Twitter Thread by Katie Chironis

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have you ever:
- struggled to find junior roles with game studios?
- wondered how to find contract roles?
- been a contractor, been disallowed from attending a holiday party and not known why?

let's talk about the weird world of contract labor in the US games industry! ■

first, i want to give context for why the system works this way so that you aren't just reading this thread going "WHY?"

in 2000, Microsoft lost a lawsuit with contractors. you can read more about it here. this is where "permatemp" comes from.

https://t.co/GWcbrNgOiZ

that lawsuit formed the backbone of "permatemp" contractor law in the US. the end result was that companies who need a lot of contract labor (i.e. game studios!) distance themselves from the process of hiring contractors, and it's largely done via third party shell companies.

i want to disclaim a little bit that by creating this thread, i'm not arguing that the contract labor process is ideal or fair or pro-worker. i have been a contractor. it had pros... and serious cons. i am simply describing the system as it works; do with this info as you will.

other disclaimer that obviously, i am not a lawyer, and please don't interpret any of this as "100% true in all situations." this info is based on my experience contracting, helping hire/convert contractors as a manager, and having many friends who have been through this process.

here's how it (generally) works:

1. the studio generates a request for a new contract role. there are different classifications of contractors, but generally speaking, you are "on assignment" with a specific project. that assignment has a length, which may be extendable.

2. the request then goes one of two ways. in way 1, the headhunter method, the contract is offered to a pool of 3rd party contractor companies who must try to find a candidate to fill it (they then go spam people on LinkedIn- if you're senior, you hear from these people a lot).

3. in way 2, the "internal fill" method, the hiring manager taps their network-- internal or external-- to find someone to fill that contractor role. then they submit that name directly to a partner contract company.

this is often how junior game devs get their foot in the door.

4. in both methods, the potential candidate will interview with the parent company (i.e. Microsoft) and not with the shell corporation. however, the shell corporation will be the one who extends the job offer, and they skim their cut off your salary-- maybe a little, maybe a lot.

as an example: you interview with Microsoft. Microsoft offered all contracting companies a budget of $70,000 for this role. the contracting company then calls you, says you got the job, the offer is $50k! they don't tell you they are keeping $20k of that, of course. but they are.

in other words, this means that when you negotiate contracts, you are negotiating out of the contracting company's cut. so if you can negotiate w/ the parent company directly somehow (i.e. you know the hiring manager), you can increase the actual role budget and have more power.

5. once on the job, contractors are often converted to full time roles before external candidates are considered. this may be why you see "hey, [big company] has a bunch of junior writers, but i never saw them publish roles! what gives??" -- they were converted off contract.

6. this may also be why you sometimes see absurdly specific job postings for full time roles like "must have 192 years of ue4 experience." to convert a contractor in some cases, law requires that you post a FT role publicly and "interview" the contractor to convert them.

the goal is really to convert that one contractor (this is a GOOD thing; this means a team worked hard to keep a contractor they love!) so the company writes a VERY specific job desc tailored to that one candidate to try and reduce external competition.

7. so how do you FIND contract roles? well, you network like wild and broadcast your portfolio publicly wherever possible. if you are in certain cities (west coast, austin) you can actually register with your local contracting companies directly, i.e. Aquent or Parker in the PNW.

8. SHOULD you take a contract role? i estimate that about 75% of entry level game roles outside of engineering in the US are contract roles. in other words, this is how maaaany people get their foot in the door. only you can make that call about whether it's "worth it" for you.

9. do contractors get benefits? -- often, yes. because you are actually a full time employee... of the shell company who employs you. so your benefits won't be through, say, Microsoft; they'll be through the contracting company, and are up to that company to dictate.

10. what can contractors NOT do? -- this is where it gets tough. the law is ambiguous here, but my verrrrry anecdotal understanding is that the grey area is "investing in contractors like employees." companies interpret that differently and take harder or softer stances on it.

at some companies, you can have 1:1s with your manager at the studio you work for. at others, you can't. at some companies, you can attend the holiday party and get gifts like employees do. at others, you can't. at some companies, certain info is restricted to employees only.

as a contractor, this part sucks. i was grateful to folks who stuck their neck out for me to take me as a +1 to company events and/or snuck me an extra bit of company swag, and grateful to coworkers who invested in my growth even though it was risky to do so.

11. what should i do if i take a contract role? --when negotiating the offer, ask about OT pay. ask whether the length is extendable if you demonstrate good performance, or if the duration is fixed. it's just good to know up front. most companies are happy to tell you.

once on the job, i always advise having a convo with your manager at the studio about possibility of conversion around the 2 month mark, and then every few months after that. make sure it's top of mind for them, because come budget season, they need to request a FT role for you.

if a company waffles about conversion, keeps extending your contract for years, or pulls bait-and-switches, my advice is to prep your resume & look elsewhere. you're not an employee, after all. you don't owe the company anything. conversion is either a "fuck yes" or it's a no.

12. good luck. whether you're contracting now and hoping to convert, are interested in finding contract roles, or are hiring contractors and trying to be as humane to them as you're legally allowed, i hope you get what you're fighting for. this system is tough.

um, lastly, if you know of anyone else discussing this process in games, please let me know! i couldn't find anything on the contractor process online despite it being a system that nearly every major game studio uses. not sure why, but would love to link more resources here!