



Transcending BordersSM

September 2021

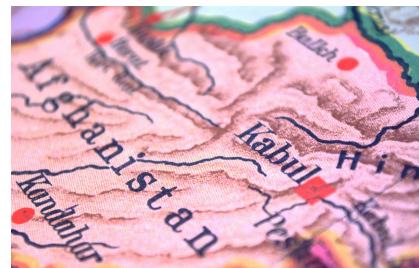
It's hard to believe that summer is already drawing to a close. Between the pandemic in limbo and major events in Afghanistan, the global immigration conversation is changing. In this issue of Transcending BordersSM we outline:

- Afghan Refugees Resources
- Form I-9 Compliance Updates for Employers
- Policy Updates
- Upcoming Webinars
- Firm News

Afghan Refugee Resources

This list of resources for Afghan refugees, their allies and advocates, includes refugee assistance organizations, legal representation resources, potential humanitarian, family-based and employment-based immigration options for Afghan refugees and other general resources.

[View List Here](#)



Form I-9 Compliance Updates for Employers

In March, 2020, as a direct response to the COVID-19 pandemic, the Immigration and Customs Enforcement (ICE) announced its Form I-9 Flexibility Policy, effective as of April 1, 2020. As a reminder, this flexibility policy with regard to employment eligibility verification, includes the following provisions for employers and workplaces operating exclusively remotely due to Covid-19:

1. Employers with employees taking physical proximity precautions due to the COVID-19 pandemic are *temporarily exempt* from reviewing the employees' identity and employment authorization documents *in the employee's physical presence*;
2. Employers are still required to inspect Section 2 documents remotely and obtain, inspect, and retain copies of the documents within three (3) business days of the date of hire; and
3. Employers using this I-9 flexibility option must provide written documentation of their remote onboarding and telework policy for each employee.

[Read More...](#)

Policy Updates

[Green Card Applicants Must be Fully Vaccinated](#)

The U.S. Centers for Disease Control and Prevention (CDC) [announced](#) that foreign nationals applying for U.S. permanent resident cards (green cards) must be fully vaccinated against COVID-19. Beginning on October 1, 2021, all green card applicants must submit proof of COVID-19 vaccination as part of their Form I-693 medical examinations. Any individual who refuses to be vaccinated and does not qualify for any of the agency's limited exemptions will be marked as inadmissible to the United States. The CDC will waive the vaccine requirement for individuals too young to safely receive it and for people with contraindicating health conditions. The requirement will also be waived for individuals in countries with limited available vaccine supplies.

This guidance applies to immigrants inside the U.S. seeking adjustment of status, as well as immigrants who apply for green cards at the U.S. consulate in their home country.

[Reminder to H-1B Employers re: LCA Wage Liability](#)

A Department of Labor (DOL) Administrative Law Judge (ALJ) [recently clarified](#) when an employer's LCA obligation to pay its H-1B worker ends in a situation where the employer terminates the worker, the employer fails to effectuate the required "bona fide termination", and the worker finds new employment. The ALJ concluded that the employer's wage liability continues until the employer "expressly" notifies the H-1B worker of the termination and until the new employer's H-1B petition is approved (not just filed). Additionally, the ALJ concluded that an employer is liable for wages even if the H-1B worker is outside the US unless the employer can provide evidence that the worker's international trip was voluntary or for the worker's convenience.



Immigration Policy Alerts



Upoming Webinars

Free Webinar: O-1 Agents

Join us on Friday, September 17th at 1:00pm ET for a lively and informative webinar on the subject of O-1 agents. In contrast to most nonimmigrant visa petitions (which must be filed by a US employer), O-1 petitions for “aliens of extraordinary ability” can be filed by an agent, operating in various capacities.



For a full description: [click here.](#)

Registration

Webinar: O-1 Agents

Friday, September 17, 2021 | 1:00pm ET – 2:00pm ET

Via Zoom

[Register Here](#)

Immigration Law for the General Practitioner (CLE)

[Khandikile M. Sokoni](#) is presenting a Continuing Legal Education (CLE) course for the Finger Lakes Women’s Bar Association on Friday, September 24, 2021 from 12:00pm - 1:30pm. This CLE webinar, worth 1.5 credits, will explore what non-immigration attorneys ought to know about immigration law.

For a full description: [click here.](#)

Registration

Webinar: Immigration Law for the General Practitioner

Friday September 24, 2021 | 12:00pm ET – 1:30pm ET

Via Zoom

[Register Here](#)

Firm News

Best Lawyers Recognizes Becki Young, GYH Attorneys

We are beyond proud of our Co-Managing Partner [Becki Young](#), who was recognized as **2022 Lawyer of the Year** in Immigration Law (Washington, DC) by [Best Lawyers!](#)

Lawyer of the Year recognitions are awarded to individual lawyers with the highest overall peer-feedback for a specific practice area and geographic region. Only one lawyer is recognized as the "Lawyer of the Year" for each specialty and location.

[Sandra Grossman](#), Partner, and [Denise Hammond](#), Senior Counsel, were also listed as



Best Lawyers in Washington, D.C. Immigration Law. For the second year in a row, Attorney [Yeon Me Kim](#) was recognized on Best Lawyers' "Ones to Watch" list. Thanks to the efforts of all our attorneys and staff, Grossman Young & Hammond was also recognized by Best Law Firms 2022.

Congratulations to Becki, Sandra, Denise, Yeon Me and all the rest of our team for this well-deserved recognition! We are deeply proud of our entire GYH team for their tenacious and passionate work.

[Becki Young Receives AILA Award for Service](#)

Becki Young was selected by Jennifer Minear, the President of the American Immigration Lawyers Association (AILA), for the 2021 President's Commendation for Outstanding Volunteer Service. Congratulations, Becki!

Grossman Young & Hammond, LLC | [Website](#)



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