

From: Giselle Carson <gcarson@marksgray.com>
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To: shannon.gibbs@comcast.net
Reply-To: gcarson@marksgray.com



Immigration Update

February, 2012

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DOJ Settles Immigration Employment Complaint with University



The Department of Justice reached an agreement with the University of California San Diego Medical Center to resolve a complaint filed by immigrant workers. As part of the settlement, the medical center agreed to implement new employment eligibility verification policies and procedures; to pay a civil penalty of \$115,000; conduct supplemental training of its human resources personnel; and work with the DOJ to ensure compliance across all University of California locations. The DOJ's announcement is available [here](#).

DOS Releases March 2012 Visa Bulletin

The newly released Visa Bulletin continues to show improvement in the EB-2 category for China and India as they moved forward by five months, while all other countries in the EB-2 category remain current. The EB-3 category shows only a modest improvement. To read the bulletin in its entirety, please click [here](#).



Do's and Don'ts During a Worksite Audit



The Office of Special Counsel for Immigration-Related Unfair Employment Practices, a division of the DOJ, has released a "do's" and "don'ts" fact sheet for Employer Best Practices During Worksite Enforcement Audits. Following these simple do's and don'ts could save employers from hefty fines and legal action. To read the fact sheet, [click here](#).

Employer Responsible for Wages of Employee Awaiting SSN

The DOL Administrative Review Board found that the University of Miami School of Medicine must pay wages to an H-1B worker while she awaits the issuance of her Social Security card. The DOL is likely to apply this rule to other nonimmigrant categories, including L-1, H-3, E-3, and O-1. To read the decision, click [here](#).



DHS Plans Reforms To Attract And Retain Highly Skilled Immigrants

The Department of Homeland Security announced proposed actions include offering extended OPT for F-1 students who graduate with a degree in an eligible STEM program from 12 months to 17 months; allowing for additional part-time study for spouses of F-1 students; and offering work authorization for spouses of certain H-1B holders. Probably the most significant step in this effort will be the Entrepreneurs in Residence Initiative set to launch on February 22. To read more, click [here](#).



Immigration Success Story: P-1 Visa

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Immigration Success Story

British professional golfer seeks P-1 visa to improve his game in the United States. Click [here](#)

to read more about Tom and P-1 visas.

DOS Launches 90-Day Online Passport Application Program

Planning your summer vacation and needing a passport card? The Department of State's Office launched a 90-day pilot program allowing adult U.S. citizens living in the U.S. and Canada to apply for a passport card online. Certain restrictions apply including applicants must currently possess a valid 10-year U.S. passport book with at least 1 year



of validity remaining. To learn more and to apply, click [here](#).

Study Shows Increased Denial of Immigration Cases without Charges in the Law

The National Foundation for American Policy (NFAP) released a study that contains some surprising results regarding the denial and request for evidence (RFE) rate of L-1, H-1B, and O-1A Visas. With this new information, it is more important than ever to hire an experienced immigration attorney to handle your visa matters. To read the report, click [here](#).



Giselle Carson
Attorney at Law
Marks Gray, P.A.
1200 Riverplace Blvd., Suite 800
Jacksonville, FL 32207
(904) 398-0900
gcarson@marksgray.com

If you need assistance with any immigration-related issues, please contact Giselle Carson or Thyra Reveron at (904) 398-0900.

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Marks Gray, P.A. | 1200 Riverplace Boulevard | Suite 800 | Jacksonville | FL | 32207