



FP's Top Workplace Immigration Predictions for 2025

Insights

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Our Immigration Practice Group thought leaders have pulled together their top predictions for the new year so that employers can get a running start to 2025. If you want more, [register for our FP Workplace Law Forecast Webinar here](#).

WORKPLACE IMMIGRATION PREDICTIONS

- Heightened Immigration Enforcement
- More Scrutiny of Work Authorization and Visa Programs
- Mandatory E-Verify+
- Uncertainty After Chevron Overturned

Heightened Immigration Enforcement

President-elect Trump also promised to focus on immigration enforcement, and his announcement that former ICE Acting Director Tom Homan would serve as the new “border czar” is yet another strong reminder that employers should anticipate major changes. With Homan set to lead an aggressive enforcement strategy, employers should take concrete steps to safeguard their operations and be prepared to handle potential ICE audits and raids. [Be familiar with key areas of focus to ensure your business is ready](#).

More Scrutiny of Work Authorization and Visa Programs

Immigration reform was a centerpiece of the first Trump administration, and we anticipate more of the same during round two. We expect the new administration to set limits on work authorizations for F-1 students on OPT/STEM OPT and H-4 spouses, as well as humanitarian programs like Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS).

We also expect to see policy changes designed to limit H-1B, E-3, L-1, and TN work visas and increased scrutiny of work visa petitions through Requests for Evidence. These policy changes would have a significant impact on the workforce, and we recommend that you reach out to your Fisher Phillips attorney to create an action plan.

Attempts to limit the H-1B and H-2 programs may be abated by recent changes to both visa programs – all of which take effect on January 17, just three days before the Trump administration begins. However, there is already debate among key players in the new administration, so the changes that may take place are unclear at this time. Click [here](#) to learn about the new H-1B rule and [here](#) for what you need to know about changes to H-2A and H-2B nonimmigrant visa categories.

Mandatory E-Verify+

E-Verify+ is a new government tool that aims to streamline workplace eligibility verification. As the [new E-Verify+](#) moves from a trial to full implementation, we expect to see the federal government take steps to make its use mandatory. Of course, creating new HR solutions that properly synch with the new government portal may prove to be quite difficult. So, we recommend that you [stay updated on developments in this area](#) as E-Verify+ progresses through the trial stage and is ultimately launched full scale.

Uncertainty After Chevron Overturned

The Supreme Court's landmark ruling last year in [Loper Bright](#) – giving employers a powerful tool to fight back against regulatory overreach – will have a broad impact on just about every area of workplace law. While the end of “Chevron deference” is largely viewed as a win for employers, we expect to see two sides to the immigration impact on employers. On the one side, employers will have more tools to challenge federal agency regulations that make it harder to hire and retain foreign national employees. On the flipside, you may see helpful regulations tied up in litigation as well. [We encourage you to take these five steps to remain agile during this period of uncertainty.](#)

Want More?

- You can read our entire [FP Workplace Law 2025 Forecast here](#), full of predictions spanning many practice areas and industries.
- You can register for our [FP Workplace Law Forecast 2025 Webinar here](#).

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Conclusion

We will continue to monitor developments related to all aspects of workplace safety law. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions, contact your Fisher Phillips attorney, the authors of this Insight, or any member of our [Immigration Practice Group](#).

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