

# T-TAP

## Training and Technical Assistance for Providers

Virginia Commonwealth University & The Institute  
for Community Inclusion University of Massachusetts  
Boston

April, 2005

# Q & A on Customized Employment: Employment Negotiations

While there is no magic formula for negotiating customized employment positions, there are some basic principles and strategies on how to negotiate. The job seeker may negotiate with employers, or a support person such as an employment specialist or job developer can represent the individual. When a seasoned job developer or employment specialist is asked if negotiating employment is more of an "art than science", the reply most likely will be "it is both an art and a science." Implementing strategies, such as the ones presented in this fact sheet, can lead to an employment relationship that mutually benefits both the job seeker with a disability and the employer who needs an employee.

### Q

**What does negotiation mean?**

### A

Some people think that negotiation means persuading other people to accept their point of view. For example, when someone haggles with a car salesperson and obtains the best deal, we might say, "Gee, she's a great negotiator." However, negotiation is not about using intimidation, getting your own way, or giving in. That is what happens when people fail to negotiate. One definition of negotiation is to discuss with the goal of finding a mutually acceptable agreement. The goal of customized employment negotiations is "real work" for competitive wages in a community business.

Negotiations with employers to identify a job of choice for an individual with disabilities might include a number of different approaches. A negotiator, such as the job developer or employment specialist, might work with an employer to create a new position through job restructuring that matches the job seeker's interests and abilities. Another negotiation strategy might involve making changes to various aspects of existing jobs, such as allowing an employee to work different schedules or change the way a job duty is performed. This also could include discussing the need for accommodations and other workplace supports. Employment negotiations may require compromise from those involved (i.e. the job seeker and employer) but results in a win-win situation for both.

### Q

**What are some of the basic skills needed for successful negotiations?**

### A

Negotiation is a sophisticated form of communication. Therefore, job seekers or the agency staff who support them need to be able to speak in a clear and concise manner. Knowing the job seeker's abilities as well as the supports that the agency has to offer businesses, anticipating an employer's potential needs and questions in advance, and using marketing tools (i.e. brochure, educational materials, calling card) will be key to successful negotiations.

As soon as two people meet, a relationship begins to develop. Many meanings can come from a sentence just by emphasizing other words. Changes in your voice can also give clues. If the speaker is trying to



The Office of Disability  
Employment Policy,  
U.S. Department of Labor



Virginia  
Commonwealth  
University



Institute for Community  
Inclusion at the University of  
Massachusetts, Boston

Information for this FAQ sheet came from:

**T-TAP (Training and Technical Assistance for Providers)**

Contributors for this issue include:

**Pam Targett**, T-TAP Training Associate and RRTC Director of  
Employment Services and **Dr. Katherine Inge**, T-TAP Director.

hide fear or anger, their voice may sound higher or louder, and the rate of talking will be faster than normal. Sadness will produce the opposite vocal pattern, quieter, low-pitched speech delivered at a slower rate.

Negotiations require good listening skills. When meeting with an employer focus on what the other person is saying. Turn off that inner voice that may be planning the next question rather than attending to what is being said. When a person puts his or her whole attention on listening, he or she is less likely to miss important nonverbal messages such as facial expressions and voice inflections that provide valuable cues.

Checking what has been heard may also prove useful. For example, ask, "I understood you to say...am I correct in this?" or "I hear you saying...Is that how you feel?" This type of active listening encourages understanding. It also assures the other person that he or she is heard, accepted, and respected. The ability to actively listen supports open, ongoing, negotiations.

Verbal messages certainly contribute to the tone of the relationship, but many climate-shaping messages are non-verbal. Nonverbal communication reveals attitudes and feelings. It consists of messages sent by the distance between negotiators, touch, body posture and orientation, expressions of the face and eyes, movement, vocal characteristics, clothing, and physical environment. Interpreting non-verbal messages plays an important role in reading an employer's point of view.

Employment specialists should consider the messages that they are sending through their body language. For example, sitting up straight and leaning slightly toward the person speaking shows confidence and interest. The eyes communicate another message. When someone glances toward us with the proper facial expression, a clear message of interest is sent. At the same time, when eye contact is avoided disinterest may be communicated.



### What is the best way to negotiate?



While there is no one "best" way to negotiate, there are some basic steps that can lead toward successful customized employment negotiations. Step one is to know the goal and stay focused. Remember, the goal is to come to an agreement that is mutually beneficial to both parties (job seeker and the employer).

This means beginning with a clear knowledge of the jobseeker's vocational interests, strengths, expectations, and support needs. If an employment specialist is representing the person with a disability, he or she must know the jobseeker's bottom line. This should include areas in which he or she can or cannot compromise. For instance, the job seeker may have some flexibility in the number of hours worked during the week but will not work on the weekends. Knowing the job seeker will ensure that negotiations move in the right direction from the beginning and that a job of choice for the individual is identified. Compromising on features of a job to satisfy the employer that do not meet the needs of the job seeker will not result in a mutually beneficial employment relationship.

Step two is to identify the employer's needs. Successful negotiations also require understanding the business and its operations. Time must be spent building rapport with the employers, before negotiation is attempted for a specific job seeker. Identify the company's needs and suggest possible work solutions that might resolve these needs.

One thing to remember is to not assume that what is important for one person will be the same for another. For example, one job seeker may be motivated to work for a paycheck while wearing a work uniform motivates another. Or, one employer may be motivated to negotiate a job to save money, while another may have a job task that current employees are not completing. Remember, the end result is a mutually agreed upon job. All sides should leave the negotiation feeling satisfied.



### How can the employment specialist determine an employer's needs?



Negotiations require spending time with the employer. During this period, a relationship can be developed and needs identified. The employment specialists should encourage an employer to share thoughts and feelings by asking for feedback on what is discussed. The negotiator's responsibility is to ask questions that will uncover the employer's needs and interests that can then be matched with the needs and interests of the job seeker. If the employment specialist creates a receptive climate, he or she is more likely to establish a relationship leading to a negotiated position.

Observing business operations and asking key questions may lead to discovering opportunities for customizing a job. For example, some of the following questions may be asked. Do employees have duties that take time away from their main area of expertise? Do you routinely pay overtime or need temporary work services? Are their tasks that do not get done or that you would like to see done more often?

The employment specialist must also be ready to probe below the surface. For example, consider asking questions such as the following: "What's your real need here? What values are important to your company? What's the outcome or result that you want?" The answers to these and other questions can lead to cooperative problem solving. This in turn may trigger discussions about negotiating a new job.

**Q** How does an employment specialist convince an employer that customizing a job is a good idea?

**A** The employment specialist must be ready to listen to employers! Listen and keep listening! It's vital to really understand what employers are saying and their points of view. This shows respect and good intentions, and will make an employer feel valued.

In the process, the employment specialist should learn more about a company's needs and what may be holding them back from proceeding with negotiations. "Reading" employers and overcoming objections will be key to success. Employment specialists should become familiar with typical employer concerns and be able to address them. For example, the employer may be wondering, "Will this cost my company money? Will this agency deliver what they are promising? Will the person be able to do the job?"

Pointing out that other businesses have successfully used the service and hired individuals with disabilities may address these concerns. Ask employers who have worked with the agency if their names can be used as references. Discuss in advance with the job seeker the accommodations that will be needed and what information is to be disclosed to the employer. Know how you are going to represent the person's strengths and interests so that the employer does not have questions regarding the individual's ability to do the job that is being negotiated. Be ready and able to describe how the job seeker will be a valued employee to the company.

**Q** Which employers should be approached to negotiate customized jobs?

**A** Large, medium, or small businesses can be approached or in other words, any company that matches the individual's abilities and interests identified during the customized employment process. Some employers will be receptive to negotiations and others may not, but this is not necessarily dependent on the size of the company. Those who are not initially receptive may become open if the employment specialist identifies their concerns and is prepared to address them. Regardless of the size of the company, the employment specialist needs to determine who the decision maker is in the company. Who does the hiring? Sometimes, this can be easier to determine in a small company vs. a larger one.

**Q** What is an example of an employment negotiation?

**A** Randall is a 28-year-old man who has never worked. Due to the nature of his support needs, he has an employment specialist, Bonita, who will assist him with customizing a job. Bonita began the process by visiting Randall and his family in their home, and she also went with him to the local One-Stop career center. Bonita was able to learn about Randall's abilities, work preferences, and support needs.

For example, Randall has an outgoing, though sometimes boisterous personality; learns new tasks with systematic instruction, prints first name, prepares a simple meal, enjoys folding towels at home, enjoys wrapping items, likes to go bowling, and assists with gardening. Bonita also learned about his work preferences. He enjoys being outdoors, prefers to work between the hours of 9am and 5pm, can work some weekends, dislikes washing and drying dishes, and has trouble tolerating pressure on his finger tips.

Bonita also learned about Randall's vocational challenges. For example, Randall gets easily distracted, performs some manual tasks at a slow rate, may act inappropriately to gain attention, needs forewarning of changes in routine, becomes frustrated when unable to complete task and has limited transportation options. This information helped Bonita create a vision of Randall's abilities and possible support needs.

With insight into Randall's vocational abilities and preferences, his employment specialist set out to customize a job in the community. She met with numerous employers, before identifying an employer who was interested in discussing their operations in more detail. Mr. Brady, the general manager of a large home improvement store, was interested and arranged for Bonita to meet with his department heads to learn more about the overall operations. During the meeting with the greenhouse manager, Mike Smith, Bonita learned that several hours a day, in the cold months and more in the summer, were spent watering and repotting plants. Bonita inquired about the possibility of customizing a job that involved watering and repotting plants.

Mike was interested, because this would allow him and his small staff of two to complete other tasks during these hours. This included ordering and stocking inventory, fertilizing and treating the plants for disease or parasites, and waiting on customer. He stated that the person would need to arrive at 7 am and would work until around noon, weekend work would be required, and the pay would be \$6.50 an hour.

With this information in hand, Bonita presented the idea to Randall and his family. Although interested, concerns were raised about Randall's ability to learn the job and how his fingertip sensitivity might interfere with potting the plants. They also hoped that the job could be further negotiated to meet some of his work preferences.

After confirming his interest in pursuing work at the company, Bonita went back to the store to further negotiate Randall's employment. She explained to Mike that the person she had in mind for the job must rely on specialized transportation and may not be able to arrive before 9 am each morning. She also stated that the person would like to have at least a two Sundays off each month to attend family functions.

Mike agreed to one Sunday off a month, with the caveat that the person would work every Saturday. But, he was reluctant to change the starting time to 9 am, because the plants would get dried out. Bonita then asked if the person could arrive to work at 9 am in the cool months (September until April) and arrive earlier in the summer months (April until September). Mike agreed that he was willing to try this schedule. Bonita discussed these negotiations with Randall and his family who agreed and an interview was arranged.

The interview seemed to go very well, however, Mike expressed concerns about Randall's ability to get the job done afterwards. Bonita reiterated the fact that after receiving his new employee training, she would be there to provide additional on the job skills training as needed. She emphasized that her role was to simply complement what the business already did well, and that she would be there to provide or facilitate any additional supports that might be needed. Upon remembering this earlier conversation, Mike decided to hire Randall.

This example illustrates a successful employment negotiation that resulted in a customized job for Randall. There was some give and take from each party with the end result being a mutually agreed upon employment. Of course, not every employer will be willing to negotiate. If this happens leave a positive impression by ending the negotiations politely, with a thank you, smile, and firm handshake. Then, follow up with a sincere handwritten thank you note. This may pave the way for further job negotiations at a later date.

**For additional information, you may contact:**

**ODEP -- (202) 693-7880 or T-TAP, Dr. Katherine Inge, Project Director -- [kinge@atlas.vcu.edu](mailto:kinge@atlas.vcu.edu) or (804) 828-5956**

**For more information on T-TAP, please visit:**

**<http://www.t-tap.org>**



T-TAP is funded by the Department of Labor (DOL), Office of Disability Employment Policy (ODEP) cooperative agreement # E 9-4-2-01217. The contents of this product do not necessarily represent the interpretations or opinions of DOL. Virginia Commonwealth University, is an equal opportunity/affirmative action institution providing access to education and employment without regard to age, race, color, national origin, gender, religion, sexual orientation, veteran's status, political affiliation, or disability. Privacy Policy. If special accommodations or language translation are needed contact Katherine Inge at: [kinge@atlas.vcu.edu](mailto:kinge@atlas.vcu.edu) or Voice (804) 828 - 1851 | TTY (804) 828 - 2494.