

PUBLICATION

H-1B Cap Reached With 8 Months to Go

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USCIS has announced (at the end of January, 2011) that it has received enough capped H-1B filings to use up the annual cap for fiscal year 2011 (for work start dates of 10/1/2010 to 9/30/2011). Employers and workers must wait until April 1 to file petitions for new H-1B workers to start October 1, 2011.

H-1B or similar filings may continue for cap-exempt situations, including extensions for existing H-1Bs, transfers from other employers, workers employed "at" universities and affiliated or related employers, workers for non-profit or governmental research entities, workers from Australia, Canada, Chile, Mexico or Singapore, doctors who ever received a waiver for work in an underserved area, or workers joining or transferring from employers in Guam or CNMI.

How We Can Help

Baker Donelson's Immigration Team can pick the classification that is best suited for a particular worker's credentials, duties, location, employer and other factors, and then expeditiously prepare the papers necessary to pursue that status, in a manner least burdensome to you but most likely to result in a speedy approval. We know the twists and turns and the seemingly infinite variables involved and can lead both the employer and international worker confidently through the maze of procedures, providing written guidance at each step and providing real-time status information. We coordinate cases for volumes of workers for a single employer or conglomerate, and keep in mind the prospect of permanent residence from the beginning to avoid missteps that would prejudice speed and success in the ultimate goal. Finally, we take care of the status of family members of the principal workers.