

# SHEEHAN PHINNEY

## Employment Based Immigration

In today's global economy, U.S. businesses draw from an international pool of talented individuals to fill temporary or permanent positions in the United States and remain competitive in their industries. This global perspective extends beyond the boardroom. For U.S. colleges and universities and healthcare institutions, access to international student populations and foreign healthcare workers continues to be vital to their success. For foreign companies establishing facilities or related entities in the United States, bringing along key members of their staff can be critical to their success.

Sheehan Phinney provides immigration legal services to both employers and individuals. We are particularly experienced in handling nonimmigrant (temporary) and immigrant (permanent) visas for professionals, technology-workers, executives, and managerial personnel. Working with various government agencies, our attorneys obtain authorization for foreign nationals to live and work in the United States. Our experienced attorneys and staff can help you and your company navigate through the extensive paperwork surrounding immigration cases in the most efficient and cost-effective manner possible.

Immigration laws and policies are ever-changing and, as a result, the Immigration attorneys and staff at Sheehan Phinney make it a point to stay current with these changes in order to provide the sound advice and strategies our clients require for success.

### In the area of Permanent Resident Visas:

- **Employment Sponsored Immigration**, including labor certification, in the following preference categories:
  - EB-1 – Priority category available to foreign nationals of extraordinary ability, outstanding professors and researchers, and multinational executives and managers
  - EB-2 – Pertains to workers with advanced degrees or exceptional ability in the sciences, arts or business
  - EB-3 – Earmarked for skilled workers and professionals
- **Immigrant Investors**
  - EB-5 – Permanent residence for foreign entrepreneurs investing in a United States commercial enterprise (\$1,000,000 or, in some cases, \$500,000) which will create permanent, full-time jobs for qualified U.S. workers
- **Family Sponsored Immigration**

We also provide representation in matters concerning I-9 Compliance and United States naturalization and citizenship, as well as related business

Practice Area Chair  
**James P. Reidy**

### Members

- James P. Reidy

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transaction, real estate and finance, corporate, healthcare, and family matters.

## Key Cases:

- **B1 Business Visitor Visas** – One of the more common visas, these are available to individuals employed abroad who are coming to the U.S. for a short duration to work for a foreign employer in support of international trade and commerce having to do with that employer's business. Nationals of certain countries may be eligible to come to the U.S. for up to 90 days without obtaining a visa under the Visa Waiver Program.
- **E1/E2 Treaty Trader and Treaty Investor Visas** – Available to certain investors (generally in excess of \$100,000 at risk) and traders (generally more than 50% trade between the U.S. and the country of nationality) and their employees to carry on their business in the U.S. To be eligible, the home country must have a commercial treaty with the U.S. conferring visa eligibility.
- **F-1 Student Visas** – Students seeking to pursue a full course of study in the U.S., and many cases, a period of practical training in their field of study for up to 36 months, are required to obtain a student visa.
- **H-1B Specialty Occupation Visas** – Professional workers who hold at least a baccalaureate degree, its U.S. equivalent, or suitably related work experience, are eligible to apply for this non-immigrant work visa provided their new position requires the same degree or work experience qualifications.
- **L-1 Intra-Company Transfer Visas** – Executives, managers and specialized knowledge employees who are transferring from the United States to their U.S. employer's affiliate overseas will need to apply for an L-1 visa.
- **Free-Trade Agreement Visas** – These visas are available to nationals of Canada and Mexico (TN), Chile and Singapore (H-1B1), and Australia (E-3) pursuant to free trade agreements and provide easier access for specialty occupation workers.
- **O-1 Extraordinary Ability Visas** – For individuals with extraordinary ability in the sciences, arts, education, business, or athletics, or achievement in the motion picture or television industry, and has been recognized nationally or internationally for those achievements.
- **R-1 Religious Workers** – Ministers and other religious workers may obtain visas to work for non-profit religious organizations with a bona fide presence in the United States.