



## → Greg L. Berk

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Greg Berk is a partner in the firm's Labor and Employment Practice Group. He leads the Firm's immigration practice and is based in Orange County, California. He is a Certified Specialist in Immigration and Nationality Law by the State Bar of California Board of Legal Specialization. He is the author of *Immigration Checklists and Practice Pointers* – A Desk Reference book published by the American Bar Association for General Counsel and HR managers.

### Areas of Practice

He has over 25 years of experience advising on all aspects of U.S. immigration matters. He assists employers worldwide with the hiring and retention of foreign national executives and highly talented individuals that are needed in their U.S. workforce. He also works with investors on E-2, L-1, and EB-5 matters. He also handles I-9 and other immigration compliance matters.

### Articles

- Tips to Avoid Discrimination When Hiring for Export Controls Jobs  
*Bloomberg Law*, 06.20.2023
- United States Employment Law Update  
*Legal Era*, 12.15.2021
- A Biden Administration's New Vision for the American Workplace  
*Legal ERA*, 12.2020
- Will United States Border Protection Admit Your Foreign Visitor?  
*Today's General Counsel*, Spring 2019
- A Quick Checklist Of Restrictions On Travel To The US  
*Law360*, 06.29.2018
- USCIS Issues Revised "Smart" Form I-9  
*National Law Review*, 11.28.2016
- "Top 10 Mistakes in Handling I-9 Forms," *Society for Human Resource Management*, March 2015
- "International Migration to the U.S.," *The California International Law Journal*, Vol. 20, No. 1 & 2, Spring/Summer 2012
- "Reforming Comprehensive Immigration Reform, Breaking the Congressional Stalemate," *Orange County Bar Association Magazine*, March 2011

- "Immigration Options for Investors and Entrepreneurs," Contributing Author, *American Immigration Lawyers Assoc (AILA)*, 2006
- *Immigration Concepts: A Primer for Law Students and Paralegals on the U.S. Immigration and Nationality Act*, Copyright 2004; Compilation of materials written to assist students in understanding the complexities of immigration law

## Global Trade Law Blog

- "Don't Let the Government Name, Shame, and Fine You – Export Controls Do NOT Excuse Hiring Discrimination," April 25, 2023
- "Export Control HR Pitfalls To Avoid When Hiring," September 2, 2020
- "Refresher: How to Comply With U.S. Export Controls and Anti-Discrimination Laws When Recruiting and Hiring Foreign Nationals," April 8, 2020
- "Confused by the Evolving Travel Ban? Here's a Cheat Sheet with the Latest Guidance," November 15, 2017

## Corporate & Securities Law Blog Posts

- "Annual H-1B Visa Quota Will Open on April 1, 2015," February 11, 2015

## Labor and Employment Law Blog Posts

- "DHS Releases New Form I-9 and Video Verification Procedure: Guidance and Checklists for Busy Employers," August 3, 2023
- "DHS Announces New Form I-9 and Remote Verification for E-Verify Employers," July 24, 2023
- "ICE Announces July and August Deadlines for Employers: Preparing for the DHS Planned Sunset of the COVID Pandemic Remote I-9 Verification Accommodations," May 25, 2023
- "DHS Announces That Employers Should Continue to Use the Current I-9 Form After the Oct 31, 2022, Expiration," October 12, 2022
- "Sheppard Mullin Travel Checklist - New Vaccination Travel Restrictions for Entry Into the United States: Air and Land Rules Effective November 8, 2021," November 2, 2021
- "Employment, Tax, and Visa Issues Associated With the Overseas Telecommuter," September 30, 2020
- "What Does the Supreme Court DACA Decision Mean for DACA Employers and Employees?," June 26, 2020
- "How the New Presidential Proclamation Regarding Non-Immigrant Visas Affects Your Company," June 23, 2020
- "DHS Announces I-9 and E-Verify Relief for Employers Due to COVID-19," March 23, 2020
- "Coming to America...to Wait Out the Coronavirus – Visa & Immigration Considerations," March 3, 2020
- "DHS Issues New I-9 Form – Required by May 1 for New Hires and Reverifications," February 20, 2020
- "ICE May Visit Your Company or University Campus – a Quick Checklist and Guidance," August 16, 2019
- "When the Government Shuts Down: The Impact on E-Verify, I-9's, and Visas," January 24, 2019
- "A Solution in Search of a Problem: The California Legislature Imposes Duties for Employers When ICE Audits Your I-9s," December 5, 2017

- "The Latest Turn in the Travel Ban Road," November 15, 2017
- "In January, Will You be Able to Board Your Domestic Flight With Your Current Driver's License?" November 10, 2017
- "The Rescission of DACA – A Quick Overview of How This Impacts Your DACA Employees," September 6, 2017
- "USCIS Issues New I-9 Form: Commentary and I-9 Checklist for Employers," July 31, 2017
- "Dear Congress: Your District Needs a New E-4 Visa for Promising Entrepreneurs," July 5, 2017
- "The Travel Ban – A Quick Update," July 5, 2017
- "Sheppard Mullin Travel Advisory and Immigration Update," February 2, 2017
- "USCIS Issues Updated Form I-9 With New Features," November 28, 2016
- "International Entrepreneurs: New Proposed Work Authorization for Founders of Start-Ups And a Comparison to Other Visa Options," September 13, 2016
- "USCIS Announces Work Permits for Qualifying Spouses of H-1B Employees," February 25, 2015
- "Urgent Notice To Employers: Annual H-1B Visa Quota Will Open on April 1," February 9, 2015
- "How Will the White House Announcement on Immigration Affect Your Company?" November 24, 2014
- "U.S. and China Strike Visa Deal," November 11, 2014

## **French Desk Law Blog**

- "U.S. Visas for Ukrainians and Russians: Navigating the Maze," March 11, 2022
- "NIE's Now Good for 1 Year, More on Navigating the Travel Ban Jungle: National Interest Exception Checklist for the U.S. COVID Travel Bans," July 20, 2021
- "Navigating the Travel Ban Jungle: National Interest Exception Checklist for the U.S. COVID Travel Bans," July 1, 2021
- "U.S. Embassy in Paris Substantially Limits the Eligibility of National Interest Exemptions for Foreign Travelers," March 3, 2021
- "The U.S. Coronavirus Inbound Travel Ban Has Been Expanded to Flights from the U.K., Ireland, and Schengen countries, in Addition to the Previous Ban from China and Iran," March 16, 2020

## **Latin American Law Blog Posts**

- "Annual H-1B Visa Lottery Will Open on March 1, 2022," February 7, 2022
- "Visas and Immigration in 2021 Under the Biden Administration," February 26, 2021
- "Will U.S. Customs & Border Protection Admit Your Foreign Visitor? How to Avoid that Sunday Evening Phone Call from CBP," November 6, 2018
- "Congress Passes Passport Revocation Bill Aimed At Large Tax Debtors," December 30, 2015
- "New I-9 Issues Facing Employers with Recently Legalized Employees," April 20, 2015

## **Government Contracts Law Blog Posts**

- "The Travel Ban – A Quick Update," July 27, 2017

- "Dear Congress: Your District Needs a New E-4 Visa for Promising Entrepreneurs," June 28, 2017
- "Buy American and Hire American - New Executive Order Promises to Put American Workers First, But Practical Impacts Remain Unclear," April, 24 2017

## Books

Employer's Guide To COVID-19 And Emerging Workplace Issues (Over 690 pages)  
04.21.2020

## Media Mentions

How to Document Remote Verification of I-9s  
*Society for Human Resource Management (SHRM)*, 08.31.2023

What Employers Should Know About the Updated Form I-9  
*Society for Human Resource Management (SHRM)*, 07.24.2023

Employers Frustrated by Return of In-Person Review of I-9s for Remote Employees  
*Society for Human Resource Management (SHRM)*, 05.24.2023

How to Manually Track Immigration Requirements  
*Society for Human Resource Management (SHRM)*, 01.13.2023

Top 10 Mistakes in Handling I-9 Forms  
*Society for Human Resource Management (SHRM)*, 08.12.2022

Business Immigration's Uncertain Path Post-Travel Ban Ruling  
*Law360*, 06.29.2018

Immigration Action Will Increase Immigrants' Ability to Switch Employers  
*Society for Human Resource Management (SHRM)*, 12.10.2014

## Speaking Engagements

"US Immigration Trends: Realities and Choices," World Affairs Council of Orange County, October 6, 2022

"PERM Practice Pointers to Avoid Malpractice," Orange County Bar Association, Immigration Law Section Webinar, March 1, 2022

"PERM Best Practices in Light of COVID," 34th Annual AILA California Chapters Conference, November 19, 2021

"Planning Your U.S. Visa for the 2022 Rebound," Sheppard Mullin Webinar, May 11, 2021

"Immigration Issue Spotting for Practitioners that are New to the Field of Immigration Law," American Bar Association Webinar, March 5, 2021

"A Quick Run Around the I-9 & Visa Track," Santa Barbara Human Resources Association (SBHRA), January, 15, 2020

"The Nuts and Bolts of Drafting a Job Description," Orange County Bar Association, Immigration Law Section Meeting, March, 5, 2019

"The H-1B Dragon," Orange County Bar Association, Immigration Law Section Meeting, June 6, 2017

"STEM OPT and What it Means for Your Practice," American Immigration Lawyers Association Southern California Chapter, April 27, 2016

"Nonimmigrant Visas and I-9's," Pincus California Immigration and Nationality Law Specialist Exam Course, September 10, 2015

"Student Visas - The Basics and Beyond," State Bar of California International Law Section Webinar, August 12, 2015

"Ethical Traps and Pitfalls for the Immigration Lawyer," Orange County Bar Association, May 5, 2015

"First Things First: I Need a Visa to Stay Here!" Founder's Workshop at Runway, January 15, 2015

"Nonimmigrant Options for Smaller Businesses - E, L, and H," Web Seminar, November 6, 2014

"Employment and Immigration Compliance Issues for International Corporations in the United States," State Bar of California Annual Meeting, September 14, 2014

"Slaying the Dragon: Understanding the 1,200-Page U.S. Senate CIR Bill," Orange County Bar Association, Immigration Law Section Meeting, November 2013

"Hot Topics in Immigration Law: The Latest in EB-5 Investment and Preparing Your Practice for Comprehensive Immigration Reform," Panel Discussion, 2013 State Bar of California's Annual Meeting, October 2013

"I-9's, E-Verify and the Latest Immigration Benefits," California Landscape Contractors Association, Orange County Chapter, April 2013

"Immigration Session - Fundamentals of Employment Law Seminar," Sterling Education Services, March 2013

"Visa War Stories and Consular Processing," 2012 State Bar of California Annual Meeting, October 2012

"EB-5 Investors Immigration 101 Seminar," Pincus Professional Education, October 2012

"Immigration & Legislative," California Restaurant Association, September 2012

"Overview of U.S. Immigration Options," State Bar of California, September 2012

"The World Is a Big Playground: Cross Over Issues Involving Foreign National Clients in Family Law, Estate Planning, and Immigration," State Bar of California Webinar, Panel Speaker, July 2012

"Presentation on B-1 business visitor visas – opportunities and challenges," Southern California International Sister Cities Regional Conference, January 2011

## Events

Labor & Employment Law Update and Happy Hour - Orange County  
Fall 2023  
Avenue of the Arts, 10.12.2023

US Immigration Trends: Realities and Choices  
10.06.2022

Third Thursday Emerging Company Webinar Series  
Visas for Entrepreneurs – A Quick Lap Around the Visa Track  
Via GlobalMeet, 01.17.2019

Immigration Issues | Emerging Company Webinar  
via WebEx, 02.23.2017

Labor & Employment Law Update & Happy Hour - Los Angeles  
Fall 2016 Seminar Series  
11.09.2016

The New USCIS Initiative for International Entrepreneurs and Other Visa Options  
Third Thursday Emerging Company Webinar Series  
via WebEx, 09.15.2016

A Quick Run Around the Immigration Track – A Survey of Non Immigrant Employment-based Visas  
California State Bar Webinar  
06.15.2016

Breakfast With Your Labor Lawyer - Los Angeles  
Spring 2016 Seminar Series  
05.18.2016

Breakfast With Your Labor Lawyer - Orange County  
Spring 2016 Seminar Series  
05.04.2016

Immigration Basics for Startup Founders  
First Things First - I Need a Visa to Stay Here!  
05.07.2015

## Memberships

Member, Immigration Law Subcommittee, State Bar of California, International Law Section, 2013-Present  
Past Chair, Immigration Law Subcommittee, State Bar of California, International Law Section, 2013-2015  
Advisor Emeritus, Executive Committee, State Bar of California International Law Section  
Executive Committee, State Bar of California International Law Section, 2011-2015

Member, International Law and Labor & Employment Law Sections, American Bar Association, 2019-Present

Member, Orange County Bar Association Lawyer - Referral Advisory Committee, 2006-2010

Orange County Bar Association Education Committee, 2010-2012

Member, World Affairs Council of Orange County, 2022-Present

Member, Long Beach – Qingdao Sister City Organization, 2004-Present

Member, American Immigration Lawyers Association (AILA), 1999-Present

Board of Directors, Southern California Sister Cities International Organization, 2011

Chair, Orange County Bar Association Immigration Section, 2005 and 2010

Member, AILA National EB-5 Investors Committee, 2008-2009

## Podcasts & Webinars

Nota Bene Episode 77: Labor, Employment, and Immigration in a Pandemic World with Kelly Hensley, Denise Giraudo, and Greg Berk

04.15.2020

Visas for Entrepreneurs – A Quick Lap Around the Visa Track

01.17.2019

## Practices

Labor and Employment

Immigration

Immigration

EB-5

International Reach

France

Latin America

## Industries

Advertising

Education

Emerging Company & Venture Capital

Entertainment, Technology and Advertising

ESG and Sustainability

Esports & Games

Financial Services

Food and Beverage

Healthcare

Hospitality

Life Sciences

Private Equity

## Education

J.D., Western State University College of Law

M.B.A., George Washington University

B.A., California State University

## Admissions

California

## Languages

Chinese