

IMMIGRATION ISSUES EVERY EMPLOYER SHOULD KNOW ABOUT

If there were any doubts earlier that the Trump administration was about to hold companies to stricter immigration compliance, after the first two years of his presidency, there are no questions about where immigration enforcement is heading.

Here are three areas of immigration compliance for companies, HR professionals and in-house counsel to consider:

IMMIGRATION ENFORCEMENT: REMINDER ON I-9S

All U.S. employers are subject to an I-9 audit of workers' employment eligibility and I-9 audits have increased dramatically since President Trump came into office. Now more than ever, employers must be vigilant in their I-9 tasks and responsibilities, which involves reviewing (and dusting off) all of those historical I-9 forms to look for errors and omissions.

During an I-9 inspection, employers only have 3 short days to gather all of the required documentation, a process which can be especially difficult if I-9 forms are stored on paper at various locations. Employers found not in compliance could face large civil fines and criminal penalties, loss of their business licenses or debarment from government contracts.

IMMIGRATION LAW RESOURCES



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TIGHTENING OF WORK VISAS

The work visa tightening is coming from a move by the Trump administration that will raise the bar for work visa holders in the United States seeking to renew their work authorization to work here. Employers who rely on foreign nationals for key positions must gauge their future hiring needs and should schedule periodic immigration assessments of the impact of changes on their workforce.

UNEXPECTED SITE VISITS

U.S. employers should be aware that USCIS and other federal agencies will be increasing unannounced site visits to monitor and detect fraud among work visa petitioners. As always, the best defense is to be prepared. Employers should establish a policy for handling such visits, ensuring ahead of time that all relevant immigration and human resource records are up to date and easily accessible. Inspectors might ask general inquiries about the business, number of employees and revenues.

Alexandra Michailov is a shareholder at Shulman Rogers, a full service law firm outside Washington, DC. She brings a decade-long record of providing strategic counseling and advice to corporate and individual clients, helping them successfully resolve their immigration issues.

She delivers exceptional results for clients with cross-border immigration matters, with particular emphasis on mobility of key foreign executives, specialized knowledge workers and foreign nationals with extraordinary ability.

Clients note that Alexandra is a "fantastic, passionate, dedicated and knowledgeable attorney." Her record of delivering favorable outcomes on employment-based immigration benefits, corporate compliance and family-based immigration matters has gained her recognition as a Rising Star on the list of Washington D.C. Super Lawyers.



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Read Alex's full biography