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PRACTICE AREAS

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

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PERM Labor Certification

HOSPITALS /HEALTHCARE

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FAMILY

Spouse / Fiancee Visas

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Within U.S.

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AMNESTY

Crucial Paperwork for Foreign Worker Visas

Posted: July 19th, 2010

All employers must realize that they are competing for a limited number of "open spots" available for foreign workers under the H-1B program administered by the U.S. Citizenship and Immigration Services ("USCIS"). But small companies and start-ups should expect particular scrutiny of their **H-1B applications** because of concerns about the proper management, use, and classification of foreign workers.

Smaller employers are commonly faced with numerous requests for evidence ("RFEs") if their applications are not painstakingly thorough or if there is even minor discrepancies in their documentation. Any failure to supply requested information can trigger USCIS alarms about possible fraud.

To have a chance at a successful H-1B filing, small employers must have advocates who can assemble and screen the following items commonly filed with an application or listed in RFEs:

1. Corporate Tax Returns. Inconsistencies between the petition and the returns should be resolved or explained clearly.
2. Quarterly Wage Statements. This includes employee names, social security numbers, addresses and salaries, so you must be careful to safeguard the information.
3. Business Licenses. If an employer does not one because it is not legally required, that will have to be carefully explained.
4. Promotional Materials. Any information that sheds light on the petitioning company can help.
5. Lease Agreements. The USCIS will often request a copy of a commercial lease for the premises where an H-1B worker will be employed.
6. Other Items. Employers may have to supply contracts with clients, organizational charts, paperwork relating to other employees, photos or other documents.



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For more information about H-1B and other [work visa filings](#), see the pertinent section of our Website regarding H-1B, H-1B1, E-3 and TN visa applications.