

# Publications

## *Immigration Alert*

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### CLIENT ALERT | 3.4.2010

Recently, the U.S. Citizenship and Immigration Services (“USCIS”) issued guidance to clarify the requirements for establishing an employer-employee relationship to qualify for the H-1B ‘specialty occupation’ classification. An employer who seeks to sponsor a temporary worker in an H-1B specialty occupation is required to establish a valid employer-employee relationship. USCIS has defined such a relationship to hinge on an employer’s right to control the means and manner in which the H-1B worker’s services are performed. The memorandum addresses scenarios involving independent contractors, self-employed beneficiaries, and beneficiaries placed at third-party worksites. Please contact us if you have any questions regarding this new USCIS guidance.

Click on the links below to download the *Memorandum and Update* which discusses this classification.

[USCIS Memorandum](#)

[USCIS Update - Questions and Answers](#)