



## Frequently-Asked Questions

### Why can't I just tell you that I need a good Commercial Lender or a Design Engineer or a CFO and let you send me resumes to look over?

We are a search firm, not a placement firm. We do not accumulate and dispense resumes in hopes of manufacturing a “fit”. The precise skills and qualifications that fit your needs best are what we need to understand first in order to target a search that is most likely to bring forth the best candidates. Since our ultimate objective is a long-term relationship with you, we want both a happy client and a happy candidate. Because of that we screen candidates in what might seem trivial areas to some, but ultimately are important areas in determining long-term satisfaction. Only when we fully understand a client’s situation, philosophy, and needs, do we generate candidates for consideration. That may require some extra questions on the first job order with a client company, but this information remains on permanent file and subsequent job orders will require fewer client questions.

### How do you go about finding candidates for a particular job order?

Once we have a good understanding of the type of person you need and the skills that would fit your situation best, we strategize a search by targeting the best geographical or industry sectors in which to conduct the search, we isolate the most ideal company sizes to search, and we screen for specifics that are important to you (regional responsibility, tenure, certifications, hands-on accountability, etc.).

Since we are computerized for the whole nation, targeting these parameters can be done quickly and subsequent calls made only to contacts most likely to fit or to know individuals who do fit the job specifications. One thing important to know is that we do make personal contact with each candidate prior to submitting his/her resume to you so that we are not wasting your time by sending you people who may not have a genuine interest in your specific position.

### What is the company’s legal position in a situation where two search firms send the resume of the same candidate for consideration at about the same time?

According to A. Bernard Frechtman (author of Employment Agency Law), if a placement results and a conflict ensues as to which firm is due the fee, the “but for” rule is the best one to apply, i.e. “But for” the particular act (setting up the interview or whatever), would the employer have hired the applicant?

Would the employment have occurred? The firm most integral in making that happen, in his opinion, is the firm due the fee. Frechtman goes on to say that if, for some reason, a company initially rejects a submitted candidate for consideration, but later hires him, the referring firm



is still due the fee. This holds true despite the length of time lapse between referral and hire according to Frechtman. The only complicating factor would be if a second search firm persuaded the employer to interview a candidate originally rejected by the company. If that occurs, he concludes, the “but for” rule should again be applied, i.e., “but for” the second firm’s intervention the candidate would not have been hired. The second firm is due the fee.

A final point made by Frechtman is a situation where, subsequent to the interview of a search firm-generated candidate, the company discovers the resume of the same applicant in its own files. Again, the “but for” rule applies, i.e., “But for” the search firm having sent the candidate to the employer, the employer would not have interviewed him. The law disregards as pure conjecture the possibility that the employer would eventually have discovered the resume and interviewed the candidate. The fact remains in the situation that the search firm made the interview happen, according to Frechtman. Therefore, the fee is due the referring firm.