

PRACTICE

Immigration

KEY CONTACTS

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OVERVIEW

IMMIGRATION

Every year, thousands of foreigners come to Massachusetts to work and study. These foreign workers and students are a vital part of the economy in Massachusetts, adding diversity and helping businesses and educational institutions maintain a competitive advantage.

Despite the many benefits that foreign nationals bring, the immigration process is often overwhelming, if not downright daunting, with laws that are highly nuanced, complex, and frequently subject to change.

Our team specializes in employment-related immigration matters, and provides strategic guidance, risk analysis, and compliance solutions to guide employers through the complicated web of immigration regulations and forms. We can help you explore cost-effective work authorization options for foreign workers and assist you with the documentation requirements necessary to obtain the appropriate visa.

Chambers USA recognizes our Labor & Employment practice among the most notable in Massachusetts.

How we can help

- Preparing petitions for temporary nonimmigrant work visas, including H1-B Specialty Workers, TN Visas, and J Visa Trainees
- Filing Labor Certifications Applications with the U.S. Department of Labor and providing ongoing guidance regarding employer attestations requirements
- Guiding employers through the process of hiring foreign students pursuant to Optional Practical Training (OPT) and OPT STEM, including assistance in E-Verify enrollment and compliance, Form I-983 compliance, and petitions for Employment Authorization Documentation.
- Advising educational institutions on matters related to F-1 Student Visas and compliance with SEVIS

obligations

- Preparing petitions for Employment-Based Lawful Permanent Residency (i.e., green cards)
- Navigating the PERM Labor Certification process
- Preparing outstanding researcher petitions and extraordinary ability petitions for circumventing the Labor Certification process
- Filing appeals and motions related to denial of visa petitions
- Conducting Form I-9 training and preventative internal audits
- Handling Immigration and Customs Enforcement (ICE) Form I-9 inspections, and representing and defending clients in other government investigations by ICE, Department of Homeland Security (DHS), and Department of Justice (DOJ)
- Advising on immigration-related discrimination and compliance with DOJ Office of Special Counsel (OSC) guidance with respect to foreign workers

EXPERIENCE

- E-3 visa for a construction manager on behalf of a design firm
- H-1B visa for Material Engineer on behalf of manufacturing company potentially working with controlled technology, including filing appropriate application with the U.S. Department of Commerce for license to release such technology
- Cap-exempt H-1B visas for college and university professors and secondary school teachers
- TN visa for Canadian Engineer on behalf of patent agency and Canadian lawyer on behalf of law firm
- Appealed and obtained reversal of DHS denial of H-1B visa for Social and Community Service Manager on behalf of non-profit
- Provide ongoing strategic guidance to higher education clients regarding unique issues involving foreign students, including assessment of impact on visa and compliance with reporting obligations under SEVIS
- Establish policies and procedures for clients to ensure ongoing compliance with workplace authorization regulations consistent with anti-discrimination laws