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Workplace Immigration

Employers See It as Key to Growth and U.S. Competitiveness

Our Focus on Immigration Reform

- SHRM is focused on recognizing the success of the past, while acknowledging the **need for impactful change** going forward.

- As SHRM looks toward its centennial year in 2048, **we are focused on updating existing laws and creating new laws** that better align with the workplaces of today and tomorrow.

- One of these laws is the **Immigration and Nationality Act**, which affects every sector of the workforce and impacts the lives and livelihood of millions of workers across the world.

- SHRM research reveals that **employers see workplace immigration as a solution** to workforce challenges and a driver of economic growth for the U.S. to remain competitive, **but the U.S. immigration system holds them back**.

The Why and How of the Research

- As the voice of all things work, SHRM pursues **data-driven nonpartisan public policy solutions** that promote flexible, inclusive and equitable workplaces where employees and employers thrive, and talent is tapped, trained and empowered to reach its full potential.

- SHRM's workplace immigration research was intentionally **developed in consultation and partnership with policymakers from both sides of the political aisle** and employment-based immigration experts and practitioners to ensure the research outcomes would serve as a tool for policymakers when making important policy decisions related to modernizing the U.S. immigration system.
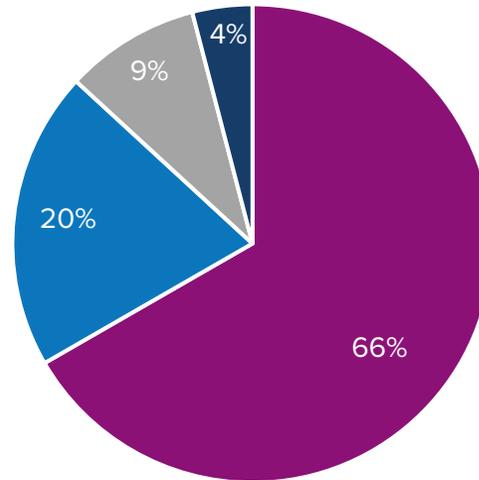
The Who

SHRM surveyed its membership to understand how the employer community felt about and interacted with the U.S. immigration system. The respondents spanned across industries, organizational sizes and geographic locations:
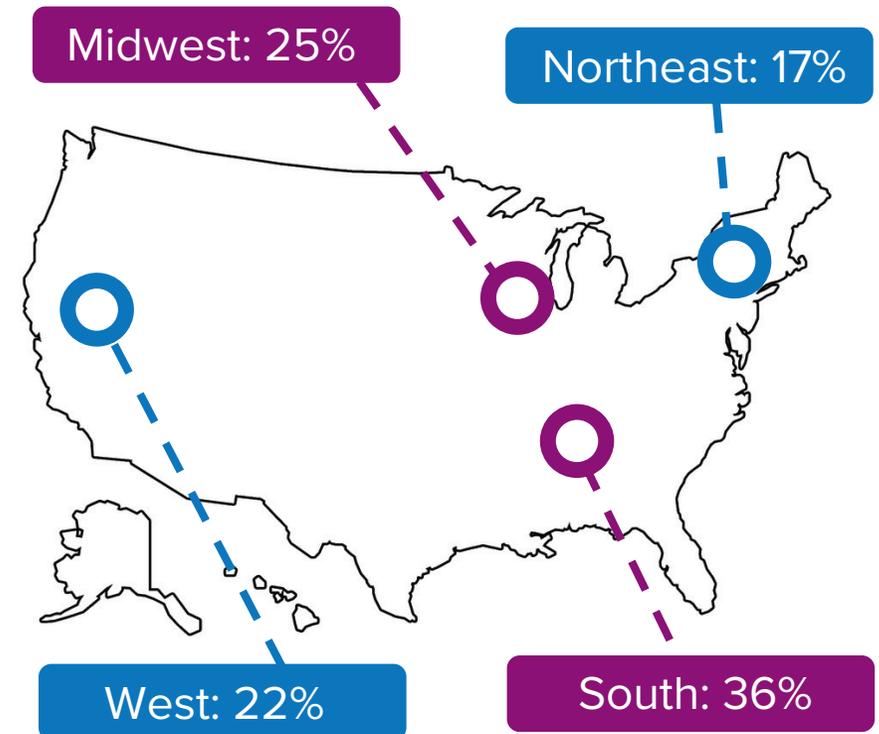
19 Different Industries

Finance, Insurance or Real Estate: **14%**
Healthcare: **12%**
Education: **10%**
Government, Public Administration or Military: **9%**
Manufacturing: **8%**
Professional, Scientific or Business/Technical Services: **7%**
Professional Associations, Civic Associations, Grantmaking or Religious Organizations: **7%**
Construction: **6%**
Wholesale Trade: **4%**
Utilities or Energy: **3%**
Arts, Entertainment or Recreation: **3%**
Transportation or Warehousing: **3%**
Retail Trade: **3%**
Information Services: **2%**
Administrative and Support Services: **2%**
Other Services: **2%**
Food Services: **2%**
Agriculture: **1%**
Hospitality: **1%**

Small to Extra-large Organizations

4%
9%
20%
66%

■ Small organizations (99 or fewer employees)
■ Medium organizations (100-499 employees)
■ Large organizations (500-4,999 employees)
■ Extra-large organizations (5,000+ employees)

Across Every Region in the United States

Midwest: 25%
Northeast: 17%
West: 22%
South: 36%

Workforce Disruptions Hurt Growth

46%

Nearly half of U.S. organizations are **experiencing workforce disruptions** because of a shortage of available workers.

10%

Among organizations experiencing disruptions, 10% will have to either **shut down or slow production**.

Organizations in critical industries like healthcare (59%), manufacturing (58%) and education (57%) **are most likely to report workforce disruptions** because of a shortage of workers.

Immigration Remains a Powerful Tool

73%

of employers agree that **increased immigration encourages economic growth** and makes America more globally competitive.

Among organizations that have hired foreign-born talent, nearly 2 in 3 (65%) report it has been somewhat (53%) or very successful (12%) in **addressing hard-to-fill positions**.

57%

of organizations report that they **would benefit from an increase** in legally authorized workers on visas.

How People Work: H Visas

Most organizations report positive experiences with **high-skilled workers on H-1B[1] visas** (92%), but only (74%) of organizations report positive experiences with the H-1B program.

Approximately 1 in 3 (32%) organizations have seasonal or temporary influxes in their workforces that **H-2A[2] and H-2B[3] visas** address.

- Among employers that hire them, most report positive experiences with H-2A and H-2B workers (86%) and with the program (71%).

- The **top three changes to the H-2A/H-2B programs** employers say would improve their organization's ability to meet their talent needs include:

  - Allowing for **year-round eligibility**

  - Introduction of **automatic renewals**

  - An **increase in the number** of H-2A/H-2B visas available

Deferred Action for Childhood Arrivals (DACA)

86% of employers agree that DACA[4] recipients should be given an opportunity to apply for lawfully permanent status to ensure greater consistency in their ability to remain and work in the United States.

72% of employers that either currently or previously employed DACA recipients agree that their organization would be negatively impacted if DACA recipients lost their work authorizations.

Utilizing the F and J Visas

F-1 VISAS

Over 2 in 3 (68%) employers agree that they would benefit from a more streamlined process to access American-educated, foreign-born talent. Additionally, American universities were by far the most cited source when recruiting foreign-born workers.

Overall, organizations with F-1[5] visa holders working through Optional Practical Training (OPT)[6] have both positive experiences with workers (97%) and the program (90%).

J-1 VISAS

For the J-1[7] program, an overwhelming majority of host employers have had a positive experience with the trainees or interns on these visas (93%) and with the program itself (89%).

Improving access to qualified talent (58%) and providing their organization exposure to different cultures and ideas (40%) were some of the top-cited benefits organizations reported from the J-1 exchange visitor program.

Change Needed in U.S. Immigration System

While 96% of organizations that have hired foreign-born workers describe their experience with these employees as positive, **only 52% describe their experience with the U.S. immigration system as positive**.

Over half (54%) of employers agree that the United States is losing out on top talent to other countries because of the U.S. immigration system.

78% of employers **disagree that increased immigration would make it harder for Americans to find jobs**.

Pain Points

Organizations reporting negative experiences with the U.S. immigration system cite:

- **Processing Delays and Unpredictability**: The top two "pain points" that organizations face when working within the U.S. workplace immigration system are processing delays (33%) and unpredictability (22%).

- **Uncertainty**: Over half (55%) of responding employers agreed that it is risky to invest in foreign-born talent because of the uncertainty in the immigration system and would be willing to invest time, effort and resources into pursuing foreign-born talent if there was more certainty in the system.

- **Too Burdensome**: 1 in 4 (25%) organizations that do not hire foreign-born talent on immigrant or non-immigrant employment-based visas say they don't hire those workers because the process is too burdensome.

Keeping Our Workplaces Secure

Employers are invested in the integrity and security of the U.S. immigration system. **More than two-thirds (68%) say that the screening process** to allow foreign-born workers to remain and work in the United States **should be strenuous** to address potential security concerns.

Employers are taking advantage of screening tools that ensure a legal workforce. **More than two-thirds (68%)** of organizations that hire foreign-born talent **use E-Verify**,[8] and 91% agree that it helps ensure new workers have proper work authorization.

Solutions Are Available

To make the U.S. workplace immigration system work better, employers offered their top five improvements:

1. Enable **electronic filing** throughout the system

2. Introduce **automatic renewals** on a continuous basis

3. Provide **more guidance** from applicable government agencies

4. Create a **"Known/Trusted Employer" program** that streamlines the process for employers that submit multiple applications

5. **Increase** the number of (immigrant and non-immigrant) employment-based **visas** available

Employers agree that modernizing the U.S. immigration system will **boost economic growth**; **combat workforce disruptions**; ensure that America **maintains its competitive edge** in attracting and retaining global talent; and **benefits work, workers and the workplace**.

Methodology

In January 2023, SHRM Research surveyed a sample of 2,505 organizations. Respondents were HR professionals answering on behalf of their employer. Data were weighted to be representative of U.S. companies. The margin of error is approximately ± 3.07 percentage points at the 95% confidence level.

Endnotes

1. **H-1B:** Certain foreign professionals in "specialty occupations."

2. **H-2A:** Temporary agricultural workers from certain designated countries.

3. **H-2B:** "Seasonal" non-agricultural temporary workers from designated countries.

4. **DACA:** On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several guidelines may request consideration of deferred action for a period of 2 years, subject to renewal. They are also eligible to request work authorization. Deferred action does not provide lawful status.

5. **F-1:** International full-time student at an accredited college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program. F-1 students must be enrolled in a program or course of study that culminates in a degree, diploma or certificate.

6. **OPT:** Optional Practical Training (OPT) allows an F-1 student to work up to 12 months, which may be completed before and/or after graduation. In qualified STEM fields, an F-1 student may utilize OPT for up to 3 years.

7. **J-1:** The Exchange Visitor (J) non-immigrant visa category is for individuals approved to participate in work-and study-based exchange visitor programs.

8. **E-Verify:** A web-based system through which employers electronically confirm the employment eligibility of their employees.

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