

The Future of Work: Impact on Employers and Migrant Workforces

The future of work is evolving at a pace not seen since the industrial revolution moved people from the fields into factories.

Modern-day employment is changing due to the relentless tide of tech advancement, the growth of the knowledge economy, and the influence of artificial intelligence. Career paths have transformed from once linear journeys with predictable progressions into intricate mazes that demand agility and adaptability.

This dynamic-shift places a considerable burden on organizations to reassess and recalibrate their strategies to align with a new economic and business paradigm. The very foundation of hiring and human resource management is changing. Organizations must now envision the immigration consequences in a 'post career' world—a future where traditional career trajectories give way to more fluid and transient forms of employment.

Corporations must contend with the dual challenge of reskilling and redeployment of talent—a challenge further compounded for visa resident workers, where the stakes are exceptionally high. The implications for foreign employees and employers are profound.

When immigration regulations constrain the ability to transition into another role within the organization simply, what options remain?

The rise of the gig economy only complicates matters. The growth of these “employment-on-demand” jobs is a testament to the changing ethos of work—a move towards flexibility, independence, and varied engagement with multiple employers.



One of the most compelling prospects in this new era of work is the potential for employers to cultivate a completely global workforce, where workers' skills are valued and seamlessly transferable across international boundaries within the organization's global footprint.

While realizing such a workforce may seem elusive, exploring this possibility is necessary and exciting.

This paper aims not to provide definitive answers but to stimulate a conversation around the transformation of global workforce management.

The Transforming Workforce: Challenges and Opportunities

The days of lifelong tenure at a single company are morphing into multi-layered professional engagements—freelancing, the gig economy, entrepreneurship, and brief but intense stints across various organizations. One person may earn income from several of these kinds of employment simultaneously. This evolution in career paths reflects a broader shift in societal values towards autonomy, versatility, and personal fulfillment.

The Rise of Freelancers

Upwork's "Freelance Forward 2021" report shows that a substantial 36% of the U.S. workforce engaged in freelance work during the year, contributing a staggering \$1.3 trillion annually to the economy. This figure underscores the economic significance of freelance work and its now-permanent role in the fabric of the contemporary job market.

This paradigm shift poses unique challenges for companies accustomed to traditional employment models.

Strategic leaders can harness the benefits of an increasingly independent and self-directed workforce, but the task is complex. They have to integrate freelancers who command specialized knowledge and skills while also contending with the logistical and regulatory challenges this integration entails.

Yet, these challenges present opportunities. With its promise of flexibility and scalability, the gig economy allows businesses to respond with agility to fluctuating market demands. Freelancers' diverse and specialized skills can inject fresh perspectives and drive company innovation.

Reskilling for Visa Holders

For companies that hire foreign employees and sponsor their visas, this transformed work landscape requires them to think through how to re-skill and deploy talent, especially as job functions evolve and specific roles become obsolete.

By investing in reskilling programs, companies can retain valuable institutional knowledge and foster employee loyalty while addressing the skills gap that might otherwise result in workforce reductions.

For example, an American telecommunications company launched an ambitious \$1 billion reskilling program, "Workforce 2020," to retain its existing workforce. Confronted with the rapid evolution of technology, many of their employees' skills were becoming obsolete.

The program included partnerships with online education providers and offered employees access to courses, boot camps, and certifications in digital networking, data science, and cybersecurity.

As a result, the company was able to retain and repurpose talent internally, reducing the need for layoffs and external hiring.

"The concept of a globally transferable skill set is challenging, particularly when considering each region's cultural and regulatory nuances. Success lies in the delicate balance between global standardization, local flexibility, and—in the case of visa resident workers—compliance with the local immigration rules," says Ray Rackham, Senior Vice President of Thought Leadership at CIBT.

The conversation around workforce transformation, including the integration of gig workers, requires a focus on the role of talent redeployment.

Organizations that can successfully navigate the complexities of transitioning employees into new roles or projects within the company can not only mitigate layoff risks but also maximize the potential of their workforce. This approach requires a nuanced understanding of each employee's skills and potential and a willingness to invest in their development.

Transforming the workforce from a static entity to a dynamic and flexible force presents a new business frontier. The transition calls



for a recalibration of corporate strategies and a more holistic approach to talent management that embraces the fluidity of the modern career path.

Immigration Consequences in a Post-Career Future

The shifting employment landscape is ushering in a complex era for resident workers on visas with profound immigration implications.

The World Economic Forum forecasts that 50% of all employees will require reskilling by 2025 as technology adoption surges, placing additional pressure on organizations to retrain their workforce.

This is especially true for visa-dependent employees who must navigate the rigid frameworks of immigration policies.

The crux of the challenge lies in the rigidities of visa regulations, such as those governing the H-1B program in the United States or the Blue Card program in the EU.

The U.S. Department of State's data revealed that in Fiscal Year 2021, 65,000 H-1B visas were issued for regular applications, alongside an additional 20,000 for individuals with advanced degrees. These figures represent a mere fraction of the global talent pool, underscoring the competitive and restrictive nature of workforce immigration.



“Immigration should not just be viewed as a legal hurdle; it’s also a strategic element of our global talent mobility. Working closely with authorities to ensure that your talent deployment aligns with regulations can benefit your workforce worldwide,” says Rackham.

For those who require authorization to work, the conditions often depend on specific roles and organizations, limiting their ability to move freely in response to the rapidly evolving job market demands.

When roles are phased out or companies undergo restructuring, non-resident visa workers find themselves in precarious positions, as their worker status is intimately tied to their employment. While the ability to transfer roles quickly within their organizations might seem more attractive, avoiding the daunting prospect of unemployment and the threat of leaving their host country is not as simple as switching job titles.

Transferring into a new role can often create a dual burden for both the employee, who must maintain legal status, and the employer, who must navigate the labyrinthine immigration system to retain valuable talent.

“Many current immigration frameworks revolve around traditional employment models. There’s a growing need for policies that reflect the modern economy, the trend toward digital nomads, and changes to the freelancer lifestyle,” says Rackham.

Companies that understand and anticipate these immigration nuances are better positioned to navigate them. A proactive approach to workforce planning that factors in visa dependency and emphasizes talent retention through strategic immigration counsel and policy advocacy provides a nuanced response to a delicate issue.

For visa-holding employees, reskilling might not merely be a career progression strategy but a vital component of their immigration journey. Employers must, therefore, design reskilling initiatives that enhance employee capabilities and align with the legal frameworks of immigration policies.

Moreover, immigration policies have yet to catch up with the realities of the gig economy fully. Many countries' visa programs are still predicated on a single employer and a set workplace—increasingly fluid and ever-changing concepts in the gig ecosystem. This disconnect between policy and practice can result in unintended immigration non-compliance, with consequences for both gig workers and the platforms they operate on.

To understand these complexities, it helps to look at the regulatory and legal considerations that underpin global workforce mobility. The intertwining of immigration law with corporate strategy is becoming increasingly complex. It is not enough for companies to comply with immigration laws; they must also be adept at predicting how changes in these laws might impact their workforce and business operations.

The Quest for a Truly Global Workforce

The vision of a truly global workforce—where skills and roles are as portable as the individuals who hold them—remains a compelling aspiration for multinational corporations. Such a workforce promises unprecedented flexibility and efficiency, enabling companies to swiftly redistribute talent in alignment with shifting market demands and strategic pivots.

However, the journey towards this ideal is fraught with challenges, not least because of the varying legal frameworks and cultural landscapes across different geographies.

“To truly harness the potential of a global workforce, companies must look beyond mobility logistics. Ethical considerations in treating and transitioning international employees are paramount.”

As exemplified by Spain's January 2021 legislation classifying delivery drivers as employees rather than self-employed contractors, regulatory environments have profound implications for companies like Deliveroo and UberEats that rely on gig workers. Such changes not only impact local operations but also influence how these companies think about workforce management on a global scale.



Despite these challenges, the appetite for increased global mobility is evident.

Prepare for the Future, Today

Flexibility and adaptability are advantageous for corporate survival and success in an era of rapid technological change, geopolitical shifts, and evolving societal expectations. Companies that can anticipate changes, adapt their practices, and engage with the worldwide talent pool thoughtfully and ethically will be the ones to set the pace in their respective industries. Anticipating the immigration consequences of decision-making and mitigating those potential consequences before they become risks is difficult but not impossible.

The future of work is not a distant reality. It is unfolding before us, demanding our attention, creativity, and leadership.

As we look ahead, let's embrace the opportunity to redefine the workplace in both productive and humane ways, ensuring that progress in the realm of work is measured economically and by the yardstick of human flourishing. For international workers, this realm of work must also provide the comfort that decisions made now do not have consequences for their worker rights in the future.

Prepare your team for the future. Get in touch with Newland Chase.