

ビザ保持者の在宅勤務、レイオフ、 職務内容の変更

在宅勤務 (WAH - Work From Home)

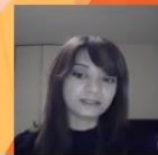
- ▶ 大半の場合、一時的な在宅勤務は対応不要。

レイオフ・ファーロー

- ▶ 60日の猶予期間内に出国・ステータスの切り替え・延長が必要
(E、L、L Blanket、O、H-1Bビザ就労者)

職務内容の変更 (勤務地、就労時間、報酬額等)

- ▶ 「Material Change」「Substantive Change」とみなされる場合、
移民局へAmendment (変更) 申請が必要に (H-1B就労者は要注意)



JETRO Hosted Visa Webinar for Japanese companies

Since the emergence of the novel coronavirus pandemic, various visa-related issues have become common challenges and concerns for both Japanese companies in the U.S. and other foreign companies operating in the U.S. alike.

JETRO hosted a webinar for Japanese companies that are operating in the U.S. or considering entering the U.S., to provide useful visa-related information amid the novel coronavirus outbreak. The webinar's speaker Attorney Reina Boaz of RBL Partners PLLC discussed the latest visa information and the outlook going forward (this webinar was based on information available as of the webinar date of May 4. For up-to-date information, check the websites of federal government agencies and local governments).

The first half of the webinar was dedicated to an overview of key changes to the visa application process due to the pandemic. According to Attorney Boaz, the U.S. Embassy and Consulates in Japan have temporarily suspended all visa

interviews (still suspended as of June 15). However, visa applications by mail and visa applications for urgent matters continue to be processed. On the other hand, while the USCIS has also temporarily suspended interviews, fingerprinting, and other face-to-face services, it is also taking various easing steps and special measures to address the impact from the pandemic, such as waiving interviews for green card applicants and reusing previously collected fingerprints, and most visa application cases are unaffected by the temporary suspension, she said (as of June 4, in-office face-to-face services have partially resumed). Moreover, with respect to the April 22 presidential proclamation suspending entry of immigrants for 60 days, she said the executive order exempts most visa applicants and holders and thus does not have an extensive impact, while cautioning nonetheless that an extension after the 60-day period etc. is possible.

The second half of the webinar first discussed subsidies and leave systems and other economic measures for visa holders, matters in which companies are keenly interested, explaining that working visa holders who meet the criteria under the Cares Act are also eligible for FFCRA leaves and subsidies. Furthermore, with regard to federal and state unemployment benefits, not only citizens and green card holders but also visa holders may be eligible for such benefits, and thus the eligibility requirements in each state should be checked thoroughly, she said. Finally, with respect to the "new normal" for visa applications, Attorney Boaz said that the surging unemployment in the U.S. is expected to make rules for accepting foreign workers even stricter, and she strongly urged businesses to be flexible in human resources operations amid the pandemic and give ample time for visa applications.

Representatives of Japanese companies who attended the webinar left many comments and questions, saying that they appreciated the webinar for resolving their visa questions, found it helpful because information was provided in Japanese, and wished to exchange information, including how other companies are addressing this issue going forward. This outcome indicated strong corporate interest in this matter.

Since the temporary suspension of visa application interviews, many companies are holding off on bringing expatriates from Japan. Even if they did arrive in the U.S., procedures necessary for starting a life in the U.S. would be restricted, including obtaining a social security number, and they would also be subject to 14-day self-quarantine and face quite a heavy burden. Therefore, some compa-

nies are restricting transfers of people until government agency offices reopen to a certain degree and are delaying the return of expatriates' predecessors to Japan. As companies are experiencing difficulty gathering a certain amount of information amid the pandemic, JETRO is committed to providing useful information to companies via webinars going forward.

JETRO New York