

Insights, News & Events

FP'S TOP 2026 PREDICTIONS FOR THE TECH SECTOR

Insights

Jan 7, 2026

Our Tech Sector thought leaders have pulled together their top predictions for the new year so that employers can get a running start to 2026. If you want more, [register for our FP Forecast 2026 Webinar here](#).

**TOP PREDICTIONS FOR THE
TECH SECTOR**

- ✓ We'll See Immigration Pressure Intensify Across Every Program
- ✓ Expect AI-Driven Layoffs and Workforce Reshaping
- ✓ The Talent Wars Won't End – They'll Evolve
- ✓ Equity and Compensation Strategy Will Become a Retention Imperative
- ✓ Cyber Threats Will Escalate as Regulatory Pressure Tightens

2026

Fisher Phillips

We'll See Immigration Pressure Intensify Across Every Program

Tech relies on global talent, and 2026 will be the hardest year in a decade to navigate immigration. H-1B denials and RFEs will rise as agencies apply wage-tier scrutiny more aggressively. PERM and foreign-labor audits will expand, with DOJ probing PERM bias despite statutory limits. The \$100K H-1B fee litigation will become a defining issue; a ruling could reshape the economics of sponsoring talent. I-9

Related People



Danielle H. Moore

Executive Partner,
Management Committee

858.597.9600



Brett P. Owens

Partner

813.769.7512

and ICE audits will increase, especially around remote-worker verification.

Expect AI-Driven Layoffs and Workforce Reshaping

GenAI and agentic automation will continue eliminating or reshaping entire categories of technical roles – QA, low-level engineering, support, documentation, and some DevOps workflows. The result won't be a collapse in hiring but a significant shift in required skill sets, with employers prioritizing systems integrators, AI-toolchain specialists, and engineers capable of managing hybrid human-AI systems.

The Talent Wars Won't End – They'll Evolve

Even with AI-driven layoffs, competition for top engineering, cloud, AI safety, and chip-design talent will intensify. Employers will respond in 2026 by strengthening trade-secret protections, tightening access controls, deploying enforceable restrictive covenants where permitted, and bolstering internal mobility and retention benefits.

Equity and Compensation Strategy Will Become a Retention Imperative

Stock programs and option grants will become core retention tools again. As VC markets stabilize and tech valuations rebound, employees will expect meaningful equity refreshes. Employers will reassess vesting schedules, refresher grants, clawbacks, and liquidity pathways. Companies that underinvest in equity strategy will lose talent before they realize it.

Cyber Threats Will Escalate as Regulatory Pressure Tightens

With rapid advances in AI-enabled hacking, deepfake fraud, and supply-chain breaches, cybersecurity will be a top-five board priority. Tech companies must prepare for stricter state privacy laws, AI-specific security expectations, more aggressive breach litigation, and heightened vendor-risk oversight.

Want More?

- You can read our entire [FP Forecast 2026 here](#), full of predictions spanning many practice areas and industries

Service Focus

[AI, Data, and Analytics](#)

[Data Protection and Cybersecurity](#)

[Immigration](#)

[Reductions in Force \(RIFs\)](#)

Industry Focus

[Tech](#)

Resource Hubs

[AI Governance Hub](#)

- [You can register for our FP Workplace Law Forecast 2021 Webinar here.](#)

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 [Tech Sector Team](#).