

## **ALTERNATIVE FEE AGREEMENTS**

There are times when a financially committed/retained search is the best option, and there are times when contingency recruiting is the appropriate approach. Certainly the urgency and critical nature of the position are factors. Accountability, access, and search status are all variables as well. There are times, though, when neither of these solutions is the best answer. Unfortunately, most recruiters tend to work one way or maybe two and then sell why their way is the best. A true consultant gathers all relevant information and then makes an informed professional recommendation. There are not retained or contingent consultants. There are just consultants, and they do not define themselves by their payment structures. In order to truly be a consultant, one has to be prepared to craft the appropriate agreement based on the client's unique needs and expectations. To illustrate this I would invite you to read the hiring challenge that follows and then determine your recommendation. The situation follows and then so does another approach that can become a very successful part of your arsenal!

### ***Client situation:***

- 1) Has multiple needs for the same position
- 2) Desires you to be proactive on their behalf in the market
- 3) Client does not want exclusivity for all positions (all are same), but does not object to a financially committed relationships
- 4) Client does not have authorization to use retained search, but does have budgetary discretion for consulting firms or market research firms
- 5) Needs are urgent and critical and wants some accountability that you will search on this
- 6) Client does not want you to present candidates you recruit for them to anyone else unless they pass on them

There are a number of reasons why a contingent or retained are not appropriate. So, while one possibility is to simply pick the one that has the least negatives another possibility is to craft an agreement that eliminates all if not most of them. What if an agreement was proposed with the following provisions:

- 1) A minimum of 50, 100, 200, etc. potential candidates are contacted each month specifically about the positions at the client company
- 2) All interested and qualified candidates are presented to the client for consideration
- 3) Each month the client is presented with a report documenting the companies and people (listed by title only) contacted and their response. Candidates can be classified by interest and fit. As an example, if 1/2 of all people are interested but 90% of those are making more money than the top end of the range, then this feedback can be used to assist the client in possible modification or course correction.
- 4) The client is free to use any of their own sources including other recruiters
- 5) The client may cancel this agreement any time after its initiation
- 6) The client agrees to pay \_\_\_\_ each month for the contacting of the potential target candidates.
- 7) The client agrees to pay a contingent fee of \_\_\_\_ upon the hiring of any candidate presented from those efforts and in such an event(s), all monthly payments will be subtracted from the contingent fee.
- 8) The agreement is labeled a consulting agreement or even market research agreement. During the calls, the recruiter could simultaneously conduct a salary survey as an example to justify the monthly market research agreement.



Now, are there some flaws in this? Of course there will be some, but far less than the traditional paradigms of retainer or contingent. If the only tool you have is a hammer, then everything starts to look like a nail. A client focused recruiter is one who makes a professional recommendation only after an understanding of the client's unique needs and expectations. As such, the agreement is crafted to reflect the mutual accountabilities and commitments rather than trying to force one or perhaps two boiler plate agreements to any situation. This type of consulting agreement can be extensive or simple. I have provided a very simple one below that covers only the basics for your ease and usage. Establishing the proper service charge and agreement requires tremendous study and practice. If you find yourself recommending the same service charge and agreement for every client need, then it just may be time to add some more tools to that toolbox. It has been my experience that, at times, veterans can be the most guilty of this myopic perspective. It is never too late to learn, and the first step in growth is being receptive to considering the addition of some new tools and ways of thinking into your professional arsenal.



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