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Look Before You Leap: 7 Tips For Using Recruiters

Insight — September 29, 2023

Ever since the pandemic led to unprecedented rates of pet ownership and burnout among veterinarians and other pet care service providers, it has become increasingly difficult to recruit hires in the pet care industry. And this demand is only anticipated to grow with the increase in population of the 34-to-59-year age group, which are historically the highest pet owner demographic.[1] The American Veterinary Medical Association found that from 2019 to 2021 in the US, there were an average of 18.5 open jobs per jobseeker for veterinarians and 5.9 for veterinary technicians and assistants.[2]

To ease their hiring challenges, pet care industry businesses may turn to recruiting services to help find the best candidates. A few things to keep in mind if you go this route:

1. **Reject troublesome provisions**. Reject any restrictions on your ability to use other recruiters, search for and hire employees and contractors on your own, or make hiring decisions.
2. **Require specificity in the fee structure**. It is common for the recruiter to get paid a contingent fee based on a percentage of monetary compensation to be paid to the veterinarian or other employee recruited by the recruiting agency. All amounts should be specifically defined and measurable. For example, the contingent fee may be 15% of the candidate's first year of annual base salary as agreed between you and the candidate, and the fee does not include the candidate's benefits, equity compensation, relocation allowance, overtime pay, or commissions. Generally, the obligation to pay a fee should arise only (a) upon the candidate being referred to you directly through the recruiter's efforts, (b) in accordance with the agreement, and (c) if the candidate commences work within a certain time after the introduction, such as three months. Consider whether you need to distinguish between full-time hires and temporary or relief hires in fee calculations.
3. **Avoid double payments**. Often, candidates will work with multiple recruiters. You should have the discretion, in good faith, to determine which recruiting agency first referred the candidate to you and is entitled to a fee.
4. **Don't overpay for short-term hires**. Pay the recruiting agency in installments to protect yourself from paying a disproportionate fee for a hire who does not last long. For example, pay 50% of the fee when the candidate is hired and 50% after six or 12 months of continued employment. Alternatively, but less preferrable, add a provision to the recruiting services agreement that gives you a

partial refund for the fee if the candidate leaves before six or 12 months.

5. **Exclude candidates with a pre-existing relationship**. No fee should be due for candidates who are your former employees or contractors or have already been referred to you or considered for employment for a specified period of time, such as the prior two years.
6. **Restrict future recruiting of your hires**. Recruiters should agree to not recruit any of your employees and contractors during and for at least one year after expiration of the recruiting services agreement. The non-solicitation restriction should apply to all of your employees and contractors, regardless of whether the recruiting agency referred the hire to you or had contact with your personnel in connection with the agency's recruiting services.
7. **Protect your confidential information**. Hiring veterinarians and others in the pet care industry is highly competitive, and recruiters will have access to information about your hiring and employment practices. Protect this sensitive information with robust nondisclosure and nonuse restrictions in the recruiting services agreement.

[1] "The job market for veterinarians in the United States," CareerExplorer, https://www.careerexplorer.com/careers/veterinarian/job-market/

[2] "For veterinary medicine, a jobseekers' market," AVMA@Work Blog, May 17, 2021, https://www.avma.org/blog/veterinary-medicine-jobseekers-market

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