

Negotiating a Terrific Salary

“All Negotiation is to look, discovery and take risks.” -- Francis Bacon --

By Chere B. Estrin

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Congratulations! You've just received an offer for what seems to be a great paralegal job! Chances are pretty good that it's the job you want but at a slightly different salary! Now what?

No doubt you have bandied about salary, total compensation and perks of the job in the interview. Most likely you and your prospective employer are not far apart or you wouldn't have made it this far. By now, some discussion has taken place in regards to your expectation and theirs. Only one slight problem: rarely do offers come in that exceed the candidate's expectations. On occasion, it does happen. But for the most part, employers still try to see if they can land the best candidate for the least amount of money.

With that issue on the table, it is now time to refine the offer. If you are perfectly happy with the dollars and package the employer has laid out, by all means, don't tamper with it. But if it isn't up to your expectations, it is perfectly O.K. to negotiate a better deal. This is the risk taking portion of the program – you get to ask for what you want.

Employers come at job offers from this angle: if they bring the candidate on board at a lower salary, hundreds and possibly thousands of dollars will be saved over the time the candidate is employed with the organization. As for you, starting at a salary which is far lower than you need will cause incredible angst trying to make up the difference over the next few years.

Here are a few ways to better equip you to avoid possible friction during the actual discussions:

1. If you are planning to negotiate over the phone, make certain you:
 - a. are in a private area so you can talk freely – eliminate distractions;
 - b. are not on a cell phone or car phone which can lose the signal or create distractions;
 - c. have your resume, offer letter, paper, pencil, calendar and calculator ready.
2. Make certain you know the employer's issues or concerns such as:
 - a. The employer is concerned you may not have enough education or experience;
 - b. You are asking for more than the employer bargained;
 - c. Asking for more may cause discomfort for the employer because of lack of authority in changing the terms of the offer. For example, an administrator who has to go back to the managing partner to get more dollars may feel less powerful.
3. Pinpoint the roadblocks in the flow of communication that might arise because of your concerns or hot buttons.
4. Don't get angry. Get over it.
5. Develop an outline with the main points you want to cover in a logical sequence.

6. Have your counter-offers ready.

Rehearse key phrases and wording that will help neutralize the employer's issues and the resulting roadblocks. Here are just a few key phrases that might help:

"I can appreciate the pressure you must be under. I would like to find a way for us to resolve one area of concern. I'm hoping that the firm has some flexibility."

"Thank you so much. I was hoping to get this job offer. I would like to make sure that we won't be cut short in this discussion. I have some time to talk now. Would that be convenient for you or shall I call you back around 3:00?"

"Thank you for this insightful offer. I'm delighted at the possibility of working for Jones & Jones. However, there is one remaining issue that I hope we can resolve together."

"I have some concerns about the level of assignment in regards to what the corresponding pay is. Can you clarify a few things for me?"

How to Ask the Question

Frequently, employers are thrilled they have found the right candidate and are excited when they present the offer. It becomes incumbent upon you not to deflate their egos. How you ask the question to attain more dollars is central to your successful negotiation. Asking close-ended questions will most likely cause you and your potential employer to be on opposite ends of a spectrum:

Closed ended-questions (which you do not want to ask) would be:

"Can you change the base compensation?"— Asking questions that call for a yes or no answer do not allow for discussion. There's nowhere to go with it.

"I would like the base compensation part of the offer re-evaluated." - Again, a closed-ended

question. It's too easy for the employer to say "no."

"The base salary is lower than what I expected." - This is a statement of fact or an objection, not a question toward resolution.

"This offer is less than what I am currently earning." - Another statement of fact which does not lead to resolution.

Your goal is to open up the discussion and create possibilities in an atmosphere that is comfortable. You can only do this by asking several questions and creating a common focus of resolving an issue together. You might try these open-ended questions:

"The base salary is lower than what I am currently making. Can you tell me what factors were involved in arriving at this salary?"

"Are there ways in which we could include more in the base salary so that I do not have to take a 20% pay cut?"

Use salary survey information as a basis to point to for validation of your salary request.

The Association for Legal Administrators offers a great salary survey. Legal Assistant Today magazine offers another excellent national survey. You may be able to obtain one from your local paralegal association. If not, you can always conduct an informal survey by calling local staffing organizations who may be willing to assist you. Your response to an employer's offer may be:

"According to recent salary survey information, this offer is slightly below market-rate. How can we work together to bring it up?"

"Given your need for someone with my background and given my interest in this position, can you share with me how we might exercise some flexibility in this offer."

"How can we reshape this compensation package?"

When putting together your negotiating tactic, take into consideration whether you bring something unique to the firm. Now is the time to be very honest with yourself about your present skill level and expertise. The strategy is to get the firm to acknowledge that you are bringing something to the firm that it does not already have. For example, a nurse entering the paralegal field may bring a value-added skill that the firm does not have but needs. It is therefore worth more dollars to the firm. An experienced level paralegal seeking a higher salary may be replacing a more junior level paralegal. In this instance, the candidate can use her experience level by saying:

“I am very experienced in medical malpractice issues because of my four years at Smith and Jones. I will be able to complete assignments quicker than more junior level paralegals. You will be able to compensate for the additional increase in salary because you will be able to bill my services at a higher rate to the client. “

What to Do if You Can't Got More Money

Sometimes you won't be able to get the employer to up the base pay. You just can't. Either the firm has given you its maximum amount of dollars it feels it can for this position or it just doesn't agree with you about additional dollars. In either case, you may still want the position. And, it may still be a good one for you. The trick is to avoid the escalation of uncomfortable feelings which can often result in ineffective exchanges. The stakes remain high - this is your career and a good portion of time and energy is about to be dedicated to this new firm or organization.

The following questions can be used as a pivotal turning of the negotiations from salary to benefits, perks and action items:

“In what ways can we redefine this offer?”

“In what ways, other than compensation, can we think about changing the nature of this offer? “

Once you have turned the negotiations from salary to added compensation in other areas, you

might ask for a replacement for actual base dollars. Consider asking for one of the following instead:

- An accelerated salary review in three-six months; (make certain you ask for a salary review, not a performance review!)
- Tuition reimbursement for classes or seminars for the Certified Legal Assistant designation or specifically those aimed at your new position;
- Tuition reimbursement to finish your degree or certificate provided you stay with the firm for a certain length of time after achieving the designation (usually one to two years or more);
- Stock options, if provided by the organization;
 - Hiring bonus;
 - Guaranteed year-end bonus;
 - Four-day work week;
 - Lap-top computer and telecommunications set-up;
 - Private or window office;
 - Better or stronger title;
 - Salary in lieu of health benefits (if you can do it).

Knowing How and When to Concede

Knowing how to handle objections to your requests is important. Navigating employers to close the deal is a learned skill. We weren't born knowing how to do it. Before addressing the employer's objections to your request, remember the employer is a buyer and you are the sales person. A buyer, according to Garry Karrass in *Negotiate to Close* (Simon & Schuster), needs to feel satisfied. These “satisfiers” contribute to the buyer's satisfaction which is imperative for smooth sailing once you have started with the firm. It does you no good to alienate the buyer. After discussions are completed, you'll have to work with this person, and you want that relationship to be comfortable and without ill feelings. Most potential employers want to:

- feel competent and confident they are making a “good hire”;

- avoid trouble;
- look good within their own organization. A hiring authority's job may depend on who he hires;
- get relief from overburdening work;
- have the process over with;
- feel as though they got someone that somebody else wanted.

In negotiations, according to Karrass, how you concede may be more important than what you concede. We try to make the "buyers" earn the concession. We hesitate, we ask for time to reconsider, we may even consider other job offers. Then the buyer feels better. She can go to her administrator or managing partner and say, "I couldn't get that candidate at the right salary. She wouldn't come down in dollars."

Another concession-making guideline: **Always give yourself room to negotiate**. What you ask for may not be what you are willing to settle for. For example, if you are negotiating salary points, you may ask for a salary slightly higher than what you might be willing to settle for. But don't pull the pin on the hand-grenade, throw it over to the fence and run for cover! If you cannot justify your request with solid aspects about your skill level, background, experience or education backed up by salary surveys, documentation or market conditions, reconsider whether you should ask! And, be careful not to give the employer the impression that your request is non-negotiable when it is not. One good phrase to use is:

"I would consider an offer at \$40,000 per year." Rather than, "My bottom-line is \$40,000 per year."

Deadlines

Most good negotiators will issue a deadline. You must be able to determine whether the deadline is real. There is a tremendous amount of pressure to concede as the deadline nears. Stay calm. Most of the time, it's the employer who sets the deadline and the candidate who must adhere to it. However, if you have placed a counter-offer on the table, there's nothing wrong with asking "how soon can you get back to me?"

or "While Jones & Jones is my first choice, I do have another offer to consider. Can you get back to me by Friday?" Negotiations that continue on too long run into several dangers: confrontations, disinterest from both parties, or missed opportunities on both sides. It's better to set the expectation as to when the negotiations will conclude.

We want to make sure that not only you, the candidate, is satisfied with the offer, the employer is also satisfied with what she is getting. You will probably be seeing this person quite a bit once you land in the firm. It's better to have made friends than enemies.

- Give in slowly, graciously and thoughtfully.
- Give yourself room to negotiate.
- Don't mishandle a ridiculous offer. Don't ask for the moon if at least part of the moon isn't yours to have.
- Don't concede too much so that you are miserable after you start.

Don't get pushed into taking the wrong job. At the same time, know when to concede and where you stand in the marketplace. Is this a transition job for you? Will taking this job now eventually lead to other great things? If so, that consideration in itself may be the ultimate reason for taking this job.

Job hunting and its subsequent negotiation for salary are imprecise processes. Be willing to take risks but most importantly, be willing to try. With some practice, skill and the right players, you *can* land the job of your dreams!

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