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# Corporate Recruiting Leadership

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## Dear Recruiting Leader,



I just spent two days at a national conference of business and government leaders interested in issues related to compliance and diversity.

The hottest topic among the billion-dollar companies in attendance, and the high-ranking Labor Department officials, was not gender, race, or the election.

Nor was it the online-recruiting rules you're probably familiar with, regarding who is and who isn't an "applicant" for compliance's sake.

Nor was it even the earthquake that rocked Anaheim during the conference.

It was disabilities. A perfect storm will mean increased attention to them for years to come. First, the Iraq War has (finally) been a huge victory, and whoever's president will continue Bush's plan to keep sending soldiers back home, some hurt.

Second, the ongoing skills shortage will mean employers will take a second look at the disabled, who have high unemployment rates but are often able and eager to work.

Lastly, employers will find many steps they take to attract and accommodate disabled candidates will help in retaining boomers.

Recruiting the "disabled" will pay off (I use quotes because some studies have shown they're more productive than those without disabilities), and not doing so will cost. The government will be paying increasing attention to companies' hiring processes, including their careers websites.

The Job Accommodation Network at [www.jan.wvu.edu/](http://www.jan.wvu.edu/) is a great, free service for employers with questions on the topic. They may even give you advice about your careers pages. Kurt Ronn, over at HRworks, is also a good resource. So is Northrop Grumman, which is involved in hiring the severely disabled. Also, look into the Work Opportunity Tax Credit, for hiring people with disabilities.

Neil Romano, assistant secretary at the Labor Department, says he's "sick and tired" of convincing people how many disabled people can and want to work, contrary to the myth that they're receiving a lot of money and doing nothing.

Romano is right. They will enter the U.S. workplace in large numbers in the years to come, an earthquake as big as when gender and racial barriers fell.

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# Recruiting the Tired, the Poor, and the Wretched Refuse

*Immigrant talent in the U.S. is an underused recruiting source of high-performers.*

By Richard T. Herman and Raghav Singh

The war for talent has gone global. Over 200 million people now work and live outside their country of birth. This is the highest number in world history. Twenty-four million civilian workers in the United States, or nearly 16% of the workforce, were born outside the U.S. Immigrants are an increasingly important piece of the talent equation in the U.S., particularly as baby boomers retire and shortages of high-technology workers increase.

Countries from Canada to New Zealand are scrambling to attract highly skilled immigrants to their shores. These efforts usually take the form of an expedited resident visa issued to those with certain skills or particular job offers. The European Union's Blue Card program is the boldest such initiative, with the stated goal of attracting 20 million skilled workers over the next two decades.

How well these programs succeed remains to be seen, but one fact is certain: they will divert some of the talent that would otherwise have flowed to the U.S. This will be an increasing problem for certain high-tech sectors in the U.S. such as IT, biotech, and healthcare, as employers look to immigrant talent to supplement shortages in the native workforce. This has created a difficult situation—with employers claiming a need for more visa numbers, and anti-immigrant groups opposing any increases.

With all the talk of H-1B visa caps, green card backlogs, I-9 revisions, and other restrictions on employers wishing to hire immigrant talent in the U.S., recruiters sometimes overlook the rich human capital resources of foreign-born talent *already in the U.S.*

This is understandable. Recruiters, like employers, often lump all immigrants together, without discerning the difference between talent that has little or no immigration-related hiring issues and talent that does have significant immigration-related employability issues.

## Not the Wretched Refuse

The inscription on the plaque at the base of the Statue of Liberty reads, in part:

*Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.*

That doesn't quite fit the entire spectrum of today's immigrant population. Far from being tired, poor, and wretched, skilled immigrants in the U.S. are driving new technology start-ups, patent filings, and the acquisition of advanced degrees in engineering, science, and business.

- 50% of all technology companies in Silicon Valley were founded by Chinese, Taiwanese, Indian, and other immigrant scientists and entrepreneurs.
- 50% of all new U.S. Ph.D.s in engineering are immigrants, as well as 45% of all U.S. Ph.D.s in life sciences, physical sciences, and computer sciences, and over 40% of all U.S. master-degreed computer scientists, physical scientists, and engineers.
- 25% of all physicians in the U.S. are immigrants.

Despite the fact that they comprise only 12% of the U.S. population, and despite their rich talent and global skills, immigrants remain a recruiting resource that is not fully tapped.

There are three primary reasons for this. One, many of the actors in the talent-acquisition arena are not fully aware of the high performance levels within the immigrant community. Two, a good deal of confusion exists among employers and recruiters regarding the employability of immigrants. Three, there is little

awareness on how to effectively access this pool of talented immigrants.

### Employability of Immigrants

A few facts should be known about the legality of employing immigrants:

- There are no H-1B visa-cap restrictions when an employer hires an immigrant worker already in the U.S. on an H-1B with another employer and counted toward a previous cap. There are more than 500,000 H-1B workers currently in the United States.
- There are no immigration-related employment barriers for foreign-born talent that has already acquired U.S. permanent residency (green card) or U.S. citizenship. Of the 34 million immigrants in the country, two-thirds are either naturalized U.S. citizens or U.S. permanent residents.
- Recent changes in immigration law now extend work authorization for international students graduating from science, technology, engineering, or math programs from 12 months to 29 months, without requiring any sponsorship by the employer. This work authorization is called Optional Practical Training and is secured for the student by the university. There are more than 500,000 international students currently studying in the U.S.

As outlined above, there is a wealth of foreign-born talent in the U.S. that does not require visa or green card sponsorship in order to be employed. *Additionally, there are significant numbers of H-1B workers in the U.S. who can be recruited and employed by a new sponsoring employer immediately upon filing an H-1B petition without having to worry about H-1B cap issues.*

Procedures for processing a new H-1B petition for an H-1B worker already in the U.S are fairly straightforward. It is best, however, to involve an immigration attorney if an employer is not experienced with the process.

### Locating High-End Immigrant Talent in the U.S.

Finding immigrant talent can be surprisingly easy since immigrant groups tend to be close-knit and well

organized. Organizations such as TiE (The Indus Entrepreneurs), HYSTA (Hua Yuan Science and Technology Association, for Chinese professionals), Monte Jade (a science and technology group for Taiwanese professionals), and NetIP (Network of Indian Professionals) are just a few of the well-established professional associations that can be a source of immigrant talent. There are over a hundred such groups in the U.S. Many have local chapters in major cities.

While these groups represent a rich vein of talent, they do not exist to serve as a recruiting resource. Getting involved in and sponsoring these organizations is a beginning, but it takes more than that to get hires within the immigrant tech community. On the other hand, networking is a time-honored recruiting practice, and

given how little these groups are known, any reputable recruiter that joins them and offers a resource to high-value employment opportunities will be well received.

Membership also brings access to a wider pool of immigrant talent that extends beyond the organization. Immigrants, for example, often have a vast network of immigrant family and friends throughout

the United States. Many immigrant professionals are married to other immigrant professionals, some of whom will have no visa or legal restrictions to employment.

In addition to building collaboration with immigrant technology and business associations in the U.S., recruiters would be well-served to connect their recruiting efforts to the growing power of U.S.-based ethnic media as well as international student associations that exist on all large U.S. college campuses.

### High-Skilled Immigration Zones: Welcoming Immigrant Talent and Capital

Immigrants tend to congregate in gateway cities on either coast. San Francisco, LA, New York, and Washington, D.C., have large populations of highly skilled immigrants. That leaves vast areas that need talent but have no such pools to draw from.

As appreciation for immigrant talent increases, more companies and communities that are not located in immigrant gateways will begin crafting “international

**Finding immigrant talent can be surprisingly easy since immigrant groups tend to be close-knit and well organized.**

## FINDING TALENT

human capital strategies” designed to enhance their ability to recruit, welcome, and integrate foreign-born talent and capital.

One group of Cleveland leaders call themselves the “The Talent Blueprint Project” and are proposing a series of programs that would help local companies better connect to immigrant talent in the U.S. and upgrade the region’s workforce. This immigrant talent initiative is being circulated among a large group of national thought and policy leaders, and is finding enthusiastic support from people such as billionaire venture-capitalist and former Google director Michael Moritz and John Austin, director of Great Lakes Economic Initiative at the Brookings Institution, and from Senator Barack Obama’s immigration policy advisers.

A few of the programs proposed by the Talent Blueprint Project are:

*1.) Direct Recruitment of High-Tech Talent in the U.S.*

This would target immigrant and American-born talent in tech-rich but high-living-cost regions. A recent study by BioEnterprise and NorTech, two Cleveland economic-development organizations, found over 5,000 unfilled jobs in Greater Cleveland’s biotech and healthcare sectors.

Alberta, Canada, and its companies are now recruiting H-1B tech workers in the U.S., promising them jobs and quick access to permanent residency.

*2.) Lobbying the Federal Government for “High Skill Immigration Zone” Legislation*

This would help old industrial, economically distressed cities accelerate their transition to a knowledge-based economy by attracting immigrant tech talent and their employers. These zones would offer companies and their immigrant employees:

- exemption from the H-1B visa cap (which is exhausted almost immediately on the first day that companies are permitted to file for the upcoming fiscal year);
- relief from green-card backlogs (which particularly hurt professional workers from China and India because of country-based quotas);

- work authorization for the H-4 spouses of H-1B visa holders.

Many tech companies wishing to free themselves of the business-crushing H-1B cap and green-card quotas would consider co-locating to High Skill Immigration Zones. Remember Bill Gates opening up his R&D center in Vancouver last year solely because of H-1B cap restrictions?

*3.) EB-5 Investor Green Card and Foreign Investor Regional Center*

Existing federal law permits foreign investors to apply for green cards if they invest and create jobs in America. Under the EB-5 program, foreign investors and their spouses and minor children can receive a green card if

they invest at least \$500,000 in a “Targeted Employment Area” (where unemployment is at least 150% of the national rate), or \$1 million outside a TEA, and directly or indirectly create 10 jobs for American citizens or permanent residents.

Nearly 20 cities now have Foreign Investor Regional Centers, which are licensed by U.S. Citizenship and Immigration Services and offer special immigration benefits to immigrant investors. Foreign Investor Regional Centers in Philadelphia, Seattle, Sacramento, and other cities are attracting hundreds of millions of dollars to their communities and creating new jobs.

There is no visa backlog in the EB-5 visa category, and the U.S. government is eager to issue all 10,000 visas allocated per annum, hopefully attracting \$2 billion per year to the U.S.

Cleveland seeks to leverage the EB-5 program in order to attract foreign investors who are interested in making investments solely, or in part, because of a strong desire to acquire a U.S. green card for themselves and their children.

*4.) International Students*

Universities and colleges are the “feeder system” for the vast majority of future immigrant tech workers and entrepreneurs in the U.S.

The Cleveland group proposes to establish a collaboration among its leading colleges and universities to jointly attract, integrate, and retain international students.

**Alberta, Canada, and its companies are now recruiting H-1B tech workers in the U.S., promising them jobs and quick access to permanent residency.**

## FINDING TALENT

*5.) Welcoming and Intercultural Center*

Learning from the Welcoming Center for New Pennsylvanians, based in Philadelphia, the Cleveland group seeks to establish a Welcoming and Intercultural Center.

The Welcoming and Intercultural Center would provide the “welcome wagon” for immigrants and other new arrivals to Greater Cleveland. The Center would also educate the corporate and general community on the economic benefits and strategies of welcoming global talent. Finally, the center would also serve as the “intercultural town hall” to promote socializing, learning, and collaboration opportunities for the various immigrant, minority, and majority populations.

**Why Turn Away Needed Skills and Capital?**

The Talent Blueprint’s emphasis on skills and capital emulates immigration programs in Canada and Australia. These programs were originally started to offer resident visas to immigrants with needed skills (without having an employer sponsor them) or who were willing to invest in enterprises that create jobs. When Hong Kong reverted to China in 1997, billions of dollars in investments flowed to Vancouver. Companies such as Microsoft and Electronic Arts have set up development centers that have attracted several thousand high-skilled immigrants to Canada.

In contrast, U.S. immigration policy is not designed to attract talent. The history of U.S. immigration is a story

primarily of family-based chain migration. U.S. immigration policy has never placed great emphasis on talent and capital attraction. However, with employment-based green cards taking up to 10 years, with new economic opportunities opening up in China, India and elsewhere, and with other countries using immigration incentives to recruit the world’s best brains, the U.S. no longer has the luxury to assume our statute of liberty will be the first choice of the new wave of Einsteins.

In order to continue attracting the best and brightest job-creating minds, the U.S. needs to enact immigration-

**U.S. immigration policy is not designed to attract talent.**

law reform that places an emphasis on attracting skills to fill shortages, as well as investment capital. In light of the compelling data that shows that immigrant science and engineering talent are turbochargers for economic growth in a knowledge-based economy, a policy of inclusion for international talent should be incorporated into all aspects of business, civic, education, and social life in

America’s communities.

Some recruiters already understand the immigrant talent equation, but not many are plugged in to this deep reservoir. Particularly for those recruiters who are active in regions that are not immigrant-rich, we hope some of the information in this article is helpful in identifying new sources of talent.

*Note: This article is provided for informational purposes only and is not intended to offer specific legal advice.*



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