

## COLUMN



## Recruiters here, recruiters there, recruiters everywhere

text Patrick Rovers

Nowadays, specialized recruiters are an integral part of the recruitment industry. In recent years they prospered due to or despite of tight labor supply conditions. A good example is Robert Half International Inc.. This leading specialist in financial recruitment, with 7,500 employees made a turnover of \$ 2,6 bn last year. The company, with four subsidiaries in the Netherlands, is quoted on the New York Stock Exchange and has more than 330 offices worldwide. Make way, make way, the recruiters are here to stay!

Somehow, the modern day recruiter also found a place in the inner workings of the Dutch labor laws governing international residents.

By law, Dutch companies that intend to employ a non-EU/EER person must secure a work permit before commencement of employment. The regular application procedure requires the prospective employer to place advertisements in newspapers or magazines. The employer must furthermore register the job opening with the local Employment Office, and preferably also with the European Employment Services (EURES for short). In other words, necessary steps must be taken to find a suitable candidate from the Netherlands or the European Union before issuance of a work permit is even considered.

Special regulations apply to certain top-level positions. Some time ago, the Central Employment Office (responsible for work permits) decided that these positions call for something extra. Work permit applications for high level managers or specialists with a yearly gross salary of € 90,756 or more, must contain evidence that a specialized recruiter made a genuine effort to find suitable candidates in the Netherlands and the European Union.

Most recruiters work on a 'success fee' basis. This means that they will only receive payment following a successful match between a candidate and the employer. This is of course an excellent incentive for any recruiter to deliver the right candidate for the job. In my opinion, Central Employment Office was therefore quite smart to introduce recruiter expertise into work permit proceedings.

The recruiters' report must contain proof of printed advertisements and should hold an adequate description of the actual recruitment procedure. The Employment Office will check the content of this report. For instance, if the recruiter states that five applicants were screened for a certain position but lacked sufficient skills, education or experience, the Employment Office would like to know the objective screening criteria. The prospective employer is no longer required to place regular advertisements in newspapers or magazines if a recruiter is hired.

The current situation on the Dutch labor market offers more opportunities for recruiters in order to deliver the right candidate in a timely manner. Some areas remain a problem, however. For example, the energy industry, which is changing and developing rapidly due to EU rules and regulations. There is still a serious shortage of a number of energy industry professionals and recruiters face an increasingly difficult task of rendering quality services to this segment of the market.

### In closing

As mentioned before, the Central Employment Office demands proof of printed advertisements. However, most recruiters find candidates through their networks and by following up interesting leads. The Internet also plays an important role. Printed advertisements are sometimes less effective. Still, the Central Employment Office remains focussed on traditional print media.

On the one hand, the Central Employment Office introduces recruiters into the arena; on the other hand old-fashioned tools remain firmly in place. It's nice to know that some things never change.

*This article is for informative purposes only, is general in nature, and is not intended to be a substitute for competent legal and professional advice. Dutch rules and regulations regarding foreigners, work permits, visas/MVV and residence permits are continuously subject to change*

Patrick R. Rovers, lawyer