

People & HR / Sponsor Spotlight

Sweeping immigration policy changes under the new administration are expected to make it harder to access legal immigration programs, raising new challenges for employers around hiring, compliance, and more. When the alien registration requirement went into effect, Matthew P. Hellrung, co-founder and managing partner of Meltzer Hellrung Immigration Solutions, says it doubled his firm's email traffic overnight because of the uncertainty around best practices and exact requirements for birthright citizens.

In a thought leadership spotlight at From Day One's Chicago conference, Hellrung outlined some new and anticipated immigration policies and provided guidance to help companies effectively navigate potential disruptions.

"There was always, under Biden and Obama, a priority to deport folks that were dangerous to the United States. That's completely done away with—there's really no prioritization of individuals that they're deporting from the United States right now," Hellrung said. That policy, combined with a more robust expedited removal program, puts workers employed through visas and work authorization programs at an increased risk of deportation.

Recently introduced travel bans are affecting people from several countries. These bans "are generally related to security concerns, but they're also focusing on student visas—not allowing citizens of these countries to come into the United States and go to school here," said Hellrung. As the administration continues to add barriers to immigration benefits, employers can expect to see increased costs for green card and employee sponsorships as well as potential changes to the H1-B visa lottery system. Immigration and Customs Enforcement (ICE) is expected to expand their business audits to validate employment practices. The agency has also been given the power to deputize local law enforcement to assist with deportation actions, says Hellrung.





Matthew P. Hellrung, co-founder and managing partner at Meltzer Hellrung, led the session

If your company sponsors individuals, Hellrung's first recommendation is to secure good counsel and conduct a workforce risk review. Consolidating your immigration information can simplify that process by ensuring easy access to company-wide benefit data. His team uses a proprietary platform to do this, but "there are a number of other immigration technologies that your attorneys or immigration vendors may use. It starts with centralizing data and information so you can understand who's at risk inside of your organization," he said. This includes reviewing and optimizing your I-9 verification, storage, and access processes.

A site visit protocol strategy will help you in case of a visit from ICE or another agency requesting immigration records or access to an individual. It's wise to think about how you will capture their information, supervise their visit, and document all activity. "I would recommend filming everything," said Hellrung. "We all have cell phones in our pockets. Film it to make sure that if they do anything wrong, you can raise an objection if you find yourselves in court and you have verifiable proof via the video that you've taken."

At a more general level, he suggests standardizing your company's immigration or work sponsorship policies. This ensures a consistent employee experience and streamlines internal processes. It also helps avoid last-minute documentation requests by providing a clear immigration pathway for employees. "You can also use it as a bit of a shield." Hellrung said. "When somebody says, 'I want my green card right now.' you can point to the [exact parameters of the] policy."

To reduce potential impacts of the growing travel bans, Hellrung proposes that any employees with immigrant benefits avoid international travel and limit domestic travel when possible. Even individuals with valid visas can be held by Customs and Border Protection or be detained inside and outside the United States. If they must travel, Hellrung says, "have some empathy around their concerns [with travel] if you're asking them to do so."

One of the most important practices to mitigate anxiety, he says, is to simply communicate with your employees. Ensure that they know your policies and remind them of any support that is in place for them. Develop and share collateral that helps people know their rights and stay informed about evolving federal policies, or partner with outside counsel to share their expertise via blogs, webinars, policy alerts, and direct employee meetings.

**Editor's note:** From Day One thanks our partner, **Meltzer Hellrung**, for sponsoring this thought leadership spotlight.

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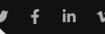
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