Negotiating Translation Agreements: How to Apply Principled Negotiation to Real-Life Settings

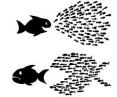*Paula Arturo, Lawyer-Linguist, Professor of Law*
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Negotiation is often portrayed as a zero-sum game, but trained negotiators know there's nothing further from the truth. In this webinar, we will examine the four key elements of business negotiations, ranging from planning a negotiation to evaluating an agreement before closing translation deals. We'll look at how translators can quickly measure their best alternative to a negotiated agreement, how to draw out and use decision trees, and which legal considerations should be part of a translation negotiation and contract.

1) Planning your negotiation strategy:

The first thing we need to ask ourselves when planning a negotiation is: "Should I even be negotiating in the first place?" The answer to that question will depend, among other factors, on our *interest* (as opposed to our position) and our best alternative to a negotiated agreement (BATNA).
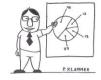
2) Using essential negotiation tactics:

Skilled negotiators use several different tactics including: anchoring, availability, framing, mythical fixed pie assumption, and reciprocation. Remember that these strategies can work both for or against you depending on when they are being used and how; but more importantly, never forget that once a tactic is revealed as such, it ceases to be strategic!

3) Creating a contract:

A contract is simply an agreement that is enforceable by law. When negotiating a contract, we need to keep in mind two perspectives: a business perspective and a legal perspective; and sometimes, tension can arise between these perspectives. To overcome that tension never lose sight of your sources of contract law and type of contract in question.

4) Evaluating your negotiation:

Did you take into account price? Volume? Opportunity cost? More importantly, how does your negotiated agreement compare to your BATNA? After every negotiation, don't forget to Define, Measure, Analyze, and Improve!

American Translators Association