#34 – Solving the Foreign Hiring Puzzle

Nationals of other countries represent a significant portion of the U.S. workforce. According to the U.S. Bureau of Labor Statistics, there were 25.7 million internationally born employees working in the United States during 2014, a figure that represents 16.5% of the total workforce in the country.

As hiring foreign nationals is essential to the U.S. economy—the BLS notes that the number of these workers over the age of 16 comprised 16.1% of the nation’s workforce in 2012—employers need to understand the process, limitations and benefits of hiring a foreign national, said attorney Erin Brown, a partner at Robert Brown LLC.

“Before making an offer, companies need to be asking themselves, ‘What do we need to do to be sure we are complying with U.S. Immigration laws?’”

She identified a number of factors an employer should be aware of in advance of hiring a candidate who is not a citizen or permanent resident of the United States.

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The first step is to determine whether the potential new hire requires visa sponsorship. If the person is a foreign national, know what type of visa the foreign national currently possesses, the type of visa they may require, and the expiration dates (and maximum stay) she warned. Some visas, for example, are good for a limited duration, usually a few years, and need to be renewed. It is good practice to put a system in place to keep track of such expiration dates.

Further, many visas are employer-specific. The employer will need to file a petition with U.S. Citizenship & Immigration Services to obtain employment authorization in the United States.

PLAN AHEAD

Advance planning will help ease employment headaches later on, Brown said. Employers sponsoring a foreign national may have certain obligations and responsibilities as the petitioner.

“You want to know that before you hire somebody,” Brown said. Seeking consultation from a qualified professional early on can help facilitate the process and eliminate potential employment eligibility issues. At the end of the day, forward planning goes a long way, she said. “The further companies plan ahead, the less likely they are to run into issues or interruptions in employment.” She added that there are many benefits to hiring a foreign national and the more an employer is educated on the visa options, the smoother the hiring process will be.

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COSE’S TAKEAWAY

There are a lot of moving parts involved in hiring a foreign national. Companies should start the planning process early to help guard against any hang-ups.

WORKFORCE DEVELOPMENT

Tri-C Focuses on Key Employment Areas

William Gary has heard a familiar refrain from employers in the year he has served as executive vice president, workforce development division, at Cuyahoga Community College.

“They are saying, ‘We need qualified individuals now,’” he said during an August 14 meeting of COSE’s Advocacy Committee. “We need skill sets that will help build our bottom lines now.”

Tri-C is working to address those concerns. Ohio’s first community college is refocusing on key areas that are expected to be areas of employment growth going forward: information technology, health-care, professional services, public safety and advanced manufacturing.

“Those are the sectors that drive the Northeast Ohio economy,” he said, adding the college’s executives do not want to train students for jobs that might be in short supply in the future.

One example of Tri-C’s renewed focus was seen earlier this summer when it held the first 3-D manufacturing conference in Ohio, which was attended by more than 300 people. The conference featured a wide variety of computer-printed goods, including a car.

“That’s where technology is moving and in order for us to prepare to potentially support this technology, we have to make sure our programming is state of the art,” he said.

Tri-C is helping students understand the skills they are going to need to be successful in the evolving economy. Gary also discussed the college’s “Right Skills Now” program with Swagelok, in which students are taught the skills they need to know in order to get a job with Swagelok.

The program participants are guaranteed employment with Swagelok upon completing the program.

“We’re helping students get placed in your jobs,” he said. “We’re helping individuals understand the soft skills they need that really contribute to the success of all of us.”

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