The LIBRARIAN'S Guide to **NEGOTIATION**

The LIBRARIAN'S Guide to **NEGOTIATION**

Winning Strategies for the Digital Age

Beth Ashmore Jill E. Grogg Jeff Weddle

Information Today, Inc. Medford, New Jersey

The Librarian's Guide to Negotiation: Winning Strategies for the Digital Age

Copyright © 2011 by Beth Ashmore, Jill E. Grogg, and Jeff Weddle

All rights reserved. No part of this book may be reproduced in any form or by any electronic or mechanical means including information storage and retrieval systems without permission in writing from the publisher, except by a reviewer, who may quote brief passages in a review. Published by Information Today, Inc., 143 Old Marlton Pike, Medford, New Jersey 08055.

Publisher's Note: The author and publisher have taken care in preparation of this book but make no expressed or implied warranty of any kind and assume no responsibility for errors or omissions. No liability is assumed for incidental or consequential damages in connection with or arising out of the use of the information or programs contained herein.

Many of the designations used by manufacturers and sellers to distinguish their products are claimed as trademarks. Where those designations appear in this book and Information Today, Inc. was aware of a trademark claim, the designations have been printed with initial capital letters.

Library of Congress Cataloging-in-Publication Data

Ashmore, Beth, 1976-

The librarian's guide to negotiation : winning strategies for the digital age / Beth Ashmore, Jill E. Grogg, and Jeff Weddle.

pages cm.

Includes bibliographical references and index.

ISBN 978-1-57387-428-1

 Acquisitions (Libraries) 2. Acquisition of electronic information resources. 3. Libraries and electronic publishing. 4. Library administration-Decision making. 5. Communication in library science. 6. Negotiation in business. I. Grogg, Jill E., 1972- II. Weddle, Jeff. III. Title. Z689.A82 2012 021--dc23

2011049609

Printed and bound in the United States of America.

President and CEO: Thomas H. Hogan, Sr. Editor-in-Chief and Publisher: John B. Bryans VP Graphics and Production: M. Heide Dengler Managing Editor: Amy M. Reeve Project Editor: Barbara Quint Editorial Assistant: Brandi Scardilli Book Designer: Kara Mia Jalkowski Cover Designer: Danielle Nicotra Copyeditor: Bonnie Freeman Proofreader: Barbara Brynko Indexer: Candace Hyatt

www.infotoday.com

Contents

Foreword,	by Maria Collins	vii
Introductio	on	ix
Chapter 1	Translating Negotiation Expertise for the Library World	1
Chapter 2	Negotiation Advice From Library Leaders and Vendors	21
Chapter 3	The Power and Pitfalls of Consortial Negotiation	45
Chapter 4	Negotiating in Times of Economic Stress	63
Chapter 5	Negotiating With Funding Sources and User Communities	85
Chapter 6	Playing Hardball: When to Get Tough and When to Walk Away	119
Chapter 7	Negotiating in the Era of Publisher Consolidation and the Big Deal	143
Chapter 8	EResource Management, Workflows, and Standardization	163
Chapter 9	Negotiating in the Age of Open Access, Open Source, and Free Internet Resources	183

	How to Research a Forthcoming Negotiation	205
Appendix B	Useful Resources	211
	Sample Licensing and Negotiation Checklists	217
	Digital Tools, Netiquette, and Negotiation	221
	Theory in Practice: Understanding Communication	227
Bibliography	1	235
About the A	uthors	. 243
Index		245

Foreword

Taking the mystery out of negotiation is a pretty tall order, but that is exactly what The Librarian's Guide to Negotiation achieves. Negotiation situations abound across the library profession involving multimillion dollar contracts with scientific, technical, and medical publishers; government funding for public libraries; and the evolution of the scholarly communication environment. These complex topics provide a few of the focal points for the discussion of negotiation throughout the book, but embedded throughout these discussions are descriptions of essential skills required for effective negotiation, such as listening, preparation, and building context. Even if you are unaware of using these skills, all of us use negotiation techniques throughout our daily lives.

Take my middle son, Christopher, for instance. Throughout his life he's participated in a series of negotiations to gain the upper hand with his older brother and to outwit his little sister. If you have interacted with eight-year-old boys, you are well aware of the variety of toys that are marketed to this age group: trading cards, transforming battle balls, puzzle erasers, fighting marbles, mini figures ... The list goes on and on with new toy lines replacing each other before parents can even begin to figure them out.

My son, however, has an intuitive understanding of toy trends. He knows what's in and what's out. He collects the latest toy wonders as birthday and holidays gifts and then supplements them with his meager allowance. Once the fascination of a toy line begins to fade, it's time to negotiate. He assesses his collection with serious intent, determines the trading value for these items, and begins wheeling and dealing at school. As I prepare his book bag each day, I'm constantly asking him "Where did you get this?," recognizing that I didn't buy the latest treasure tucked away in his bag. "Oh," he says, "I traded one of my Star Wars mini figures, but it was a duplicate." Even without steady financial resources he has figured out a way to acquire the latest craze while demonstrating many of the strategies threaded throughout the guide by Ashmore, Grogg, and Weddle.

He definitely understands how to take advantage of "tough economic times" by evaluating what he really needs and giving up what is no longer important. His understanding of current toy trends and the needs of his friends (or customers) at school allow him to make win–win trades—hence, the perfect negotiation. He's done his homework and kept his ear to the ground for trading opportunities.

Christopher serves as an analogy to many librarians: He's enthusiastic, bright, tech-savvy, and has no money. Librarians have waded through library school and entered the job market to find themselves in the midst of an information revolution. Technology and the explosion of electronic resources are quickly reshaping the role and potentially the value of the library for students and researchers. Many librarians are at a crossroads. They must step away from traditional library services and envision new directions for their institutions. In addition, all of this must be accomplished with fewer resources. This constant flux within the library environment makes it ripe for negotiation. With each negotiation, a librarian gains an opportunity to influence change. In my roles as project manager, supervisor, department head, author, and editor, my ability to negotiate has proved critical to my success.

Like my son, some librarians have an intuitive sense of how to negotiate. However, many lack awareness of how to negotiate to influence and shape the direction of their work despite possessing raw talent and superb technical skills. The Librarian's Guide to Negotiation builds this awareness by detailing library-specific examples of negotiation across a spectrum of contexts. The authors detail interviews with experts who discuss tactics and best practices, and they also incorporate models and theory for negotiation from nonlibrary-related literature throughout the guide. Awakening librarians to the importance of negotiation is the value proposition of this book. If librarians cultivate the skills described in this guide, just as I have seen in my son Christopher, mastering the art of negotiation will seem like child's play.

> —Maria Collins, head of content acquisitions and licensing, North Carolina State University Libraries

Introduction

Let's begin with two basic premises. First, for the practicing librarian in the 21st century, negotiation is a basic job function, and negotiation skills are a basic job requirement. Nowhere is that truer than in dealing with digital content and services. Some of the worst elements that initially appeared in digital license agreements, such as vendors unilaterally terminating access at the first hint of breach, may have become less common. Other unreasonable terms persist, however, requiring skilled and alert negotiation to eliminate them.

Moreover, negotiation is a skill needed by all librarians, not just the librarian charged with purchasing digital content and making it available. Negotiation exists in the library in many guises and cuts across all areas of service, both public and technical. Therefore, knowing how to negotiate successfully remains a valuable and necessary skill for any librarian.

The second premise underlying this book's approach to negotiation is the recognition that, for most librarians, negotiation is scary. If you are reading this introduction, chances are you can identify with this statement. Why do so many of us find the prospect of negotiation intimidating? For starters, we don't think we are very good at it. There is an impression that negotiation is something for which one either has a natural proclivity or doesn't. For those of us who don't feel like natural negotiators, this leaves us out in the cold. Librarians receive very little (if any) formal negotiation training, perhaps only sink-or-swim, on-the-job training in negotiation tactics after negotiations have already begun. Library schools may not offer negotiation classes. Therefore, little opportunity exists for the average librarian to have the bargaining process demystified.

x The Librarian's Guide to Negotiation

"What, me negotiate? Not going to happen. I'm not good at negotiation. I don't like to negotiate. I'm not going to do it." Sound like you or someone you know? Well, big surprise, most of us negotiate every day. Most librarians, at least those engaged in public service, have at some point in their training or practice engaged in the art of question negotiation, a skill that lies at the heart of the effective reference interview. Practitioners who have chosen to go the technical services path most likely negotiate issues with any number of people during their daily work lives.

The art of negotiation is, at its core, communication, and developing skill in this art is a journey. Just as a baby learns to walk, a child learns to hit a baseball, or a library-school student learns to decipher a MARC record, it helps to move through a set of logical steps on the road to mastery. Becoming a skilled negotiator is no different.

Negotiation stirs emotions: desire, enthusiasm, frustration, anger. Few catalog records or reference questions can get a librarian as invigorated as the prospect of getting a good deal on a resource or successfully negotiating new funding for a program. While these feelings can make negotiation a very satisfying experience when it goes well, failure can spell disaster both professionally and emotionally.

Finally, we tend to avoid negotiation because it is conflict. In so many interactions within the library, librarians feel as though they are working in concert with their users, administrators, and even their vendors. Negotiation, on the other hand, often appears to involve conflict, and many of us avoid conflict at all costs.

How will this book help? While there are, admittedly, natural negotiators, just as there are natural researchers or organizers, these skills can be learned. By learning the preparation process and techniques used by effective negotiators, you can reduce much of the anxiety related to negotiation and redirect your energy into more positive and useful activities. We provide you with the necessary context for negotiations in the library world. We also provide perspective on how the internet and the ubiquity of technology have changed the negotiation landscape for librarians. We examine the importance of recognizing the perspectives of the major stakeholders in preparing for negotiations. Finally, since a single book can't cover all the possible negotiation situations that an information professional might encounter, we include additional resources that can address specific issues in more depth.

Why should you care? Unless your job description includes license negotiations for electronic resources or software or other similar products, you might be wondering whether this book holds much value for you, but the fact is that negotiation is everywhere. Even if you are not the kind of person who tries to bargain with the salesperson at a department store, there's no denying that we all negotiate with ourselves, our family, our co-workers, and others more times a day than we can count. "Mommy, do I have to eat four green beans or five?" "Can I give you my conference report next Monday instead of Friday?" "How about we spend Thanksgiving with your parents and Christmas with mine? Then we can switch next year." Everyone can benefit from being a more effective negotiator, particularly librarians engaged in purchasing digital sources and services. Chances are, if your library is not negotiating for the resources and services it purchases every year, then your library is overpaying and failing in its duty to serve as a good steward of the funds allocated to it.

The chapters of this book can be read in order or as need and interest require. Certain ideas or concepts appear in multiple chapters because they play a large role in negotiation theory or the library world. While some of the content deals with information on negotiation theory and practice in general, all the chapters will be of value to those who negotiate for digital content and services.

The digital revolution has put a greater number of librarians in the position of needing to negotiate, and that trend is accelerating. For example, libraries are experiencing an explosion of electronic books similar to the explosion of ejournals that began in the mid-1990s. Paula Hane reports in her "Review of the Year 2009 and Trends Watch—Part 2," that "2010 will probably be a tipping point for the ebook" and that ebook sales are "growing at an explosive rate."¹ In addition to all the intricacies of ejournal acquisition, delivery, and management, ebooks offer a greater complexity: They can be delivered via PCs, iPads, smartphones, Kindles, NOOKs, the web, and more. Many ebook vendors offer options such as patrondriven acquisition, which gives patrons an expanded role in a library's collection development. Ebooks can be purchased outright or on a subscription basis, which changes the very notion of a monograph.

The practice of collection development is radically changing. In the print world, use of material was not the primary determination of what was purchased and retained. It was certainly important, but it did not drive the collection decisions the way that usage statistics and other use data analyses drive decisions in the digital world. Librarians can now use evidence-based analysis to justify expenses. These sorts of considerations about digital content and more are examined in the context of negotiation.

We hope that this book will provide the tools necessary to help librarians build confidence in their ability to negotiate well with all partners. Most of all, we hope that librarians will feel the need to put these concepts and skills to work. Just as with other skills in the library world—the reference interview, MARC bibliographic coding, collection development evaluation, and so forth—negotiation is a skill that improves greatly with frequent and plentiful practice.

The unknown future of the information industry makes negotiation a key skill for present and future librarians. Librarians in the future will likely have more partners rather than fewer, and partnerships require negotiation. We live in a Google world, with Facebook, Twitter, mobile computing, smartphones, iPads, and streaming audio and video—all available to users *everywhere*. We need to adapt ourselves, and quickly, and give users the information and services they want, when they want it, on their terms.

As Barbara Quint wrote in a 2010 *Searcher* magazine editorial, "We've got to turn the word 'library' from a noun describing a place or an institution to a verb describing a function or an app. The verb has got to mean finding the best information on a subject. It's got to mean archiving information safely and permanently. It's got to mean reaching out to qualified information professionals for the essential support and protection of users' interest that only we supply. ... We need to see ourselves as serving the world and not just narrow clients. And we need to get started now. There's no time left to waste."²

To shift a noun to a verb and accomplish all that Quint enumerates will necessitate good negotiation skills because we cannot do it alone. We will need to partner with a variety of entities and individuals. And at the end of the day, only good negotiations can create good relationships.

Endnotes

- 1. Paula Hane, "Review of the Year 2009 and Trends Watch—Part 2," January 7, 2010, accessed December 6, 2011, newsbreaks.infotoday.com/Spotlight/ Review-of-the-Year--and-Trends-WatchPart--60486.asp.
- Barbara Quint, "Searcher's Voice: Long Thoughts, Big Dreams," Searcher 18, no. 6 (July/August 2010), accessed July 19, 2011, www.infotoday.com/searcher/jul10/voice.shtml.