



**MELTZER HELLRUNG**  
IMMIGRATION SOLUTIONS

# Green Cards

Options, Policies, and Advantages

April 30, 2024



# INTRODUCTION



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## INTRODUCTION

- **Founded in 2014, Meltzer Hellrung combines high-touch service, technology, and a programmatic approach to immigration to assist companies in managing and scaling their immigration programs, increasing their access to talent, and expanding operations into new markets.**
- **200+ corporate clients, including venture-backed unicorns, Fortune 500 companies, and small-mid-sized businesses in SaaS, healthcare, aviation, consulting, insurance, and education.**
- **Recognized in 2023 by Crain Magazine as top 100 best places to work in Chicago.**

VOYAGER®



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- **Voyager is our proprietary immigration program management platform designed to provide a better for immigration experience for employers and employees.**
- **Voyager is operated by our exceptionally skilled attorneys, paralegals, and legal assistants to fulfill our mission of providing the best immigration experience.**
- **Voyager drives process efficiency, transparency, and centralization of all immigration information throughout the sponsorship process.**



**VOYAGER**<sup>®</sup> (continued)

- **Dashboards that drive transparency throughout all immigration processes**
- **Efficient workflows that will save employers and employees time**
- **Intuitive user experience easy for employers and employees to navigate**
- **Comprehensive knowledge center**

**Learn more about Voyager at [meltzerhellrung.com/platform](https://meltzerhellrung.com/platform)**



## Launching in Q2: Enhanced Immigration Reporting

A self-service reporting feature that enables employers to run customized reports on all employee information stored in Voyager, including:

- Run reports on visa process progression
- Set custom report columns, filters, and access permissions
- Create reports from scratch or use an existing template
- Schedule reports to run at your desired frequency and automatically send them from Voyager to other employer users
- Share reports on the platform or download them for general distribution and use

# PRESENTERS



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 PRESENTERS



## MATTHEW HELLRUNG

**Co-Founder and Managing Partner**

Specializes in scaling immigration programs for high-growth clients via immigration policy creation and stakeholder training.



## MATTHEW MELTZER

**Co-Founder and Managing Partner**

Specializes in assisting foreign companies to enter the U.S. market and building custom solutions for entrepreneurial and high net-worth clients.

# AGENDA



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- **What Is a Green Card?**
- **Why Do Foreign National Employees Seek Green Cards?**
- **Why Is a Green Card Sponsorship Program Beneficial for Employers?**
- **Pairing Work Visas with Green Cards**
- **Building a Corporate Green Card Sponsorship Program**
- **Types of Green Cards Available**
- **Considerations After Receiving a Green Card for Employees**
- **Consideration After Receiving a Green Card for Employers**

# WHAT IS A GREEN CARD?



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## What is a Green Card?

- **Obtaining a “green card” signifies that a person has been granted U.S. permanent residency**
- **Permanent residency allows foreign born U.S. residents to live and work in the U.S indefinitely once granted**
  - Removes the need for future work visa extensions
  - Green cards, themselves, expire every 10 years but once granted a person is permanent resident for life unless it’s revoked by the U.S. government
  - Once granted, U.S. permanent residency must be maintained or it may be revoked for abandonment

# WHY DO FOREIGN NATIONAL EMPLOYEES SEEK GREEN CARDS?



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## Why Do Foreign National Employees Seek Green Cards?

- **Obtaining permanent residency or a “green card” through company sponsorship:**
  - Removes an employee’s need to rely on their employer-sponsored work visa to provide status, work authorization, and travel permission
  - Provides additional assurance that an employee is unlikely to be deported due to summary offenses and minor misdemeanors
  - Allows an employee to have their core family members, spouse and children, receive permanent residency at the same time
  - Increases an employee’s ability to obtain additional finance and education assistance
  - After 5 years of permanent residency, an employee and their family can apply for U.S. citizenship

# WHY IS A GREEN CARD SPONSORSHIP PROGRAM BENEFICIAL TO EMPLOYERS?



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## Why is a Green Card Sponsorship Program Beneficial to Employers?

- **Green card sponsorship programs:**
  - Can help employers retain foreign national employees for longer periods of time
  - Eliminate long-term work visa costs
  - Reduce immigration program administration time and costs for employers
  - Align employer and employee incentives to promote greater engagement
  - Prevent current employees from “maxing out” in certain work visas categories

# PAIRING WORK VISAS WITH GREEN CARDS



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- **Green cards do not provide an employee with immediate immigration status, work authorization, and travel permission**
- **Green cards run parallel in process to currently sponsored work visas that do give an employee immediate immigration status, work authorization, and travel permission (H-1B, TN, E-3, etc.)**
- **Green cards must be carefully paired with work visas, which takes strategy, processing, travel, and resource planning**

- **Work visas that are renewable indefinitely:**
  - H-1B1
  - TN
  - E-3
  - E-2
  - O-1/P-1
- **Work visas that have “max-outs”:**
  - H-1B -> 6 years
  - L-1B -> 5 years
  - L-1A -> 7 years
- **DACA, Temporary Protected Status, Asylum applicants, Humanitarian parolees should also be considered for green card sponsorship**

# BUILDING A CORPORATE GREEN CARD SPONSORSHIP PROGRAM



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- **Factors to consider when building a corporate green card sponsorship program:**
  - Do you actually need one?
  - What's the current average tenure of your foreign national employees?
  - At what foreign national population size should you consider committing time to building out a program policy?
  - What types of green cards are your employees eligible for?
  - What's the timeline for sponsorship in relation to the work visas you've sponsored for employees?
  - What's the cost of green card sponsorship?
  - What costs, if any, will you have the employee pay for?

# TYPES OF GREEN CARDS



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- **Types of employment-based green card preference categories:**

- EB-1 -> Extraordinary Ability (EB-1A), Outstanding Researchers (EB-1B), and Multinational Executives (EB-1C)
- EB-2 ->
  - Advanced Degree PERM (BS+5 or MS)
  - Schedule A Group 1: Physical Therapists and Nurses, Group 2: Exceptional Ability,
  - National Interest Waiver
- EB-3 -> Skilled, Professional, or Unskilled PERM (no experience to BS+4)
- EB-4 -> Special immigrants, including religious workers, immigrant juveniles, broadcasters, international/NATO employees, members of the armed forces, certain physicians, and foreign nationals that have supplied information on terrorist or criminal organizations





- **Individually sponsored Green Cards**

- EB-1 -> Extraordinary Ability (EB-1A)
- EB-2 -> National Interest Waiver
- Family-based sponsorship by:
  - US Citizen spouse
  - US Citizen parent
  - US Citizen children over 21
  - US Citizen sibling
  - Permanent Resident spouse
  - Permanent Resident parent
- EB-5 -> Investment of at least \$800,000 or \$1.05 million depending on location
- Adjustment for certain categories such as asylees and refugees



# CONSIDERATIONS AFTER RECEIVING A GREEN CARD FOR EMPLOYEES



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## Considerations After Receiving Green Cards for Employees

- **Permanent residency is not U.S. citizenship and can be terminated**
  - Green cards can be revoked for serious misdemeanor or felony crimes
  - Green cards can be deemed abandoned if a permanent resident doesn't maintain enough contacts with the U.S. after approval
- **Permanent residency maintenance:**
  - File U.S. tax returns every year
  - Maintain U.S. as primary residence, unless permission given through re-entry permit
  - Maintain U.S. licenses, home, investments, insurance, etc.
- **Can apply for U.S. citizenship 5 years after permanent residency approval (3 years as spouse of US citizen)**
  - Must have been present in the U.S. 50% or more during 5 years as permanent resident

# CONSIDERATIONS AFTER RECEIVING A GREEN CARD FOR EMPLOYERS



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## Considerations After Receiving a Green Card For Employers

- **Employer must move employee to sponsored green card or substantially similar position**
- **Employee must report to sponsored green card office**
- **Employer must raise employee's salary to offered green card wage**
- **Employer should hold open green card position to employee for at least 6 months to satisfy "good faith offer" attestations**
- **Employer must re-verify employee's I-9**
  - No I-9 re-verification required again thereafter
- **Employee may leave employment after green card receipt**
  - Depending on the state, employer can decrease investment risk by having employee agree to expense clawback agreement with time-based milestones

# QUESTIONS?



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