



Negotiation Resources

Ninja tested and approved.

Books

Getting To Yes: How To Negotiate Agreement Without Giving In

By Roger Fisher, William Ury & Bruce Patton, *Penguin Books*

This is the first negotiation book that suggested there might be a better way to get what you want than strong-arming or yelling at people. Born from the Harvard Negotiation Project (now part of the Program on Negotiation at Harvard University) it is a quick and easy read. Don't be fooled! Many people think the book's techniques are too simple to be effective. Like many good things, the book's recommended negotiation practices are easy to explain but you can only really master them through intentional practice.

The Power of a Positive No

By William Ury, *Bantam*

If you have trouble saying "No" to things, even when you *really* don't want to do them, run down to Powell's and buy this book. What makes this book especially good is that in addition to explaining the importance of saying "No" and describing how to do it, Ury recognizes that saying "No" isn't easy. He knows you won't be able to do it perfectly every time and he makes that OK. With clear guidelines for considering a request or demand and thoughtful examples, this is my favorite book to recommend to anyone intimidated by negotiation.

Thinking Fast and Slow

By Daniel Kahneman, *Farrar, Straus and Giroux*

Daniel Kahneman and Amos Tversky were psychologists who questioned whether people actually act rationally when making decisions or if we just *assume* they act rationally. Guess what they found? The idea that rational behavior could not be assumed seriously undermined economic theory at the time of their research (1973-1982) and pissed off a lot of people. When the dust settled, their research was recognized with the 2002 Nobel Prize in Economics. Their discoveries heavily influenced the development of interest-based negotiation theory and in this book Kahneman makes their research accessible for non-academics. A very helpful book for understanding why people react to risk and choice the way they do.

Quiet: The Power of Introverts in a World That Can't Stop Talking

By Susan Cain, *Broadway Books*

If you're an introvert, or even a sometimes introvert, who thinks being an introvert will somehow negatively impact your ability to negotiate, read this book. Introverts have many natural inclinations that are helpful during negotiations. Cain highlights many of them in her book, which may help you realize you're a lot more powerful than you think you are. If you aren't an introvert, it's also a very great read.

Websites

docracy.com

Would you like to see what a contract for a design gig looks like? What about a rental agreement for a studio? Copyright assignment? Docracy is open source for legal documents. Users can upload contracts, explain how they've used them and offer them to others for their use. If you use a contract and make an improvement, Docracy lets you share the improvement with the rest of the community. The database is easy to search and many attorneys now upload their templates to Docracy as a means of marketing their services.

shakelaw.com

An iPhone and iPad application that allows you to put together simple agreements, sign them and email the executed copies to both parties in less time than it takes to Google "good freelance contract" and shift through the results. Yes, they are enforceable; yes, they are easy to use, yes, they are better than not having a contract at all.

freelancersunion.org

Freelancers Union has a number of great resources to ensure you build your freelance career thoughtfully and intentionally. (Full disclosure, I've worked with them on a number of educational projects.) They have a contract creator if you need a contract yesterday, a blog of great advice and they even provide their members access to corporate-style discounts for travel and work. Membership is free.

shouldiworkforfree.com

It sounds like it'd be an easy question to answer, but sometimes it isn't. This flowchart, designed by font maven Jessica Hische, will walk you through all the guilt-trippy reasons you'll get from friends, family and clients as well as the doubts you might have as to whether, maybe, it makes sense this time. (Spoiler: it probably doesn't.)

F*ck You, Pay Me

creativemornings.com/talks/mike-monteiro--2/1

Mike Monteiro is an opinionated designer who is tired of designers (and other freelancers) being taken advantage of. In this video, a talk he did for Creative Mornings in San Francisco, he explains how to collect on invoices that are overdue and how to handle clients that are being shifty. His book, *Design is a Job*, is a great read if you're considering a freelance career.

WorkMadeForHire.net

Sane, realistic negotiation advice served up every Tuesday. It's also the best place to find out where my next class or workshop is being held.