

6 FAQs about O Non immigrant Classifications

The federal laws stipulate certain conditions under which an individual might work in the US using a non immigrant visa. Depending on the job type you need, you will have to petition for the particular visa. The US citizenship and the immigration service normally approve the visas after a petition has been filed by a prospective employer. [Family Immigration Attorney San Diego](#) answer the most frequently asked questions about class O non immigrant visa classification.

Q1. What Proof can an agent give the USCIS that it is the agent performing the employer's role?

When on behalf of a beneficiary an agent performs the role of an employer by filing a petition, there must be an agreement for the contract between the beneficiary and the agent specifying all terms and conditions of the employment including the wage offered. The contractual agreement provided with the petition provides guidelines for the USCIS for verifying whether the beneficiary is represented by the agent.

Q2. Under what circumstances can an agent represent an O beneficiary as a petitioner?

- This can happen when an agent represents workers by arranging for short-term employment with many employers or an agent can do so for people who are traditionally self-employed.

- When a foreign employer gives an agent authority to work on their behalf.

- The US agent can be any of the following:

1. The representative of both the employer and the beneficiary

2. A person or entity authorized by the employer(s) to act in place of the employer(s) as its agent.

3. The actual employer of the beneficiary

Q3. Are contracts required with the employers at the beneficiary's place of work when a petition is filed by an agent acting as an employer?

Where an O petition is filed by an agent performing the function of or acting as an employer, no contract is needed between the entities who will ultimately receive the services of the beneficiary and the beneficiary.

Q4. What evidence should be attached to a petition filed by a US agent?

The additional requirements of evidence that an agent should have are listed under CFR 214.2(o)(2)(iv)(E). The type of evidence needed depend on whether the agent is:

4. An agent for a foreign employer

5. Filing as an agent performing the function of an employer

6. A person or company in business as an agent and filing for multiple employers

Q5. Can further performances or engagements be added to a petition?

Indeed, more performances can be added for an O-1 entertainer or artist when the petition is valid. No amended petition is required.

Author: Kazmi Sakata

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