



# FP Snapshot on Life Sciences Industry: Alternate Ways Besides H-1B to Employ Foreign Nationals

Insights

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Welcome to FP Snapshot on Life Sciences Industry, where we take a quick snapshot look at the most significant workplace law developments over the past month with an emphasis on how they impact life science organizations. This edition is devoted to ensuring you are aware of the various options you have at your disposal should you have foreign nationals who were not lucky recipients during the H-1B lottery.

## 8 Options to Consider

Our Immigration Group recently developed this helpful Insight providing employers with eight different options for employing foreign nationals who were not chosen under FY 2023 H-1B cap. From country-specific options, to portability possibilities, to alternate employment authorizations – you'll find a complete list of considerations you may not be aware of.

This list is especially helpful to organizations in the life sciences community, many of which are struggling to fill their ranks with qualified scientists. For instance, you may be able to hire a foreign national who is already working pursuant to an Employment Authorization Document (EAD) or who is eligible for an EAD obtained through a student-based F-1 optional practical training. Additionally, foreign nationals who graduated from a STEM program and are working in a field related to their major may be eligible for a STEM EAD prior to the expiration of their current EAD. Furthermore, you should note that the H-1B visa is portable. So, you may be able to hire a foreign national who is already in H-1B status working for another U.S. employer.

These strategies will allow life science companies to expand their talent acquisition capabilities, particularly for candidates holding bachelor's degrees and higher.

## Want More?

We will continue to monitor workplace law developments as they apply to life sciences employers, so make sure you are subscribed to Fisher Phillips' Insight system to get the most up-to-date information directly to your inbox. If you have questions, contact your Fisher Phillips attorney, the author of this Insight, or any attorney on our Life Sciences Industry Team.

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