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How BAL ensures immigration compliance

Showcasing how BAL's immigration expertise and meticulous review process ensures compliance.

Successfully mitigated USCIS compliance risks

Compliance with USCIS

At-a-glance:

- Software company made changes to job categories, not realizing these changes required visa amendments with USCIS
- BAL reviewed every foreign national employee's profile and determined the 213 profiles that would need immigration-related action
- BAL took the required actions to keep the company in compliance and removed future challenges by integrating the company's HRIS system with BAL's case management platform

Service areas:

- Program optimization
- Compliance
- Technology

Issue

A multinational software company made major changes to its job categories without realizing the serious impact such changes had on its immigration program. Changes to foreign national employees' job titles and/or locations require filings of visa amendments with U.S. Citizenship and Immigration Services.

Action

To remedy the situation, BAL's legal team collaborated with the company's internal immigration team and the firm's Practice Support team to review every foreign national's profile and determine which ones would need immigration-related action. BAL provided significant reporting and met with managers to see whether the changes in an employee's duties warranted visa amendments.

Result

These actions enabled BAL to whittle the 1,900 foreign national profiles down to 213 that required actions to mitigate risks of being out of compliance with USCIS rules and immigration law. To avoid this situation in the future, BAL integrated the company's Workday HRIS system into the firm's case management platform so any future changes would be easily noticed by the legal team and appropriate action taken.

Strengthened H-1B and I-9 program compliance

Internal H-1B and I-9 audit

At-a-glance:

- An IT company wanted to take proactive measures to help ensure H-1B and I-9 compliance and reduce the risk of a government audit
- BAL conducted a thorough review of H-1B filings and documentation, audited the I-9s of 100 employees and reviewed I-9 training materials, policy and procedures
- Detailed recommendations for program improvement were provided and corrective actions taken helped reduce risk of exposure to a government audit

Issue

Facing increased government scrutiny, an information technology company sought to proactively ensure compliance with H-1B and I-9 programs. They hired BAL to conduct thorough internal audits and provide a detailed analysis of their current practices.

Action

BAL's Government Strategies team first examined H-1B filings and Labor Condition Applications for 100 employees, verifying consistency with employment records and conducting 16 employee interviews to confirm filing details. They assessed compliance with regulations, SOC Codes, wage levels, duties and wage obligations. BAL produced a detailed report with recommendations to improve documentation and prepare for regulatory changes. The team also audited I-9 processes, reviewed training materials and proposed remediation steps to address compliance challenges during the COVID-19 pandemic.

Result

The company implemented BAL's recommendations, significantly reducing its exposure to audit risks. The strengthened compliance framework now effectively addresses potential government scrutiny and future regulatory changes.

Service areas:

- Compliance
- Program optimization
- Government Strategies
- Immigration expertise

Retained authorizations through consolidation

Consolidation support

At-a-glance:

- A Japanese IT company needed to consolidate operations while simultaneously retaining the U.S. work authorizations for 24 employees
- BAL managed immigration support for the company reorganization, assessing immigration challenges and filing necessary visas and amendments
- All work authorizations were secured for key personnel and the company's reorganization was successful

Service areas:

- Growth and change support
- Immigration expertise
- Compliance

Issue

A Japanese IT company faced potential financial and market losses unless it consolidated operations and absorbed a smaller entity. The successful consolidation of entities and retaining the U.S. work authorizations for 24 key employees were critical to the company's business objectives.

Action

BAL led the organizational transformation as business operations were consolidated. The legal team reviewed the immigration status of each of the 24 individuals who were executives, managers and others who held strategic positions in the smaller entity being absorbed. Each faced unique immigration challenges, requiring new visa filings or amendments due to changes in roles and locations. Processing each individual's filings took four to six weeks and required meticulous planning and execution to ensure compliance with U.S. immigration laws.

Result

BAL was able to help the company successfully navigate its reorganization and secure all appropriate visa approvals, ensuring they had the right people in the right places for the consolidation. This effort met the client's business objectives, allowing the IT company to operate as a cohesive unit.

Managed impact of company consolidation

Company consolidation

At-a-glance:

- A leading semiconductor company consolidated a subsidiary, impacting 400 foreign national employees
- BAL assessed and managed the immigration impact, reviewing visa statuses and determining necessary amendments
- BAL's thorough approach ensured compliance and maintained work authorization for essential employees

Service areas:

- Growth and change support
- Immigration expertise
- Compliance

Issue

A leading semiconductor company decided to consolidate a subsidiary into the parent company, virtually eliminating the subsidiary's existence and affecting its 400 foreign national employees. The parent company needed expert assistance to manage the immigration impact and ensure compliance with visa and work authorization requirements.

Action

BAL worked with the company to identify the foreign national employees who would be impacted by the merger. The legal team reviewed their visa statuses to determine necessary amendments and worked closely with corporate counsel to assess and manage the corporate changes.

Result

This thorough assessment and proactive approach ensured a smooth merger and maintained work authorization for the affected employees.