

PARTNER

Berin S. Romagnolo

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KEY SERVICES

Employment
Immigration

EDUCATION

Trinity College, BA, 1994
Syracuse University College of Law,
JD, *cum laude*, 1997

MEMBERSHIPS

American Immigration Lawyers
Association
Massachusetts Bar Association,
Immigration Section, Section
Council
Massachusetts Bar Association,
Employment Section, Former
Section Council
Society for Human Resource
Management

Overview

Berin is a member of the firm's Immigration and Employment Law Groups. She has extensive experience in business immigration matters. She advises employers on all aspects of employing foreign nationals. She analyzes temporary work visa & greencard options available for a desired candidate or employee and advises on the process, timeline and cost involved. She also advises employers on I-9 compliance and other compliance topics particular to foreign workers, such as wage and hour, disciplinary measures, relocation concerns, and termination issues. Berin explains to employers the impact of organizational changes upon foreign nationals and develops strategies to ensure continuous employment authorization through mergers, acquisitions, bankruptcies, and corporate restructurings. She assists entrepreneurs and foreign businesses start businesses and operations in the United States, and facilitates taking care of all business needs, such as writing the business plan, obtaining financing, understanding the tax implications of the business model, drafting and filing the appropriate corporate documents, locating and negotiating a lease for the business, and protecting intellectual property developed by the business. Berin assists businesses with state and federal audits and as well as proactive, internal audits, including those for I-9 & E-Verify compliance, prevailing wage compliance, public access file maintenance, H-1B site visits, and greencard posting requirements. She prepares ex-patriate agreements and facilitates obtaining work permits from other countries.

Berin also has experience in employment counseling and litigation. She has handled discrimination, harassment, and retaliation complaints and cases. She has developed and revised handbooks and policies and assisted in implementing and executing policies. She has drafted employment agreements and compensation agreements. Berin has drafted and litigated all issues related to non-competition, non-solicitation, trade secrets, and confidential information agreements. She has assisted in internal and governmental audits, particularly wage and hour audits involving exempt status, independent contractor status, overtime, deductions, tips, and minimum wage. She has litigated wage and hour complaints, including a class action. Berin has

strategized with employers about issues related to leaves of absence, disabilities, workers compensation, and reasonable accommodations. She has handled disciplinary issues, terminations and reductions-in-force, and negotiated and drafted severance agreements.

Experience

- Obtained work visas and greencards for managers, executives, and employees of local, national, and international companies in various industries including technology, engineering, financial services, business consulting, institutions of higher education, energy, healthcare, research and development, accounting, and architects.
- Obtained work visas and greencards for foreign entrepreneurs to start and operate their businesses in the U.S.
- Counseled companies through mergers, acquisitions, bankruptcies, and corporate restructurings to keep foreign nationals' employment authorizations in tact.
- Defended companies in DOL and ICE audits involving I-9 compliance, H-1B wage compliance, benching, overtime, and tips.
- Defended wage and hour class action involving prevailing wages, overtime, deductions, and minimum wages for foreign national employees.
- Litigated both sides of non-competition, non-solicitation, trade secret and confidential information cases.
- Defended employers in various forms of discrimination, harassment, retaliation, and wrongful discharge cases.

Recognitions

- Berin was named Massachusetts Super Lawyer Rising Star every year from 2006-2009, 2011 and 2012

Outside Posternak

- Berin was a presenter at the New England Innovation Alliance on Hiring and Retaining Foreign Nationals and a panelist at the Boston Bar Association's program titled "Strategies for Success".
- She has lectured at Graduate Schools on Immigration Options for Foreign Students After Graduation, Undergraduate Schools regarding Employment Issues for Entrepreneurs, Start-Ups and Small Businesses, and Boston University Law School regarding Representing Life Science Companies.
- She conducts periodic webinars on various immigration-related topics and frequently publishes practical articles on timely immigration news.