

Sending Employees to your US Office: 3 Things to Know about Intracompany Transfer Visas

Authors: Katie Leung

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Overview of the Intracompany Transfer Visa

The Intracompany Transfer Visa, also known as the L-1 visa, is a temporary non-immigrant visa that allows international companies with offices in the United States to send certain qualified employees to their US office. With the increase in cross-border businesses, many Canadian companies have a need to send their employees to their affiliated US office to oversee projects and to establish new businesses. This article will outline the basic things you need to know about the L-1 visa.



3 Things to know about the Intracompany Transfer Visa

1. Only senior management and employees with specialized knowledge may qualify for the L-1 visas

There are two types of L-1 visas: L-1A for executive and senior managers, and L-1B for professional employees with specialized knowledge.

- For L-1A, the applicant must hold an executive or managerial position and be seeking to enter the US to fill the same or a similar position.
- For L-1B, the applicant must first hold and demonstrate that they have specialized knowledge in the organization's product, service, research, equipment, techniques, management, etc. In addition, the applicant must be providing services in the same specialized knowledge capacity to the US office.

For both L-1A and L-1B, the applicant must have worked in the same company abroad (e.g. Canada) for at least one continuous year (within the previous three years) prior to the transfer.

2. You may also apply for an L-1 visa if you are seeking to send an employee to the US to establish a new office

In order to apply, you must show at least the following:

- The company has a physical location for the new office in the US;
- The applicant has been employed as an executive or senior manager for at least one continuous year (within the previous three years) prior to the transfer; and
- The new office will support the applicant (as an executive or managerial position) within one year of the application approval.

3. The benefits of L-1 Visas

- **Long Validity:** The L-1 visa allows an applicant to stay up to 3 years in the US relying on the initial approval (with the exception of employees entering the US to establish a new office). By making an application, the L-1 visa may be extended up to 2 years at a time. Including any extensions, the maximum duration of an L-1A visa is 7 years and for an L-1B visa is 5 years.
- **Accompanying Family:** The spouse and children (under 21 years of age) of L-1 visa holders are eligible to apply for L-2 visas to accompany the applicant to live, work, and attend school in the United States.
- **Dual Intent:** The L-1 visa is one of the very few non-immigrant visas that allows dual intent. It allows the applicant to apply for permanent residency from the L-1 visa status.

For additional information, please contact Katie Leung at khl@tdslaw.com or at (204) 934-2407.

Learn more about the author

Katie Leung is an associate at TDS. Katie's practice is concentrated primarily in the areas of immigration, advising Canadian companies and foreign nationals with a variety of immigration matters. Katie studied law and received her Juris Doctorate with honours from New England Law | Boston in 2018. She is a dual US and Canadian license lawyer, currently licensed by the Law Society of Manitoba (Canada), State of New York (USA) and State of Massachusetts (USA). Katie can advise clients in Cantonese, conversational Mandarin, and English.

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