



Three-Part Telephone & E-mail Seminar:

# Strategies for Business: Employing foreign nationals on Hs, Ls, TN and other visas

Speakers: **George Lester** with Guest Speakers **Ellen Yost, Rick Gump and Charles Kuck**

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## Seminar Outline

Each call features an hour of analysis, strategy and practice tips by Robert Divine and the guest speakers, followed by 30 minutes of questions and answers from participants. **The outline below is an abbreviated outline. For comprehensive outline, visit <http://www.ilw.com/lawyers/seminars/july2002.shtm>**

### Phone session of July 29th:

1. H-1B "Specialty Occupation" Petitions (Part 1):

- Statutory Background and Basic Requirements of H-1B Program • The H-1B Cap - is it really going back down to 65,000? • The "U.S. employer" Petitioner • The bona fide, "non-speculative" job offer; is "ability to pay" a requirement in H-1B petitions? • What is a "Specialty Occupation"? • The beneficiary's required qualifications

2. TN Status and Travel to the U.S. under NAFTA:

- NAFTA Business Visitors • TN Professionals • Procedures to obtain admission to U.S. as a TN professional • Procedures for L-1 intra-company transfers under NAFTA • Current issues in NAFTA admission and cross-border travel

### Phone session of August 29th:

1. H-1B "Specialty Occupation" Petitions (Part 2):

- The Labor Condition Application • Procedural and practical issues in H-1B Petition filing

2. L-1 Intra-Company Transfers:

- Overview and Basic Requirements • The Qualifying Multinational Organization • Petitions for a "New Office" in the U.S. • The Qualifying Employment • Preparing an individual L-1 petition • Using a "Blanket L-1"

### Phone session of September 30th :

1. H-1B "Specialty Occupation" Petitions (Part 3):

- Special Problems

2. Brief overview of other nonimmigrant admission categories addressing short term employment needs in the U.S.:

- Business Visitor status (non-NAFTA) • H-2B Status • H-3 Status • J-1 Exchange Visitor status as an employment category • F-1 Student Status as an employment category • O-1 Status for Aliens of Extraordinary Ability • P-1 Status for Athletes and Entertainers

## About the Speakers

**George N Lester** is a member of the Immigration Practice Group of the Boston law firm Foley Hoag LLP. He represents U.S. employers seeking to hire foreign professionals, scientists, business persons and artists and foreign individuals applying for appropriate status to live and work in U.S. He is a graduate of Dartmouth College and Northeastern University School of Law. He is an active member of the American Immigration Lawyers Association and regularly speaks to business, academic and continuing legal education groups on immigration issues. He is the lead author of Chapter 4, "Specialty Occupation Professionals" (a detailed discussion of the H-B program) in the treatise *Business Immigration Law: Strategies for Employing Foreign Nationals*, Law Journal Press, New York, New York, 2000.

**Ellen Yost** is a Partner in Fragomen, Del Rey, Bernsen & Loewy, the largest U.S. law firm dedicated exclusively to the practice of global corporate immigration and nationality law. Ms. Yost, who manages the Buffalo office of the firm, is a graduate of Mount Holyoke College, and of the State University of New York at Buffalo School of Law where she was a member of the Law Review. A member of the New York and Brussels bars, she is listed in the current editions of the *International Who's Who of Corporate Immigration Lawyers* and *Who's Who in American Law*.

**Rick Gump** concentrates his practice in the human resources area of international law, with particular emphasis in immigration and authorized employment. Mr. Gump handled the first employer sanctions case filed in the Southwestern United States under the Immigration Reform and Control Act of 1986 ("IRCA"), and was co-counsel in the largest civil/criminal settlement in worksite compliance history. He has written and lectured on the Act numerous times from coast to coast before the American Bar Association, immigration law groups and trade associations.

**Charles Kuck** is an elected member of the national Board of Governors of the American Immigration Lawyers Association (AILA). He serves on various National Liaison Committees for AILA and recently completed a two-year term as the President of the Georgia-Alabama Chapter of AILA. Mr. Kuck also sits on the Executive Committee of the Board of Directors of the Latin American Association. He is the former president of the Immigration Section of the State Bar of Arizona

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