

Policy Title	<b>L-1 Program Guidelines</b>
Policy Owner	Sr. Global Mobility and Benefits Analyst
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Approvers	2. Legal Counsel 3. CHRO, VP Human Resources

## **1. Criteria & Considerations**

- Project based: tied to a specific role on a specific project
- May or may not fill an open REQ
- Decision to open a position for this program is entirely at the discretion of management; not all openings will qualify
- L-1 requests are submitted to HR by the employee's current manager (see process below)
  - If the employee will be reporting to a new manager during the assignment, both managers need to be on the request email
- Assignment Duration: Manager to determine initial duration (not to exceed 3 years)
  - Assignment extensions will require an approval process
    - L-1B Visa: Maximum of 5 year work authorization available if needed
    - L-1A Visa: 2 year extension is available if needed. Maximum of 7 year work authorization available
- Employee is guaranteed a similar position upon completion (not necessarily the same job)
- Either party can end the assignment with 2 weeks notice
- Employee must have a minimum of 2 years of service for Xactly Technologies India Private Limited
- Must be an employee in good standing
- Has all of the required skills for the role on the project

## **2. Process**

- Manager to send an email to HR requesting an L-1 transfer
  - Include: name of employee, anticipated transfer date, assignment duration, business rationale, whether or not this will be filling an open REQ, proposed position title and proposed salary in US dollars
- HR will confirm with employee
  - number of dependents that will be coming to the US with the employee for their assignment, whether or not spouse will require work authorization

- HR will generate a Global Relocation Request form for approvals
  - Proposed salary will be reviewed by compensation specialist and finalized with requesting manager prior to sending out for approvals
  - Required approvals will include: direct manager(s), FP&A, CFO & department E-staff Executive
- Once approved HR will initiate L-1 visa case with immigration attorneys
  - Immigration attorneys will work directly with employee and manager to acquire required documents for filing
    - Standard processing time is 8 weeks but is dependent on employee/manager responsiveness
    - Final phase will require employee to go to the U.S. Consulate in Chennai to interview. The immigration attorneys will provide employee with a 30-60 minute “Consular Prep Call” to help prepare for the interview.
- Once HR initiates case with the immigration attorneys the manager will be asked to initiate Workday transaction
  - Either location change or transfer to new REQ (will require final approvals via Workday)
- HR will generate offer letter outlining assignment details
- Employee to notify HR of any dependents that will be remaining in India during US assignment
- Once visa is approved effective relocation date will be determined & relocation bonus will be paid out (if applicable)
- 2 weeks out from US start date, HR will provide employee & manager with additional details for relocation
  - provide information regarding process for receiving their relocation assistance, obtaining a US SSN as well as a summary of US benefits

### **3. Travel & Other Expenses**

- Immigration lawyer fees will be covered by Xactly
- US Consulate Visa fees will be paid by Xactly (employee, spouse & children if applicable) if appearing for visa at the same time
- All the travel cost from and to consulate will be paid by Xactly (Employee, Spouse & children if applicable) if traveling at the same time
- Plane ticket from Bangalore office to US office and vice versa will be provided by Xactly (employee only); Employee will be responsible for paying for family travel expenses
- Provide relocation bonus to employee in the home country once visa has been approved. Relocation bonus amounts are determined by the relocation bonus guidelines as determined by various factors including job level, number of relocating dependents & whether or not the relocation is employee or company initiated. The relocation bonus is subject to approval prior to the case initiation and outlined in detail for the employee within the relocation agreement documents.
- Xactly will provide L-2 Work Permits when requested

### **4. Sponsorship for Permanent Residence**

- The intention of the L-1 program is to provide temporary work authorization for long-term US assignments. L-1 visa candidates are not guaranteed to be considered for Permanent Residency.
- PERM case initiations (L-1B) and I-140 EB-1C requests (L-1A) require management approval and will be based on employee performance and business needs
- Employees in L-1 visa status must be in good standing for a minimum of 1 year
- The direct manager will play a critical role throughout the PERM process

#### **5. H-1B CAP Lottery**

- Employees must be in good standing for a minimum of 1 year on his or her L-1 visa prior to being eligible for consideration of changing to H-1B status
- Manager approval is required for case initiations

If you have questions regarding this policy, please contact the policy owner.

Xactly Corporation reserves the right to modify this policy at any time without notice.