

# Immigration Consequences of Mergers and Acquisitions

## **Immigration Consequences of Mergers, Acquisitions and Corporate Restructuring (And Immigration Counsel's Role in These Processes)**

### **Counseling on Immigration Law Concerns in Corporate and Business Transactions**

Success in the global marketplace may require a significant transition in business operations. However, any decisions involving mergers, acquisitions or other business transactions or restructurings must necessarily include considerations of any potential immigration law issues.

The Immigration Law Group of Meyner and Landis LLP is highly experienced in proactively advising new business entities and corporate restructures to consider the potential immigration consequences of various company structures at the outset. That way, our business immigration lawyers manage client expectations and ensure that the corporate client is in the best position to achieve its desired employment- and immigration-related goals.

Your business' competitiveness is highly dependent upon your staffing decisions. Due diligence in immigration law matters is therefore necessary to ensure existing staff is not jeopardized by a merger, acquisition or other transaction. At Meyner and Landis LLP, our business and corporate immigration lawyers are highly experienced in providing comprehensive legal counsel designed to address such immigration concerns presented by various corporate transactions.

Immigration issues related to mergers, acquisitions or other business transactions will need to be addressed for those business entities that employ foreign nationals in the United States under a business or employment-based visa, such as:

- H-1B visas for temporary or specialty workers
- TN-1 visas for Canadian and Mexican professionals under NAFTA
- L-1A and L-1B visas for intracompany transferees
- E-1 and E-2 visas for treaty traders and investors
- Other temporary work visas

### **Will Your Employees be Subject to Amendment or Termination of Their Visas Due To M&A Activity or other types of Corporate Restructurings?**

Many employment-based immigrant and nonimmigrant visas are directly dependent upon sponsorship by a U.S.-based employer. Change in employment - even where functional duties and job title remain unchanged but the employer is altered - may present significant immigration issues regarding the existing visas.

We advise business owners and corporate counsel on the following issues related to mergers and acquisitions:

- Will the business transaction adversely impact the immigration status of any employees?

- Will new or amended visa applications or petitions for sponsorship for employment-based visas need to be submitted?
- Will some foreign national workers ( e.g., L-1 workers) need to be terminated on account of an unavailable alternate visa category? (This is an issue of great significance that frequently arises in the context of mergers and acquisitions, and may substantially impact multinational executives or managers in either an EB-1-3 immigrant visa classification or a nonimmigrant L-1A and L-1B classification).
- Will other immigration requirements need to be fulfilled in order to maintain work authorization of employees and ensure worksite compliance?

Our business immigration attorneys focus on facilitating and maintaining the staffing needs of businesses throughout the United States. To consult with one of our experienced immigration law attorneys prior to a business merger or transaction, contact our office.

With offices in Newark, New Jersey, the Immigration Law Group of Meyner and Landis LLP conveniently provides immigration services for businesses and individuals throughout the state of New Jersey. The firm's immigration practice, however, is national in scope, encompassing the representation of multinational Fortune 500 employers, businesses and individuals throughout the United States.

Contact our office to speak with a member of our Immigration Group.