

Concerns with H-1B Visa

What is the issue?

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- The new immigration plan of US is hard with the assessment of the H-1B visa programme.

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- This decision is seen as a major hit for Indians living abroad.

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What is H-1B visa?

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- The US immigration law allows employers to temporarily employ qualified individuals from abroad in specialty occupations.

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- Such foreign nationals who are specialized and experts in certain fields are issued H-1B visas.

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- The validity of H-1B is three years, this time period would be sufficient for the employer to find and American resident as an alternative.

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- This is ensure that the American commerce remains stable without affecting its huge customers, employees and shareholders base.

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- With the expansion of the global economy and outsourcing, and increase in students pursuing US higher education during the last two decades, the H-1B has been the preferred route to green cards.

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What are the new provisions?

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- New law seeks to bring back the requirement for companies to hire American workers first as there is no huge requirement for employing foreign nationals.
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- Strong policy changes regarding the renewal of H-1B visas have been effected immediately.
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- These changes were prompted due to the fact that H-1B holders rarely returned to their country after the expiration of their validity.
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- They (or rather, their employers) routinely applied for extensions of their H-1Bs although business conditions under which the H-1Bs were originally granted may have changed.
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- The new law determines to change these as they are contrary to the law and also an impractical process.
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How these changes are likely to affect Indians?

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- More than a half million Indians are estimated to be on their first H-1Bs and each one of them would be impacted if renewals are not granted.
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- Renewals will now be deemed as almost new H1-B request and strong paperwork from the company to substantiate why a renewal continues to be necessary.
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- The real losers may be small-time H-1B employees, including under-performing Indians who came to the US to study and settle down.
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Source: Business Line

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