



BUSINESS & INVESTMENT
IMMIGRATION LAW

5 Immigration Changes Employers Should Be Aware Of in 2020

Here are 5 of the changes U.S. employers and HR departments should be aware of during 2020:

1. New H-1B Visa Registration Process

Companies seeking H-1B workers must learn the new online H-1B visa registration/application process. This new process requires company's looking to apply for H-1B visas to register on the U.S. Citizenship & Immigration Services' (USCIS) website during the proper timeframe and pay \$10 for each prospective H-1B employee.

2. Changes to work permits for H-4 (spouses of H-1B employees)

More than 120,000 H-4 spouses may no longer be allowed to work in the U.S. The Trump Administration has been threatening to rescind H-4 visa holders' right to legally work in the U.S.

3. Increase in USCIS Fees

In November 2019, USCIS released its proposed changes to its entire schedule of fees. A majority of fees may increase, including a proposed 22% increase to H-1B visa base fee and a new \$4,000 H-1B extension fee for companies that meet certain criteria.

4. Changes to OPT (Optional Practical Training)

The program faces a major overhaul by Immigration and Customs Enforcement that is seeking to limit how long foreign students may stay in the U.S. after they have completed their studies.

5. Supreme Court Decision on DACA ("Deferred Action for Childhood Arrivals")

June 2020 will likely see the Supreme Court decide whether or not the Trump administration legally ended the DACA program. If the program is ended, an average of 30,000 DACA recipients will lose their jobs each month and U.S. GDP could lose \$460.3 billion over the next decade.

David Hirson & Partners, LLP is a full-service immigration law firm in Costa Mesa specializing in corporate and investment immigration.
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YOUR HUMAN RESOURCES SOLUTION

"I Miss My Work Friends": The Transition from Teammate To Team Leader

by Kathi Guiney SPHR, GPHR, SCP President YES! Your Human Resources Solution.

You made it! Getting that promotion has made you the leader of a team—a team that consists of your former peers. That explains your terrified expression. But don't worry! These tips will help you successfully transition from peer to supervisor.

- **Don't change your personality.** Leading the ranks shouldn't keep you out of the trenches. Continue to be friendly while remembering you are no longer a buddy, but a leader. (Keep this in mind next happy hour!) No personality transplants needed. Be yourself!

- **Hold a team meeting.** Follow up with one-on-ones. Ask for feedback on team challenges and how to continue toward success. Avoid oversharing or spilling your fears about the new job. You want to establish credibility and mutual respect. Do it with confidence!

- **Communicate by example.** Some team members may feel disappointed by your promotion, especially if they also wanted the job. Don't take it personally. During your one-on-ones, share that you value each team member and plan to advocate their development. Listen as much as you talk. The days of "hallway gossip" are over. (but you would never do that!)

- **Delegate.** Being responsible for the team doesn't mean doing everything yourself. Find opportunities to delegate to everyone's strengths. It's OK to start small—just start. Remember Rome was not built in a day!

You don't have to be terrified when taking charge of the team. After all, you were promoted for a reason! Stability, credibility, and mutual respect can take you far as a new leader, just stay close enough to show you still relate to your team.

Contact Kathi Guiney at kathi@yeshrsolution.com



ABCs of Temporary Work Visas

What if your company's top candidate for a critical job is a foreign national? Federal law requires a foreign national to obtain work authorization before beginning employment. Your company has the option to sponsor a work visa, dependent on the candidate's qualifications and the position offered. We have provided a brief outline of available visas below.

H-1B: As one of the most common categories, the H-1B visa is designated for individuals in professional occupations requiring a relevant bachelors degree.

TN: If your candidate is a citizen of Canada or Mexico, you may consider the TN (Trade NAFTA) visa which provides work authorization in a number of professional occupations including pharmacists, scientists, computer analysts, teachers, accountants, lawyers, and engineers, among other professions.

O-1: This category requires an individual to demonstrate they have "extraordinary ability" in their field of endeavor. The O-1A visa is available for qualified individuals who possess an "extraordinary ability" in the sciences, education, business, or athletics, while the O-1B visa is appropriate for those who demonstrate an "extraordinary ability" in the arts including TV and motion pictures.

L-1: If the candidate is an intracompany transferee from a subsidiary or affiliate of your company outside the United States, the L visa may be appropriate. The L-1A visa is designated for individuals coming to perform at a managerial or executive level, whereas the L-1B visa is for those having "specialized knowledge" in the company's products or processes. Both categories of the L visa require the individual to have been employed at least one year with your company's subsidiary or affiliate abroad before transferring to the United States.

Finally, many recent university graduates likely hold an employment authorized status called Optional Practical Training (OPT) status, which allows them to work for the 12 months following graduation, or up to 36 months if graduating with a STEM degree. Upon completion of their OPT/STEM OPT status, the foreign national must undergo a change of visa status to one of the categories outlined above if they wish to remain in the United States.

Given the numerous work visas available for sponsorship, and the tight labor market, many employers are choosing to tap into this highly educated and talented labor pool.

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5 Reasons to Use a Staffing Agency for Direct Hires

Hiring the right people to advance your business is a tough challenge. Sifting through applications and conducting interviews takes away time you need to devote to your company, and even with all that work, you may not find the right candidate.

That's why increasing numbers of companies are turning to staffing firms to help with direct hires. If you've always assumed staffing agencies and recruiters are useful only for temporary positions, you have a pleasant surprise coming. Today's staffing agencies are perfectly placed to help you find the right human talent in today's tight job market, and they're ready to kick your job search into high gear.

Take a look at the top reasons you should consider using a staffing firm to handle your direct hire needs.

1. Staffing Firms Know the Candidates

In a tight job market, candidates are in the driver's seat. That makes it harder for you to find the right person. In fact, the right person for the direct hire position you're trying to fill is almost certainly happy in their job and not looking for a new spot. After all, at any given time 95% of people are working — and what are the chances that your perfect candidate is in that remaining 5%? This means that nagging feeling that you're not seeing the right candidates when you try to fill a job on your own is right: You probably aren't seeing the people you actually want to hire.

Staffing firms already know the people you want to interview. In fact, the only way you're likely to find the A-list candidates you want is to make a connection through a recruiter who already knows them. They spend their business days building relationships with prime candidates and looking for the right match between candidate and company. When you work with a staffing agency, you don't waste time on unproductive paperwork and interviews, because you see the candidates who are the best fit for your company.

Staffing agencies are also well-positioned to reach out to candidates who aren't actively seeking a new job because they already know those candidates. Here's one way in which working with a staffing agency is far superior to posting your job opening on an online job board. Job boards typically attract those who are currently in transition, some of whom may submit their resumes but not necessarily meet the qualifications of the role — therefore hindering your search for qualified candidates.

2. Using a Staffing Firm Streamlines Your Internal HR Process

Your HR department already has four full weeks of work each month, and having to handle a major direct hire can put them into crunch mode. Making short lists of candidates, developing interview questions, scheduling and conducting interviews — not to mention conducting background checks and following up on references — can put your HR team into scramble mode.

When you work with a staffing firm for your direct hire positions, you bring an experienced team alongside your trusted HR department to complement their work. Your HR team can provide valuable guidance to your recruiters without becoming overwhelmed, as the two groups work hand in hand to find just the right candidate. And if your chosen candidate isn't working out in their new role, you don't put more pressure on your HR team, since staffing firms guarantee their placements, so you can replace that new hire with someone more appropriate if needed.

3. Working With a Staffing Firm Can Result in Overall Savings

When you open a job search to fill a significant position in your company using only your internal HR department, you may feel as if you're not incurring any additional costs. But your bottom line will tell a different story. You can't find job candidates without advertising the position. If your applicant search takes longer than you expect (and without the expertise and network of a staffing agency on your side, it probably will), you can't predict what that advertising spend will actually cost.

In addition, your HR team needs to set aside time to handle recruiting, researching, screening, and interviewing for every potential candidate. That pulls them away from their day-to-day tasks and limits their productivity when it comes to onboarding other recent hires.

All that time and all those costs are automatically figured in to your contract with a professional staffing agency. That means you don't have to worry about running over your recruiting budget, because you know in advance what each direct hire will cost. You can also benefit from the staffing agency's knowledge on just what kind of offer to make to the winning candidate to get them onboard without overpaying. Even better: you can keep your HR department lean and mean, hiring fewer internal recruiters and letting your HR team focus on other productive tasks.

4. Your Staffing Firm Saves You Time

Since time is money, the fact that working with a staffing agency reduces your costs also means you're saving time. Your staffing firm takes care of the most time-consuming portions of the candidate search, including writing job descriptions, conducting initial interviews, checking references, and conducting skills tests, when necessary. Because a professional staffing firm handles these tasks day in and day out, they're set up to move through them as smoothly and quickly as possible.

But the value of having a speedy process doesn't stop there. If you're looking for a hard-to-find candidate in a job seekers' market, the delays from your HR department taking time to get up to speed could mean that you lose top prospects to your competitors. When you don't have to take time out of your daily job responsibilities to handle the preliminary tasks involved with hiring, you stand a better chance of snapping up the best candidate right away (especially when you're taking advantage of the benefit of your staffing firm's wide-flung network).

5. Staffing Firms Have Specialized Expertise

As a business owner or the head of HR, it's fine if you don't understand everything that goes into being a CFO or a graphic designer. You just need the person filling that position to have all the expertise and skills required for the job. But how do you know whether a candidate can live up to their resume?

Staffing agencies develop deep levels of expertise to be able to fill specific types of positions. They know about the leading developments in those fields and how technology is changing, so they won't bring you candidates who aren't fully up to date. Many staffing firms are themselves specialists at recruiting different types of professionals, including accounting and finance personnel, engineering and IT professionals, sales and marketing experts, digital media stars and administrative support personnel. When you hire a staffing agency, you tap into the unique knowledge and familiarity you need to make successful hires.

At Marquee Staffing, we're ready to bring all our expertise to the table to help you find the right direct hires to advance your company's growth. Contact us today to see how we can help.

Chris Kappes, Executive Vice President

With over 20 years of experience in the industry, specializing in Engineering, Robotics-Automation, and IT staffing. Chris's strong understanding of the new product development, NPI, IT infrastructure and cybersecurity process and correlating technological needs of clients has supported the growth of many Southern California technology leaders.





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