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PERSPECTIVE

Recruiting and retaining the best and brightest talent

By C. Matthew Schulz

Employers need the very best and brightest talent to develop new technologies and successfully compete in the market. The global labor market is comprised of talent homegrown in America and also highly skilled professionals born outside the U.S.

The secret to recruiting and retaining the very best and brightest talent includes meeting the immigration needs of those born in other countries, whether bringing newcomers to the U.S. or transferring Americans to work abroad.

Employers in the U.S. compete with employers around the world for skills held in the global labor market. The competition is steep. There are talent shortages around the world.

ManpowerGroup, one of the world's largest temp agencies, reported in a 2012 survey that over one-third of 38,000 companies surveyed in 41 countries and territories reported they were unable to find the workers needed. That is up from 29 percent reported in 2009, during the most recent economic downturn crisis, and trending towards the 41 percent figure reported in 2007. That 25 percent figure is likely to increase as those economies rebound.

Those are the global averages. For 2012, 41 percent of U.S. employers reported shortages as compared to 45 percent in Asia and 25 percent in Europe, Africa and the Middle East.

The U.S. Chamber of Commerce's publicly stated position is that the U.S. economy needs access to skilled workers in many sectors. In particular, access to technology, scientific, education, health and engineering workers, which the U.S. is not producing in adequate numbers, is a chamber priority.

Employers routinely rely on a variety of practices to recruit and retain the talent they need:

Advertising. Companies spend much of their recruiting dollars on attraction efforts that are not especially focused — job fairs, newspaper ads, job boards, on-campus career events, corporate career sites, etc. Cost varies by advertising medium.

Recruiters. A more expensive, but better focused way to access currently employed workers with targeted skill sets is to use recruiters. Cost is 15 to 30 percent of the candidate's annual salary.

High salaries. Thirty-eight percent of human resource professionals in a 2011 Harvard Business Review Analytic Services survey said a high base salary is very important to job seekers — not surprisingly. The cost is high. The Bureau of Labor Statistics for 2013 reported about 70 percent of employee costs are attributable to wages.

Comprehensive employee benefits. Health insurance, life insurance, 401(k), stock options, etc. Sixty percent of human resource professionals in the same Harvard survey said an attractive benefits package is very important in recruiting and retaining quality employees. MetLife reports that 49 percent of employees said benefits were an important reason they came to work for a company. The Bureau of Labor Statistics for 2013 reported about 30 percent of employee costs are attributable to benefits.

Other perks. Training, memberships, licensing, day care, laundry service, on-site cafeterias and meal allowance, commuter allowance, parking, etc. Costs vary greatly.

Flexibility. The Society for Human Resource Management reports that 58 percent of human resource professionals find flexibility is the most effective way to attract workers. Unlike other tools discussed, flexibility imposes little to no cost. With shared office arrangements, flexibility can actually reduce employer office costs.

Immigration is a cost-effective tool to recruit employees. This tool is regularly used by knowledgeable employers searching on the global labor pool to recruit skilled workers. Immigration benefits are a recruiting tool for employers because most workers do not have close U.S. relatives and require employer-sponsored immigration to immigrate to the U.S.

Employer-sponsored immigration primarily relies on job skills gained through academic study or employment experience. Higher levels of academic achievement and more unique job skills tend to increase the likelihood of successful employer-sponsored immigration. The system tends to work best for the very types of workers that employers want most to recruit and retain.

Employer-sponsored immigration benefits are often the only via way for skilled foreign workers to live and work permanently in the US. Even where family-sponsored immigration is an option, employer-sponsored immigration is often years faster.

Employees interested to immigrate to the U.S. put a high value on job opportunities that include employer-sponsored immigration. Savvy employers implement competitive immigration components to their employee compensation and benefits packages to recruit and retain workers.

Immigration benefits are a cost-effective retention tool. The U.S. visa system, in particular the current quota system, acts as a employee retention tool.

Employers and prospective immigrant workers are generally required to intend to work together in the sponsored job. If the worker quits and the employer withdraws sponsorship, the workers is generally unable to continue the immigration process based on the benefits secured by the employer, with few exceptions.

The U.S. limits the number of employer-sponsored immigrant visas issued annually. The visas are allocated by visa type, employee country of birth, and the date when the government first received the employer-sponsored immigration request — called the "priority date." The U.S. State Department's Visa Bulletin is updated monthly. Current visa availability for all family-sponsored and employer-sponsored immigration is reported. Older Visa Bulletins are archived and are a useful forecasting tool for visa availability trend forecasting.

For jobs that require, and workers who have, the highest job skills, the immigration process might take as little as one year. Jobs requiring graduate degrees in specific field usually take somewhat longer (1 ½ years). Jobs requiring only an undergraduate degree or at least two years of work experience tend to take about six years.

The waiting times tend to be longer for workers born in mainland China and India due to the large demand by workers born in those countries and the fact that the U.S. provides the same per country to limit to large countries like China and India as it does to small countries like Lichtenstein and Luxembourg.

In most cases, the worker is unable to continue the immigration process based on the benefits secured by the employer if the worker quits and the employer withdraws sponsorship. The acts to encourage prospective immigrant workers to continue employment.

Immigration is not slavery. Employer-sponsored immigration works well as a retention device, but is not an invitation to slavery. Employers need to pay attention to all of the factors that help recruit and retain workers.

A prospective immigrant worker with desirable job skills is likely to be able to find another employer willing to go through the same employer-sponsored immigration process. The new employer may need to repeat the entire process, with the same types of costs. The employee may be assigned a new priority date and need to repeat the entire waiting time under the U.S. quota system.

Under some circumstances, it may be possible for the subsequent employer to retain the original employer's priority date. Even though the new employer had to repeat the same process and incur the same costs and responsibilities as the original sponsor, retention of the priority date is key to prospective immigrant employees with long visa wait times. This tends to include all workers born in mainland China and India, as well as professionals and skilled workers without graduate degrees born in all countries.

In other cases where the original employer-sponsored immigration is at the final stages of the permanent residence process and the US government has not completed that processing within 180 days, the U.S. Competitiveness in the 21st Century Act of 2000 provides portability benefits. This allows qualified employer-sponsored prospective immigrant workers to continue to immigrate based on the approvals granted to the original employer so long as they have an offer of employment in the same or similar occupation with any U.S. employer.

While these exceptions may seem to limit immigration benefits as a retention tool, these exceptions can be used by other U.S. employers keen to recruit those very same U.S. workers — underscoring how U.S. immigration benefits make an effective tool for both recruiting and retaining talent.

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