

***Employer Negotiation Strategies
For Job Developers in Customized Employment***

The culmination of any approach to employment involves direct interactions with employers. After all, employers hold the jobs wanted by job seekers with disabilities. When job seekers apply for competitive, demand job openings, especially at the entry level, there is relatively little opportunity for negotiation. Even when job seekers for these openings use a representative to assist them to make their case to potential employers, negotiation of the conditions of employment and the employer's expectations is not a typical component of success. It is generally accepted that the job seeker who is most prepared to meet the demands of an employer with the least stipulations for changing those demands is the most likely to be selected, all things being equal. This is one reason that demand, competitive employment has been so difficult for job seekers with a significant impact of disability. It is often a given that these job seekers will need reasonable accommodation, at least, and, at most, will need a negotiated relationship to become successfully employed.

This reality has caused employment professionals to recognize the value of starting with an approach to employers that emphasizes negotiation – Customized Employment. According to the US Department of Labor, Customized Employment involves “job responsibilities being customized and individually *negotiated* to fit the needs of individuals with a disability.” This strategic use of negotiation requires job developers to utilize new skills in representing job seekers with disabilities. Rather than touting an individual's general skills in relation to the demands of an open job, developers must assist employers to look beyond demand to areas of specific workplace need and benefit and then make the case for how the job seeker can meeting those specific needs for the employer. Employers weigh the value of the benefits received in the customized relationship with the cost of negotiating around the needs of the job seeker. When the balance is in a positive direction, a job offer for a customized relationship is possible.

In 2001, the newly formed Office of Disability Employment Policy with the US Department of Labor funded a national initiative to fund and study a new approach to employment that used negotiation as a core component known as Customized Employment. The definition for Customized Employment for this initiative was as follows:

“Customized employment means individualizing the employment relationship between employees and employers in ways that meet the needs of both. It is based on an individualized determination of the strengths, needs, and interests of the person with a disability, and is also designed to meet the specific needs of the employer.

It may include employment developed through job carving, self-employment or entrepreneurial initiatives, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of individuals with a disability.

Customized employment assumes the provision of reasonable accommodations and supports necessary for the individual to perform the functions of a job that is individually negotiated and developed.”

The importance of negotiation is evident throughout this definition. Rather than focusing on job openings, job developers are encouraged to enter into a relationship with employers that results in a negotiated job description that meets both job seeker and employer needs.

What do we mean by Negotiation?

Negotiation is one of those common terms in our language that when used in conversation or in writing that most people feel that they know what it means. And many people undoubtedly relate negotiation to haggling. When buying a new car the dealer starts high and the buyer starts low and they “negotiate” a price in the middle that suits both parties. While it is certainly true that this haggling interaction is a form of negotiation, it is not what we mean here. Indeed, because of this conceptualization, many people avoid negotiation. The *USA Today* newspaper has reported that more people would rather have oral surgery than haggle to buy a new car! Still others equate negotiation with caving in on important principles. The current political climate has virtually abandoned negotiation in favor of winning one’s position. In other words, for many people, negotiation is a negative concept.

If job developers are to use negotiation and if employers are to accept its use, it is necessary to clearly understand the term and to learn respectful and effective strategies for negotiation. In its simplest form, negotiation can be defined as the act of changing what is to what needs to be. Within Customized Employment negotiation refers to *a set of strategies that result in employers receiving specific benefit to their workplaces from an employee who is granted specific consideration to successfully provide those benefits. The benefits received by employers, along with any incentives offered to*

make the deal, are as cost effective as possible to public resources. The resulting employment relationship comprises the closest possible fit for the employee's necessary conditions for success, his/her interests in terms of work and their best specific contributions available to the employer. The strategies that are used are based on the following principles:

- The customized job description makes business sense to the employer
- Employer needs are identified and met prior to the negotiation of employee needs
- Job developers act as representatives or agents to the job seeker, directed by the job seekers conditions, interests and specific contributions
- Employers are specifically identified by a plan directed by the job seeker
- Job developers strategically offer a set of “essential selling points” as a starting point for negotiation that reflects both systemic and personal features (of the job seeker) to be offered to potential employers
- It is not the responsibility of the job developer to *sell* the benefits to employers, rather job developers should inform and negotiate and let employers *buy* the deal
- Job seekers are encouraged to allow job developers to positively disclose aspects of the work impact of their disability to assist in negotiation
- Each party, the employer and the job seeker has to give – to compromise – in order to get a successful outcome
- The willingness of each party to negotiate, to compromise, is seen as a voluntary act, not required by legal obligations
- The result of negotiation creates a “win-win” for both the employer and the job seeker

How is Negotiation different from Job Matching and Reasonable Accommodation?

As previously discussed, negotiation is defined here as the act of changing what is to what needs to be. In practical terms, when it becomes evident through the process of Discovery that the demands of workplaces create a barrier for an individual, negotiation is used to accomplish the changes needed to make a job offer possible.

The use of negotiation as a primary strategy varies significantly, but compatibly, with the typical strategies of job matching and reasonable accommodation. Job matching refers to the attempt to find existing jobs, work conditions and aspects of the labor market that

fit the individual. To us a definition using similar language to the characterization of negotiation, job matching involves the act of finding the best possible fit in the job market with the strengths, needs and interests of the job seeker. Negotiation starts with job matching, as all good employment services should, but it goes beyond finding a fit to negotiating a fit when current job factors create a possible barrier.

Reasonable accommodation is primarily a legal standard that requires employers to offer assistance to individuals with disabilities that results in the employee performing the job in the manner of an “otherwise qualified employee.” What is important for job developers to realize is that reasonable accommodation is an obligation that uses the competitive demand standard as the benchmark. As customized, negotiated strategies are utilized, access to the legal standard of reasonable accommodation becomes blurry. It is strongly recommended that job developers avoid using reasonable accommodation as a feature of negotiation as its use signals to potential employers a shift from a voluntary relationship to a legal obligation.

How does a job developer prepare for Negotiation?

It is important for job developers to prepare for negotiation rather than simply winging it within interactions with potential employers. Preparation will take several forms. At the most fundamental level, job developers must know the job seeker in order to effectively present his/her contributions to employers, answer tough questions and understand the unique aspects that need to be negotiated. This awareness is best gained during Discovery or other exploration strategies. However, in many agencies, job developers will not be assigned responsibilities associated with getting to know job seekers. For this reason it is of critical importance that job developers carve out time to participate in exploration activities so as to gain sufficient insight for negotiation.

Job developers must also become familiar with the aspects of the employment outcome that is to be sought. For Customized Employment job developers should be able to articulate an understandable explanation of the concept to potential employers, along with the differences between customized and demand jobs. We recommend that job developers use a visual tool such as a portfolio – either physical or digital – helps make the explanation to employers (See sales tools later in this component). In addition to the portfolio, job developers also need to gather brochures, (such as the ones available through the Office of Disability Employment Policy, www.dol.gov/odep) videos, (also

available at ODEP and on Youtube.com) fact sheets and other materials that will assist employers to understand the employment approach taken.

Once the details are understood about both the job seeker and the employment concept to be promoted, there remain several areas of preparation for job developers before initiating contact with employers. Employer research is a vital preparatory activity for effective negotiation. Traditionally, job developers have taken a shotgun approach to research by broadly looking a labor market trends, examining “hot” trends in local areas and by focusing on “the usual suspects” of the larger employers who are currently hiring. We recommend a more targeted approach. By using the listing of specific employers that is generated during the employment planning process (See curriculum component: Creating an Employment Plan) it is possible to focus research on those employers that best match the job seekers conditions, interests and contributions. This focusing allows for a realistic opportunity to learn sufficient information about employers so as to enter negotiations as prepared as possible. The following is a listing of topics that a job developer might target during research:

- Name of decision-maker for company commitments
- Name of one contact, related to you or the applicant, who can give you information regarding the company
- How the company refers to itself/industry segment
- Discrete tasks likely to be performed
- Demographics of employees
- General viability of business
- Location in community
- Distance from applicant
- Entry wage paid to all employees
- Culture of workplace
- Accessibility of the workplace
- Community alignment, initiatives/partners
- Company values/mission

By using both personal contacts and the internet, job developers can perform the necessary research by devoting approximately one hour of time for each employer to be contacted.

A final research topic, though one that typically only needs to be done once, is for job developers to fully understand all the aspects of the agency's service model and its capacity as well as that of the funding systems such as vocational rehabilitation and Medicaid funding. Individual agencies have unique perspectives relating to the manner in which employment services are provided to both individuals and to employers. Many agencies leave the articulation of their "model" up to each job developer and job coach. It is necessary to develop a cogent agency message – an agency model -- concerning the details of employment services prior to entering into negotiations with employers. Additionally, each state and, indeed, many areas within states vary significantly in terms of what can be funded, availability of employer incentives, duration of supports and other factors that will be of importance during negotiations. Job developers must be as informed as possible as to funding, policies, limitations and services available for employment services from the perspective of the partners at vocational rehabilitation and your state's disability service agency.

What are the components of Negotiation?

At this point in the employment process, job developers are well equipped with the information necessary to be strategic about negotiation. All the information about the job seeker, the concept, the potential employers and the service system has been researched and is available to the job developer. Unfortunately, with all this information in hand, the tendency has too often been to put all this information in front of a potential employer and hope that it is sufficient to get a "yes" for a job offer. In other words, job developers are rarely strategic about what is offered to employers violating one of the indicators of effective negotiation.

In order to become strategic about negotiation, job developers would benefit from a model that pulls together in common-sense terms and concepts the approach to be utilized. The model recommended here is based on the work of a consultant and author in the field of negotiation named Michael Schatzki. The framework of Schatzki's model provides a useful and common-sense way for job developers to follow in understanding and implementing negotiations with potential employers. The first consideration to be confronted by the job developer deals with determining the negotiation stance taken by the employer. Schatzki characterizes the three possible stances in the following manner:

- "Oh-Boy" Negotiation Stance

- “Show-Me” Negotiation Stance
- “Oh-No” Negotiation Stance

In the “*Oh-Boy*” stance, it is clear from the beginning that the employer is pre-disposed to say yes to both the concept presented and to the job seeker. While an early indication of an “*Oh-Boy*” stance is certainly positive, it can create a problem for the job developer. When this stance is reached virtually from the outset of the interaction with an employer, it is likely that the employer is operating on a set of presumptions instead of on the realities and nuances of the deal from the job developer/job seeker perspective. It is necessary for the job developer to slow down the negotiations and make sure that the job seeker’s needs are being addressed. All successful negotiations must end up with an “*Oh-Boy*” perspective on the part of both parties in a “win-win” understanding.

The “*Show-Me*” stance is the most common, and in many ways, the most desired position from which to negotiate. This stance is characterized by each party being uncertain as to the benefit of the deal sought. This situation requires the development of a trusting relationship, the provision of accurate and understandable information and a degree of give and take to reach a negotiated conclusion. The job developer will need to provide clear answers to employers’ questions as well as to the concerns and needs of the job seeker. During the course of negotiations success will be determined by the skill of the job developer to clearly present necessary information, answer questions, offer incentives as necessary seek compromise by both parties and keep the focus on a deal that is acceptable to all. At this point a “*Show-Me*” stance by either/both parties is converted to an “*Oh-Boy*” position.

Certainly the least preferred stance to be taken during negotiation is the “*Oh-No*” stance. This position is characterized by either or both parties asserting clearly that the deal does not work. Job developers may intuitively feel that it is their obligation to convert an “*Oh-No*” stance to an “*Oh-Boy*” stance through effective negotiation. Surprisingly, the experts say not to do this. Schatzki suggests the only way to accomplish this shift is through a “backhanded” need – basically by using a threat. This strategy has failed too often in the “post ADA” environment in which job seekers with disabilities have threatened employers with the ramifications of not following the Americans with Disabilities Act. While it is undoubtedly true that many individuals have gotten justice using this strategy, it is not recommended for job developers who are trying to establish a business relationship with employers. The best response to an

“Oh-No” stance on the part of either an employer or a job seeker is to say “Thank you” and move on to other possibilities. Remember, it is not the responsibility of the job developer to “sell” the employer on the benefits of hiring a job seeker, it is the responsibility of the job developer to inform and negotiate and let the employer *buy* the concept. When you encounter a clear “Oh-No” position, move on.

How do we identify and organize our Negotiables

Implicit in the concept of negotiation is the need to have something with which to negotiate – our negotiables. Negotiables refer to aspects of the concept that make the deal more enhancing, more desirable to potential employers. Again Schatzki offers a useful and common sense framework into which we can identify and organize the negotiables that are available for negotiation. Before engaging employers in negotiations, job developers should decide what the various selling points of the concept to be presented will be. Schatzki suggests the following categories into which these negotiables can be placed:

- Essential Selling Points
- Sweeteners
- Hole Cards
- Non-negotiables

Essential selling points are inherent features of the deal offered to the employer by both the provider organization and the job seeker. These features are offered to any and all employers who are contacted. Essential selling points are outlined during the initial presentation to the employer and relate to the most positive aspects of the concept. A problem associated with essential selling points is that many organizations list all selling points publically in brochures, web sites and in general presentations to employers. In order to proceed “essentially” it may be necessary to clean up materials available to the public and to stress only those selling points that all employers will have access to. This concept allows for the possibility of reducing the costs associated with employment services by using a time-honored business practice. A sample list of essential selling points for Customized Employment might look like this:

- Job seeker discovery as an enhancement of employer recruitment
- Matching employer needs and benefits to job seeker tasks
- Customized planning to determine a focused interest for the job seeker

- Assuring there is a match with the workplace culture and environment and the job seeker
- The provision of job site supports, initially/as necessary
- Provision of a job analysis to help assure sensitivity to employer's culture
- Negotiation of a customized job description
- Naturally referenced supports

In addition to essential selling points related to an agency or funding system job developers will also need to determine the job seekers best essential selling points. These are outlined in the curriculum section: Job Seeker Resume or Portfolio.

Sweeteners are additional features offered by the provider and/or the job seeker to enhance the attractiveness of the deal for the employer. Sweeteners go beyond the essential selling points, but do not create an undue burden on either the provider or applicant. They are most often offered during follow-up negotiations. Sweeteners are characterized by two factors: a) the provision of a sweetener is not too costly in time or money and b) the job developer has the authority to put the sweetener on the table without permission of supervisors, funders or the job seeker. It is important for job developer to have the authority to offer sweeteners as it enhances the stature of the developer as a person who is trusted to make a deal. A sample list of sweeteners for Customized Employment might be:

- Transportation coordination for the job seeker
- Problem solving technology, accommodations and accessibility for the employer
- WOTC eligibility status of the job seeker
- Assistance with WOTC completing paperwork
- Team of employment professionals available for employer contact
- Budget funds to buy low ticket items for job seeker
- Low-cost equipment owned by job seeker (known as resource ownership)
- Short term transportation assistance for new employee
- Assistance in enhancing employer public relations with newspaper or newsletter articles
- Providing a general orientation to employees on Customized Employment and the role of disability and work

The job seeker will need to develop a list of personal sweeteners that can be offered by the job seeker without first seeking permission. For instance, a job seeker might have

an ideal number of hours per week identified but might also have a range of greater or fewer hours that they would be willing to do if that met the employer's needs.

Hole Cards are features of an employment negotiation that will likely create undue hardship, expense or complexity for the provider and/or the individual in relation to a desired job. On the other hand the provision of hole cards are often "deal makers," serving to convince an employer that the deal is worth trying. They are typically offered as a last-ditch effort, or at least later in negotiation, to secure an otherwise ideal job for an applicant. They must be held in reserve and used only sparingly during final negotiations. In addition to the expense of offering a hole card, an additional characteristic is that the job developer must seek permission to use the negotiable from a supervisor, funder or the job seeker before it can be offered. This limitation also creates an opportunity for job developers. Because of both the expense and the timing of the consideration of using a hole card, the job developer should use the delivery of any hole card as the opportunity to attempt a "contingent close." In sales terms, a contingent close occurs when the job developer says, "If I can make this happen, do we have a deal?" Hole cards cost too much to keep putting them on the negotiation table without attempting a contingent close. Possible examples of Hole Cards for Customized Employment might be:

- Providing in-depth researching on employer concerns such as liability or insurance costs
- Bonding and insuring the employee
- Training to a credential standard
- Providing on-the-job wage reimbursement (OJT funds) to the employer or employee
- Payment of less than the company's typical entry wage (but more than minimum)
- Using an extended probation period
- Using an unpaid internship startup
- Offering a big ticket piece of equipment owned by the individual (Resource ownership)
- Hosting an employer appreciation luncheon

As with the other negotiables, the job seeker needs to be assisted in determining his/her own hole cards. They might entail willingness to work hours or days that are not as desirable as those identified in the plan. Hole cards might also include tasks that the job seeker can perform but might prefer not to, if possible.

Non-negotiables refer to those aspects of a negotiation that the agency and/or the job seeker are not willing to bend on. It is critical that you plan for these in advance and find gentle ways to explain to the employer why you're not able to negotiate on those items. Simply stated, non-negotiables comprise the deal breakers of negotiation. Regardless of how attractive other aspects of the job may seem, it is important to know when to say "No." We strongly advise job developers not to waiver on these issues. A gentle but firm, "I'm sorry but we can't do that" is a much stronger negotiation position to take than implying that a problematic request on the part of an employer or a reality of the deal can somehow be resolved. It will take a resolve on the part of job developers to honor non-negotiables but it is worth it. A sample list of non-negotiables might be:

- Paying sub-minimum wages
- Assuring production of any sort
- Providing a substitute worker for the employee
- Assuring on-going transportation
- Agreeing to anything illegal
- Guaranteeing success of any sort
- Accepting an offer based on a charity relationship rather than a business deal

What do employers get out of a negotiated relationship?

When job developers shift from a demand to a negotiated, customized relationship with employers, it is necessary to clarify exactly what it is that employers will get out of that deal. It is much more obvious when developing a demand job. For these jobs the employer expects to get the value implicit in the performance of the various aspects of the job description for the job that is to be filled. However, the reason for pursuing a negotiated relationship with an employer is the concern that the demands exemplified by the aspects of an existing job description will create a barrier to employment for some job seekers. So what exactly does an employer get out of this deal?

In the time since the inception of Customized Employment in 2001, much attention has been paid to answering this question from the perspective of a business deal. After all, the benefit to the job seeker is evident if we are successful in negotiating a customized job that meets his/her conditions for success, interests towards certain aspects of the job market and specific contributions. But Customized Employment cannot be successful if it results in a one-sided benefit.

The first answer to this difficult question came in relation to the concept of *unmet workplace needs*. During the 1990's employment professionals in competitive supported employment noticed that employers often targeted unmet needs as a way to save a demand job on which the employee was struggling. By assigning the employee to meeting an array of unmet needs, it was discovered that individuals with the most significant impact of disability could make contributions worth regular pay if both the support agency and employer joined to utilize the best dimensions of the employee's performance. An unmet workplace need is described as something that needs to be done and, for whatever reason, is not getting done in a workplace. The use of this conceptualization is particularly important for job seekers who are likely to perform with low productivity as an aspect of the impact of their disability. When a workplace task is that needs to be performed is not getting done is assigned to an employee, the speed with which that unmet need is performed is less important than the fact that it is getting done correctly. This is a significant benefit to tens of thousands of individuals who experience an impact of disability related to productivity.

By the late 1990's leaders such as Rich Luecking began to negotiate with employers to identify *specific areas of benefit* to employers rather than relying on the general benefit expected through competitive, demand employment. Employers were encouraged to look and their workplaces through the lens of, "How can we help you do your job better" in specific way that connects with the specific contributions of job seekers. This strategy allows employers to clearly determine the business benefit of entering into a negotiated relationship with a job seeker while avoiding the barriers created by competitive demand.

The first decade of 2000's also saw the rise of a proprietary employment strategy started by employers known as Project Search. Project Search began in the medical field in large hospitals and has evolved to include banks, universities and other large corporate structures. One of Project Search's areas of focus involves targeting the job descriptions of highly paid professional personnel to see if there are *tasks better performed by individuals with disabilities at a lower pay grade*, though at or above the legal minimum wage. This third area of focus provides job developers with the foundation of a strong business case for negotiated, customized employment by targeting these components. They also allow job developers to present to employers a clear set of features in business language with an emphasis on value-added rather than on whether job seekers with significant disabilities are likely to meet business demands. Even though it could be argued that there are sub-categories to these aspects of the

business case and with the full realization that more will be added as negotiated, customized employment continues to evolve, the three current areas of employer benefit for negotiated jobs are:

- Tasks that relate to unmet workplace needs
- Tasks better performed by others at a lower pay grade
- Tasks that comprise specific benefit to the employer

How do we determine areas of employer need and benefit?

It can be said that when employers are fully staffed with all available positions filled that the general presumption is that all necessary business needs are being met. After all, that is the basic equation of demand employment. Of course there are many variables that affect the presumed outcome of the demand equation such as managerial competence, characteristics of the local workforce, the state of the economy, the attitude of employees, pay and countless other factors. The reality is that almost any business could benefit from looking specifically at unmet needs, tasks better performed by others at a lower pay grade and areas of specific benefit to the workplace. And even though most employers do not look at their workplaces from these perspectives, most are willing to do so if presented with the opportunity. So how do job developers get access to these hidden aspects of most workplaces? The bottom line is that we need access to businesses in a deeper manner than is typically available. There are several strategies that have proven successful:

- As a part of a Needs Analysis performed during job development negotiations, following a tour, one employer at a time on behalf of a specific job seeker
- As a part of informational, “discovery” interviews with employers, concurrent with individualized job development
- As an effort to enter into a service partnership with a business (often in a larger business) to assist in the adoption of customizing employment internally
- As a part of general activity in the community by job developers, family members and job seekers

Needs Analysis The customized planning process identifies local businesses felt to be consistent with the job seeker’s conditions, interests and contributions. However, the plan cannot assure that the targeted employers will have compatible needs and benefits relating to the job seeker. Job developers can negotiate the offering of an Employer

Needs Analysis during the negotiation of a customized job. The analysis can be performed, at no charge, in one of three options; 1) by the job developer alone if the employer is too busy, 2) in a team with the job developer and a representative of the employer, or 3) by the employer, without the job developer, for those employers not wanting to expose needs to an outside entity. A suggested format and sample Needs Analysis is available for free download from marcgold.com.

Discovery Interviews This strategy targets certain employers felt to be representative of a large market segment and job developers ask for the opportunity to learn about the business, including potential unmet needs and areas of specific benefit. The rationale for the business to participate is often community responsibility with employers willingly giving their time to assist job developers to better perform their jobs. From a sales ethics perspective, it is important not to “bait and switch” -- to get inside the workplace using this approach and ask if the employer would be interested in making a job offer. Of course, if the employer initiates the offer, it is completely within ethical bounds to accept the offer.

Business Partnerships This is a primary strategy used by many job developers and, from the perspective of many employers, an effective one to use. When using this strategy, job developers target certain businesses that are known to be valued employers with good pay and benefits. Job developers target decision-makers for an appointment to make a presentation on the benefits of offering customized relationships to certain job seekers. The business can then consider participating in an analysis of their workplace using the areas of benefit discussed earlier without considering a specific job seeker at that time. The business can then decide how it might benefit from this approach and then consider proposals from job seekers in a customized, negotiated manner. The potential downside to this approach occurs when the areas of unmet need and specific benefit become solidified into a job description prior to negotiations with job seekers. The finesse for the job developer is to urge the company to keep the list of unmet needs and specific benefits “fluid” until negotiations can occur. In this way the employer’s list does not become yet another demand job description that excludes job seekers with more significant disabilities.

Community Observations The most easily accessible strategy to determine potential employer needs and benefits is to heighten awareness on the part of job developers and other human service personnel in all routine activities in the community, while shopping, traveling about, receiving services, talking with friends, etc. This commitment

to informal needs/benefits analysis can pay huge dividends when everyone in employment services is focused on identifying potential areas for job developers to follow-up on. The compiled information is extremely useful in helping families and job seekers understand a practical, local example of customized employment as well as in the employment plan for leads related to a job seekers interests and contributions.

What selling strategies apply to job development?

The role of the job developer in negotiating employment outcomes is both similar and different from traditional sales. If you think of the job developer as a salesperson, the employer as the customer and the job seeker as the product, a case can be made that job development is much like sales. And, indeed, there is much to take from sales that can improve job development outcomes – understanding the rules of sales, using sales tools to make your pitch and following the time-honored steps of selling. However, in some very important ways, job development is not like traditional sales at all. First, our people are not products. Job seekers with disabilities are human beings who have traditionally been excluded from employment in large numbers and who, too often, have not been felt to be able to work. Secondly, the practice of traditional sales has been too focused on closing the deal, sometimes at any cost. When representing individuals who are striving to enter into a complex aspect of citizenship, closing the deal ethically is of greater importance. Third, the style of sales used by job developers is an agent or representative form of sales that puts the developer in the complicated position of having two customers, the job seeker and the employer. It is critical to remember that the job seeker must always be our primary customer. (See the movie *Jerry McGuire* for an example) And lastly, still relating to the style of sales, job development for customized employment is a non-traditional, entrepreneurial style of sales. This stylistic distinction is missed by many human service job developers. Traditional sales encourage sales personnel to listen to the perspectives of customers and try to respond to their needs. When we do this employers will likely default to whether or not they have job openings. Customized Employment comprises a new relationship with employers and, hence, requires job developers to pitch the concept as an entrepreneur would promote any new idea to a customer. In other words, customized job development needs to start with a presentation rather than a reflective discussion. With these reflections as a backdrop to the way job developers should view the connection with to sales techniques. The following three components have a direct connection to successful job development:

- Understanding and following the “rules” of sales
- Using sales tools to communicate the concept of a negotiated, customized job
- Following the time-honored steps of sales

Following the rules of sales It is not so much that a job developer should strive to become a super salesperson as it is important to understand the rules of sales and strive to keep from breaking them. From the initial contact with an employer, human service job developers will be recognized as different from typical sales personnel. It is almost impossible to “pass” undetected and it is not necessarily a good idea if we could do so. For many employers, the very fact we are different creates a degree of interest and the willingness to give us a break if every note of sales is not played correctly. We can manage to have an interaction that leaves the employer with the impression that, while we are not typical sales people, we were not naïve about the important aspects of the sales interaction. If we can combine that with an effective presentation, there is a good chance we can be successful in negotiating a job.

There is a conundrum, however, regarding the rules of effective sales. Most successful sales people do not want to share them. They have to be learned through observation, trial and error and by listening to employers. The following is a partial listing of the rules of effective sales:

- *Make appointments first.* We should never make a presentation without first establishing an employer’s interest in hearing it.
- *Time is the most important commodity of business.* We’ve got to minimize the time we require of employers.
- *Use the language of business.* We must strive to identify and use business-focused language instead of human service jargon.
- *Focus on employer needs, first,* before negotiating the needs of the job seeker
- *Dress respectfully,* but it’s not necessary to compete with employers
- It is permissible to have *two job developers* make a call without asking for permission in advance
- *You have a reasonable expectation of respect and a place to present,* as long as you haven’t broken any rules
- Always be *on time* and keep to promised *timelines* with employers
- Don’t try to “sell”, rather let the employer *buy* the concept of CE
- It is not your responsibility to persuade, it is your responsibility to *inform*

- Always focus on *decision makers* in companies, not just on easy access
- If you don't know, say, "*I don't know.*" but find the answer

Using sales tools to communicate the concept of customized employment The sales person's voice is undoubtedly the most powerful tool in the sales arsenal. For those outside of sales, it may seem that the effective sale person is half huckster and half actor, the quintessential "snake oil" salesman. This is not a fair appraisal regardless of the strong negative stereotypes that persist regarding sales. In fact, the best way to use that most powerful tool – your voice – is to use your "genuine" voice in all employer interaction. Your genuine voice refers to the tone, articulation style, accent and cadence that is most essentially who you are. If you find that voice and use it, employers will see a genuine person in front of them and are likely to respond favorably.

Beyond our voice as a sales tool, sales personnel have traditionally used support materials to make their case. The sales tool most easily adopted by job developers is the "pitch book", a physical or digital portfolio that can be used to augment our voice with images and written narrative. The agency or concept portfolio has been used for over two decades by job developers in making the case for a negotiated relationship with employers. Examples of an agency portfolio can be seen at marcgold.com. The portfolio as a sales tool provides the following benefits:

- Represents a shift from an agency marketing strategy to an individualized, customized marketing strategy.
- Presents positive, performance-focused imagery that combats negative stereotypes
- Helps makes sure that job developers give consistent info to employers.
- Teaches employers how to think about customization.
- Helps explain, visually, natural support strategies
- Provides additional avenues for giving information to employers beyond verbal explanation.
- Requires agencies to come to terms with the manner in which they support and represent individuals, use language and negotiate.
- Outlines Essential Selling Points

Following the time-honored steps of the sales process Sales is said to be the second oldest profession, so it is understandable that a set of procedural techniques have been developed, tested and revised. While there may be a few nuanced difference among all

the various approaches to sales that have evolved over the centuries, they center around a small number of essential, sequential steps. Job developers can enhance their chances for success by following these steps. The next section addresses those step, modified for human service job developers.

What are the sales steps for job development?

There are basically five steps to successful job development. The steps presented here represent a blending of the time-honored steps of sales with the needs of human service job developers in their representation of job seekers for Customized Employment. The five steps are as follows:

1. Prospecting: Conducting employer research and preparing for employer contacts
2. Making employer contacts: Getting in the door by getting an appointment
3. Presenting at the initial meeting: Making your pitch on customized employment
4. Negotiating the benefit: Conducting a needs analysis, making the final match:
5. Closing the deal: Putting the question to the employer

1. Prospecting Activities Prospecting is the foundation step of sales. In classic sales terms, prospecting refers to a set of actions that “qualify” the customers to be called on. In this approach the qualification of employers is a feature of plan for employment by linking potential employers to the conditions, interests and contributions of the job seeker. The following activities are accomplished during prospecting:

- Determine your negotiables relating to customized employment services.
- Research the targeted business to obtain information necessary for successful negotiations and matching.
- Identify already-existing linkages which may be of help in more narrowly targeting and securing jobs.
- *Obtain and use referrals* which can assist in getting appointments and job opportunities.
- *Develop a system/strategy* for compiling and organizing information on employers.
- *Develop and use a business vocabulary* and strive to view employment issues both from a business and human service perspective.

2. Making Employer Contacts The prime directive of ethical sales is to always make an appointment before making a presentation. This aspect of job development is one of the most problematic in that employers are interrupted with inappropriate drop-in visits in which a presentation is attempted. This is same as a telemarketer calling during mealtime. The appropriate forms strategies for making employer contacts are:

- Using a third party to make the appointment
- Approaching employers in an informal context
- Using a drop-in visit when access to the business is “publically available
- Making telephone contact preceded by a letter of self-referral
- Using e-mail contact if invited by the employer

Remember, each of these strategies is only to obtain an appointment, not to make a presentation.

3. Presenting at the initial meeting The initial meeting is a two part session lasting approximately 25 – 30 minutes in which the job developer presents the concept of customized employment to the potential employer, introduces the job seeker with a visual resume, answers the initial questions of the employer and closes the meeting with the request to provide a no charge Needs Analysis and continue negotiations. The flow the this meeting might look like this:

1. *Introductions:* Introduce yourself using business card and referrals, introduce your agency using the first page of the portfolio, offer fact sheets that are left behind
2. *Discuss why you are there:* Use the portfolio narrative and images to explain Customized Employment, employer benefits and areas of focus
3. *Explain how we do what we do:* Use portfolio to explain Needs Analysis, Job Analysis and support strategies to be used
4. *Introduce job seeker represented:* Use visual resume to explain the tasks/contributions of the applicant
5. *Answer employer questions:* Fully respond to all questions
6. *Close the meeting* with a request to perform a tour and needs analysis

4. Negotiating the benefit to employer and job seeker The follow-up negotiation period might span 2 - 4 or more meetings over a period of two weeks to two months. Each subsequent meeting allows the job developer to provide more and more in-depth

information about the concept and benefits of Customized Employment and the value-added by hiring the job seeker. During this period the following activities should occur for any successful negotiation:

- Taking a tour of the business
- Conducting a Needs Analysis
- Introducing the job seeker in person (not to be a formal interview but a “getting to know” meeting)
- Answering all questions and concerns of the employer
- Targeting tasks that benefit the employer and fit the job seeker
- Negotiating/matching the conditions of the job seeker
- Agreeing on a customized job description including tasks, pay, hours etc. with the employer
- Getting approval from the job seeker

5. Closing the Deal It is the job developers obligation in the rules of sales to “close” the deal. In traditional sales this activity has been derisively referred to as “begging the question” as if the sales person was begging the customer to buy. In this approach, job developers should never beg but they should take the responsibility for closing the deal. The big questions are “when” and “how”. The answer to the “when” question relates to a sense on the part of the job developer that that employer has sufficient information to make an informed decision about the deal. At that point, it is time to close. Do not wait expecting the employer to close the deal. As to “how” to close, there are many ways that work. It is most concrete to simply ask, “What do you think?” or “Do we have a deal?” Many human service job developer will be more comfortable with an indirect close such as, “Is there anything keeping this from working?” or “Can I answer any other questions for you regarding this concept or person?” And don’t forget the contingent close that was discussed earlier in this section. If an employer makes a request for what you feel like amounts to a Hole Card negotiable, you can say, “If I can get this for you, do we have a deal?” If we are not willing to close, we are not going to be very successful in negotiations.