



United States - Country overview

Business visitor activities

ESTA

Visa waiver nationals may enter the US without obtaining a visa in advance. Eligible applicants must complete an online application prior to travel which is known as an Electronic System for Travel Authorisation ('ESTA'). The visa waiver status is only granted for a maximum of 90 days.

Permitted activities as a business visitor include:

- Consulting with business associates.
- Attending conferences.
- Negotiating contracts.

B-1 visa

Business visitors who do not qualify for an ESTA may be eligible to enter the US under the B-1 visa. B-1 visas are generally issued for an initial duration of stay of 6 months. The processing time to obtain this visa is generally between 2 weeks to 1 month.

Main work permit types

All foreign nationals who wish to work in the US are required to obtain work authorisation. Below is a brief overview of the common categories of work permits available:

B-1 in lieu of H-1B

The B-1 in lieu of H-1B visa allows for multiple entries to the US for specific short term assignments, generally up to 1 year. This option is useful when a non-US company wishes to send a member of staff to the US for a limited period in order to undertake specific projects for clients.

Key eligibility requirements:

- A degree or qualifications relating to the role in the US.
- The applicant must remain a permanent employee of the non-US business.
- The applicant must remain on the payroll of the company in the sending country and cannot receive compensation from a US source.

Duration of permit:

- Generally, B-1 in lieu of H-1B visas are issued for 6 months.

Processing times:

- 2-4 weeks.

H-1B—speciality worker

The H-1B visa allows foreign nationals to enter the US to perform services in a prearranged



professional job for a US employer. H-1B visas are subject to an annual cap for most employers.

Key eligibility requirements:

- A degree relating to the role in the US.
- Sponsor must be a US organisation that requires foreign professional workers in a specialty field (engineering, arts, science, business, arts, accounting, law, etc).
- The employer must pay H-1B visa employee a prevailing wage determined by the US Department of Labor.

Duration of permit:

- Generally, H-1B visas are available for an initial period of up to 3 years. This can be extended for up to 3 more years.

Processing time:

- 3-5 months.

L-1 Intra-Company Transfer

The L-1 Intra-Company Transfer status is available for applicants who come in the following categories:

- Qualified international executives/ managers (L-1A).

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Please note that all immigration rules, requirements and processing times are subject to change and whilst correct at the time of publication, the information on this document should not be relied upon as legal advice.

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- Specialised knowledge employees transferring from an overseas organisation to work for the same organisation in the United States (L-1B).

Key eligibility requirements:

- The applicant must have been employed by the sending company for a minimum of 12 months.
- The host company and sending company must be linked.
- The applicant must be sponsored by a US local entity.

Duration of permit

- L-1 permits are granted initially for up to 3 years. The maximum duration for a L-1A manager is 7 years and the maximum duration for a L-1B specialised knowledge employee is 5 years.

Processing times

- 2-3 months.

Key documents for H-1B/L-1 permits

- Degree certificate.
- DS-160 online application form.
- Passport.
- Evidence of FEIN.
- Labor Condition Attestation (LCA).
- Base filing fee.
- Applicant's CV covering the last 5 years.
- US job description for applicant's role.



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