

Handling transition to U.S. when companies set up here

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When Linita Design & Manufacturing Corp. shifted manufacturing operations from Guelph, Ont., to its 80,000-square-foot property at 1951 Hamburg Turnpike in 2010, there was much to learn about how to administer benefits in the United States.

"The system in Ontario is different in terms of benefits, human resources and just about everything in that regard," said Andrea Vera, assistant manager of the company, which makes steel parts for hydropower plants.

She said Alcott HR Group, a national company with an office in Buffalo, was hired to handle benefits, payroll and set up a 401(k) plan for employees.

And when Buffalo Tungsten needed to help an engineer obtain a green card so he could continue working on building a new tungsten plant in Depew, immigration lawyer Jeremy Richards was hired to help.

"There's a lot of detail and a lot of paperwork involved," said Roger Showalter, vice president.

He and Vera said there were numerous cross-border issues that needed to be addressed.

Fortunately, they said, they were able to concentrate on running their businesses because they hired firms with the skill set and knowledge regarding U.S. labor laws and immigration.

Said Vera: "When we came here, Alcott was a good option because they deal with benefits, payroll and human resources issues."

Added Showalter: "If we had to worry about immigration details, it would have taken a lot of time."



In her role with a Canadian company that established manufacturing operations in the U.S., Andrea Vera of Linita Design & Manufacturing Co. used the HR services provided by John Bradley's Alcott HR Group.

Alcott HR Group oversees multiple functions

John Bradley is director of operations and sales for the Western New York division of Alcott HR Group, which works with foreign companies looking to set up operations in Western New York.

And when those companies seek to have employees in the United States, they need to consider human resources, workers compensation, employee benefits and payroll.

"The problem with those functions is that they don't generate revenue for a business, and labor laws are different from state to state," Bradley said. "So what we do is work with U.S. companies, as well as foreign-owned companies, and handle the administration for those four areas."

He described Alcott as a one-stop shop for companies to be a compliant U.S. employer that provides benefits such as dental, vision and 401(k).

"Dental, vision and 401(k) plans help retain U.S. talent, and to attract talent you need a great benefit package," said Bradley, who puts employees of various clients into one large pool.

Locally, he said, Alcott and area companies co-employ about 1,500, with about 900 who use health insurance. This larger pool results in lower-cost health insurance for his clients.

Under a co-employment agreement, he said Alcott and its clients share the liability of the employees.

"Our goal is to create proper procedures,

employee handbooks, benefit plans and provisions to comply with ERISA guidelines and anti-discrimination policies to make the companies compliant with state and federal laws," Bradley said.

Immigration lawyer can assist with visas

Richards said he often is asked to help with immigration issues regarding computer systems, analysts, engineers and management consultants.

"I work on these every day, and a large portion of our practice is working with Canadians who obtain TN visas," said Richards.

His firm, Jeremy L. Richards Immigration Law, employs four. He said it's common for a Canadian company to send employees to the States for contract work.

This can be accomplished by obtaining a TN visa, which is part of the North American Free Trade Agreement (NAFTA). It enables Canadian and Mexican citizens to enter America to work on a temporary basis. There are no U.S. Citizenship and Immigration Services limits on the number of workers granted TN status.

Recently, he said he helped a company – which he would not disclose – to establish an operation in Niagara Falls, N.Y. He said his firm helped it stay in compliance with U.S. immigration laws and obtain the necessary visas to establish its U.S. operation.

But there's a lot of paperwork involved. So much so that hiring an immigration lawyer may help.

"Working with administration agencies is a slow process," Richards said. "If you miss a form or include an improper piece of evidence, it may get returned to you. And if you are working on a time-sensitive process, you could miss a deadline."