

Apply NOW for 2011 H-1B Visas

2/3/2010

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Do you anticipate hiring anyone this year who may need an H-1B visa? If so, keep in mind that deadlines are approaching. The filing date is April 1 for new H-1B visas that will take effect on Oct. 1, 2010.

Please contact us now if you have employees who are recent graduates currently authorized to work pursuant to optional practical training, or if you plan to hire someone who will need an H-1B visa and doesn't already have one through a current employer.

The Department of Labor has adopted new procedures that can take a month or more to complete before an H-1B application can be filed. In light of this new clearance, we strongly suggest application papers be completed no later than March 1 to insure an April 1 filing date.

In 2008, more than 160,000 petitions were filed at the start of the application period. Because of the high demand, officials held a lottery to allocate the 85,000 available visas. Employers whose petitions were not selected in the lottery were unable to hire the professionals they needed at that time. Last year, visas were available until December, but an improving economy might result in higher demand this year, which is why we are encouraging you to file early.

Remember, however, that a number of employers are not subject to the H-1B quotas and may file for H-1Bs at any time. These exempt employers include nonprofit research organizations, institutions of higher education and nonprofit organizations that are affiliated with institutions of higher education.

If you have questions about immigration, contact Kathy Hanenburg, chair of Warner's Immigration Practice Group, at 616.752.2151 or khanenburg@wnj.com or Angela Jenkins at 616.752.2480 or ajenkins@wnj.com.