

# Technical Consulting/Staffing Firms: Assessing Their Viability

## Definitions

**IT Consulting firm:** A firm of experts (consultants) providing professional advice to an organization or an individual for a fee. The primary purpose of a consulting firm is to provide access to industry-specific specialists or consultants and subject-matter expertise.

**“Staffing”, “Employment Agency” or “Head Hunter”:** Companies which attempt to match the employment needs of an employer with a worker having the required skill set and interests. The employer pays the staffing firm a fee to find the right candidate. The candidate may work temporarily or “temp-to-permanently”. We do not want you to confuse the two.

**IT Consultancy (sometimes referred to as a Desi Consultancy):** These consultancies specialize in providing services to Indian international students and professionals who want to study or work in the US. They provide a range of services, including visa application assistance, job placement, and training programs. Different from an IT consulting firm in that they have been known to RENT their H-1B/OPT workers to other larger firms and make a profit from each H-1B/OPT worker's salary. These companies sometimes use H-1B as a tool for exploitation, so we want you to understand the difference (compared to an IT consulting or traditional staffing agency).

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## Working in an IT Consulting or Staffing Firm

Some of our graduates choose employment with “IT consulting” firms after graduation for a variety of reasons. Our students may feel as though this is the time in their lives when they have less family commitments, so taking a job where travel and long hours with a client is not as much of an issue for them personally, especially when the job offers flexibility, variety, the chance to learn new technology and improve communication skills in different work cultures. They also may feel that this experience will give them exposure to an array of companies and environments which will allow them to explore options for their future.

Working for an IT consulting firm can potentially be an option for graduates who want the opportunity to work in a consulting environment, learn cutting edge software, and forge partnerships with potential future business partners, but who have “thick skin” and have their eyes wide open. The goal of this article is to educate our students on the common bad practices of the unethical consulting firms, especially for the benefit of the candidates who would like to work for a reputable consulting firm.

## How can you tell the difference between one of the Desi Consultancies that we warn our students about, a legitimate consulting firm (like Accenture or L.E.K.) and an employment/staffing firm (like Robert Half)?

There have been recent reports from alumni of some of these firms *taking advantage* of new hires. Some of these firms, often foreign owned, may promise H-1B visa petitions and guarantee exciting projects at great pay. But in actuality, **not all firms fulfill their promises** and may never petition for the visa, even after they have claimed to have submitted the paperwork. The following information is meant to assist job candidates who want to pursue this career option in IT consulting, yet want to steer clear of companies who take advantage of job candidates. This information is gathered from conversations with candidates who have encountered similar situations and from conversations with immigration lawyers we have consulted to assist our students and graduates to help avoid negative circumstances and from national conference workshops our staff has attended.

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## Poor Practices of IT Consultancies to Watch Out For:

- **No or Easy Interview:** It is difficult to get a job! The IT consultancies we warn you about here tend to spend more time courting you instead of you trying to get the job. There is almost no interview process and they certainly do not invite you to their location for a visit before they want your answer.

- **Unpaid Training:** After all, they make money only when you are working “billable” hours. A good firm will pay during training because the quality of your skills will only increase the value of the services they provide to their clients.
- **Signing Contract:** Some contracts are common and normal, such as a non-compete contract. However, it is unethical for them to make you sign a contract agreeing to pay back money if you leave before an agreed amount of time, claiming “liquidated damages.”
- **Sub-quality Housing during Training:** Question the firms who offer pre-arranged housing in company-owned apartments. Ask to speak with current trainees and one of your questions needs to be about the housing provided as the unethical firms will often place too many individuals in one house. They often offer housing and describe acceptable situations and once you have travelled to the location with all of your belongings, you find out that the situation is dire at best. We have heard stories of zero furniture and four people to one bedroom even though candidates were told the apartment had one per bedroom and was completely furnished.
- **Falsifying Your Credentials:** Often less reputable firms will require you to **delete your Facebook and LinkedIn** accounts and **falsify your résumé** to give to a potential client, showing more years of work experience than you have. This helps them get new contracts, but the client will expect greater work from you than you may be able to perform. Plus, what résumé can you use when you do plan to job hunt? What if your current client wants to hire you full-time? You will be hired under false pretenses and when they try to petition for your H-1B your documents will not be valid.
- **Making false H-1B Visa Claims:** If the company **brags about offering H-1B petitions** many times on their website, check sources such as My Visa Jobs, the H-1B filings database, or Interstride on the [CRC International Career Tools](#) webpage to truly learn the numbers of H-1B visas they have petitioned for over the years. Also, ask the recruiter how often they petition for H-1B’s when it is appropriate to do so in an interview. If they brag about a very large number that is not substantiated by the numbers declared by the US government, then they cannot be trusted. Ask how many international candidates they hired last year and check that against how many visas were petitioned for.
- **Making False Promises:** Always be wary of the word “guarantee”; no firm can guarantee anything. What savvy business person would put themselves in that situation with their employee? This is especially the case when everything else sounds too good to be true or when all the other red flags are flying.
- **Making You Pay for Insurance:** The better consulting firms will provide health and dental insurance, even if you are between assignments. One tipoff that the firm is not secure is if you are expected to pay for your own insurance and the firm claims that since they “pay you enough money you should be able to afford your own health and dental insurance.”
- **Asking You to Provide Passport, Work Card, Visa, etc.:** It is unlawful practice to ask for these documents during the interview process. Employers are only permitted to ask if a candidate is legally authorized to work in the US, and if they will now or in the future require employment visa sponsorship.

If the firm you are talking to fits some or all of this description, we recommend not accepting the offer. All decisions are yours, of course. You may question if this type of training situation will “count” as employment while you are on Optional Practical Training (OPT). Yes, as long as the employer signs the paperwork you need to update your SEVIS, this type of situation (even if just in training) will serve adequate for SEVIS while you are on OPT. Also remember, no contract where the employee has to pay to get out of it is enforceable. However, it is very expensive and time consuming to fight that contract with a lawyer. Our advice is to never enter into their contract initially. Ask for a trial period to test things out.

There is no magic list of companies to avoid as “problem firms” because the firm can go out of business and the owners can start up a new business under another name. If you are concerned about the company you have found or one that has found you, Google the company name and “reviews” to read what others and past employees have written about them. You can check with the Better Business Bureau (BBB) (<http://www.bbb.org>) to see if there were complaints made against that firm, but as stated above, the problem firms can change their name and start a new business the next day. Also, many international people who were victimized by a bad firm may not even be aware of the BBB complaint process.

These firms sometimes teach specific proprietary software that will not be very useful to you after you leave their company. Assess how useful that skill will be for you in two years. Ask your faculty, ask alumni, and read up on it in technical journals to assess its future functionality if you fear it will make you less employable later. Do some investigation into the type of software it is and then conduct a job search on that software to see if it is a “hot” skill in the industry today. If that skill is wanted by employers, then you will be more likely to be sought after as a consultant while working for this consulting firm and afterwards when you want to leave this firm.

To summarize, we recommend not joining, or at least be very careful about joining IT consultancies...

- who brag about providing H-1B petitions when their statistics do not show this
- who brag about providing housing and excellent projects, but do not offer to let you talk to a variety of current employees about their experience with the company
- with significant negative history that you read about in Factiva resources, and those you cannot find information on in Factiva and Mergent Intellect (both through the UB Libraries – [CRC Job Market & Research Tools](#)), [Vault](#), etc.

Stay away from companies who have many complaints lodged against them online with the Better Business Bureau and who force you to sign a contract agreeing to pay money for the training you received if you leave before an agreed upon time.

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## If You Find Yourself in a Bad Situation

By the way, if you do find yourself in a situation where you have been taken advantage of, please do the ethical thing and file a complaint with the Better Business Bureau; be a good global citizen and bring companies who take advantage of those who are less aware of their rights into the light. Fighting a contract you signed with legal counsel could be just as expensive as paying off the money the company indicates you owe. Therefore, consulting with a lawyer in a free clinic to see if your situation can be handled by them is one option. The best defense is to not get into this situation from the start.

## Additional Resources

<https://www.synergisticit.com/why-opt-students-should-avoid-consulting-or-staffing-companies/>

<https://www.stilt.com/blog/2018/01/dirty-truth-desi-consulting-companies/>

## Ask the Career Resource Center (CRC)

Do not let your need to find employment cloud your good judgment and please, feel free to consult the [Career Resource Center](#) with any questions you may have, even if you are no longer living in the Western New York region.