

New H1-B visa rules give workers more autonomy

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It's H-1B season, which means U.S. companies are once again competing for a limited number of spots — 85,000 — in a visa lottery. Registration opened this week after the federal government revamped the application process.

Tech and other foreign workers with college degrees who are eligible for these visas will now have more leverage over their employer under the new system.

Before the changes, workers would have multiple employers submitting on their behalf, which would up their chances to get a visa.

“People felt like it's not fair that some applicants get higher odds,” said the Cato Institute's David Bier.

This year, it's the worker in the visa lottery, not the employer. So workers — who before had to take a job from whatever employer won the lottery — are now the ones holding the winning ticket. And they can take that ticket to multiple employers, noted immigration attorney Ummehani Ismail.

“They have a lot more negotiating power,” she said.

Ismail works with a lot of small businesses, especially in oil and gas, who like to hire young H-1B IT workers because they stick around.

“They can train the individual because they know the individual will be with them for a longer period of time,” she said.

Often, employers will pay more — and go through the lengthy visa process — just to ensure worker longevity.