES- Know the consequences for breaking promises, and what will be lost if the project is not completed.
9. CONFLICT RESOLUTION- Conflicts and disagreements will arise. Agree to an "attitude of resolution," and an agreed resolution process.
10. AGREEMENT ? - When you have reflected on 1-9 ask whether you "trust" moving forward. Do not move into action unless and until you can say YES

and commit to embrace the future as an opportunity to be enjoyed.

The model draws out both the vision, and the road map to it. It provides a path to what you want to accomplish. Making an agreement with your client is an excellent way of framing the relationship!

RESULTS vs. PROTECTION COMPARED

	RESULTS FOCUS	PROTECTION FOCUS
INTENT & VISION	: desired outcome	“what ifs?”
ROLES	: take responsibility	limit accountability
PROMISES	: commitment	qualifiers and conditioners
TIME & VALUE	: by when’s / fair return	most for least
MEASUREMENTS OF SATISFACTION	: inspiring goals	excuses and escapes
CONCERNS AND FEARS:	compassion / understanding	edge for strategic advantage
RENEGOTIATION	:deal with unknowns / changes	strike hard bargain
CONSEQUENCES	: reminder of promises	punishment
CONFLICT RESOLUTION:	get back on track	exact some premium
AGREEMENT ?	: trust enough	escape possible?

RESULTS VS. PROTECTION - EXPLAINED

1. INTENT & VISION

RESULTS: Focus on what you want to happen.

PROTECTION: Focus on all the “what ifs” that could go wrong

You can tell what will happen in your life by paying attention to your dominant thoughts. Given that, if we focus on the calamities we increase the chances they will happen. What we really want in any collaborative context is everyone focusing on desired results – the best possible vision of the future. That will greatly improve the chances of what we want to materialize happening. It’s obvious that when you bring on a new hire, it’s more useful to see them leaping tall buildings than focusing on the mistakes they might make.

2. ROLES

RESULTS: Making sure someone has responsibility for all critical tasks

PROTECTION: Narrowly defining responsibility to limit accountability and liability

We want to make sure we have what we need to get the job done without anything slipping through the cracks. We want clarity about who can be counted on for what, compared to someone saying, “that’s not my job!” In the old context people liked to hide. They did not like to take the responsibility for making something happen because if something went wrong, they were responsible. Hopefully the fear of making mistakes is no longer as powerful a driver it once was. We have all learned that the need for innovation requires experimentation. We know that mistakes cannot be “punished” if you expect continued risking, the heart of entrepreneurship.

3. PROMISES

RESULTS: Contribution - committing to wholeheartedly do your part required for success, not out of coercion, but from belief in the projects mission

PROTECTION: Doing the least; hiding behind qualifying words that cloud and condition what you are promising

Who specifically will be doing what? Consider this a project management plan. This is also a checkpoint - if everyone delivers what he or she promises, will you produce the desired results? In the example promises were made about securing financing, sales goals, producing collateral material, and timeframes for creative design deadlines. Each promise must have the discipline of a “by when,” as without a date commitment is illusory.

4. TIME & VALUE

RESULTS: Clear time commitments and satisfaction with the value given and received

PROTECTION: The most for the least

Clearly stated “BY WHEN’S,” and for how long the promises will be kept. Everyone must be satisfied that what they will get from the project is worth what they are putting in. If someone is under compensated they will be resentful. Resentful participants do not produce results that are “beyond expectation,” but people committed to a vision do.

5. MEASUREMENTS OF SATISFACTION

RESULTS: Goals that inspire and state clearly and measurably what is expected
PROTECTION: Qualifiers to argue from and use as excuses

What are the objective measures that will tell you if you accomplished what you set out to do so there are no arguments about it? For some people it is frightening to make a commitment that will hold them visibly accountable to a promise they made, so they will look for an edge.

6. CONCERNS AND FEARS

RESULTS: Compassion for any “anxiety-producing” concerns and risks that a “partner” sees and feels
PROTECTION: An edge to take strategic advantage of when you are inside their head, in a position to play “games”

You address concerns and fears to make everyone as comfortable as possible about moving forward. Doing this is a way of responding to “internal chatter” that might inhibit full participation. It solidifies partnership by addressing what is lingering in people’s minds. It enables people to clearly identify risks, and to choose to move forward anyway. Each person should be willing to take the other’s deal.

7. RENEGOTIATION

RESULTS: How can we make this work as unanticipated changes take place
PROTECTION: How can changes be used for advantage

A commitment to renegotiation requires ongoing learning, and staying in the mind set of solving a mutual problem to get desired results even though things happened no one anticipated (which is one thing you can be sure of.) This is the key principal that drives every learning organization.

8. CONSEQUENCES

RESULTS: What reminds everyone of the significance of promises and failure
PROTECTION: What would be a good punishment

It is important to keep people mindful of promises they made and focused on delivering promised performance. It is as important to have people realize the connection between their expectations and failure to perform. Becoming conscious of that gap serves as a motivator. Consequences are put in place not as punishment, but to remind us of the loss of an unrealized vision, and the sanctity of our promises.

9. CONFLICT RESOLUTION

RESULTS: What will get us back on track quickly
PROTECTION: How can the resolution process be used for leverage or advantage?

It is important to embrace conflict as expected and to hold it as an opportunity for creativity in how we deal with specifics we did not anticipate. It is very important to understand the magnitude of the transaction cost of remaining in conflict.

10. AGREEMENT ?

RESULTS: Do I *trust* enough to be in an open, ongoing collaboration
PROTECTION: Can I get out without getting hurt? Is there an opportunity for a windfall?

Has the process produced enough *trust* so you can say “Let’s do it, I’m comfortable moving forward with you, and sense we’ll be able to work things out as we go forward.” Has the deep dialogue we have exchanged produced what Max DePree calls a relationship based on covenant – a heart felt connection and commitment to people and results.

CONCLUSION

Agreements are a fundamental life skill we never learned when we were young. It is the primary building block for all kinds of collaborations, and working with others is the only way results, productivity and satisfying relationship happen. Try having a dialogue that incorporates the elements at the beginning of your next project. I guarantee that from then on you will become an advocate for “Agreements for Results” in all your endeavors.

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