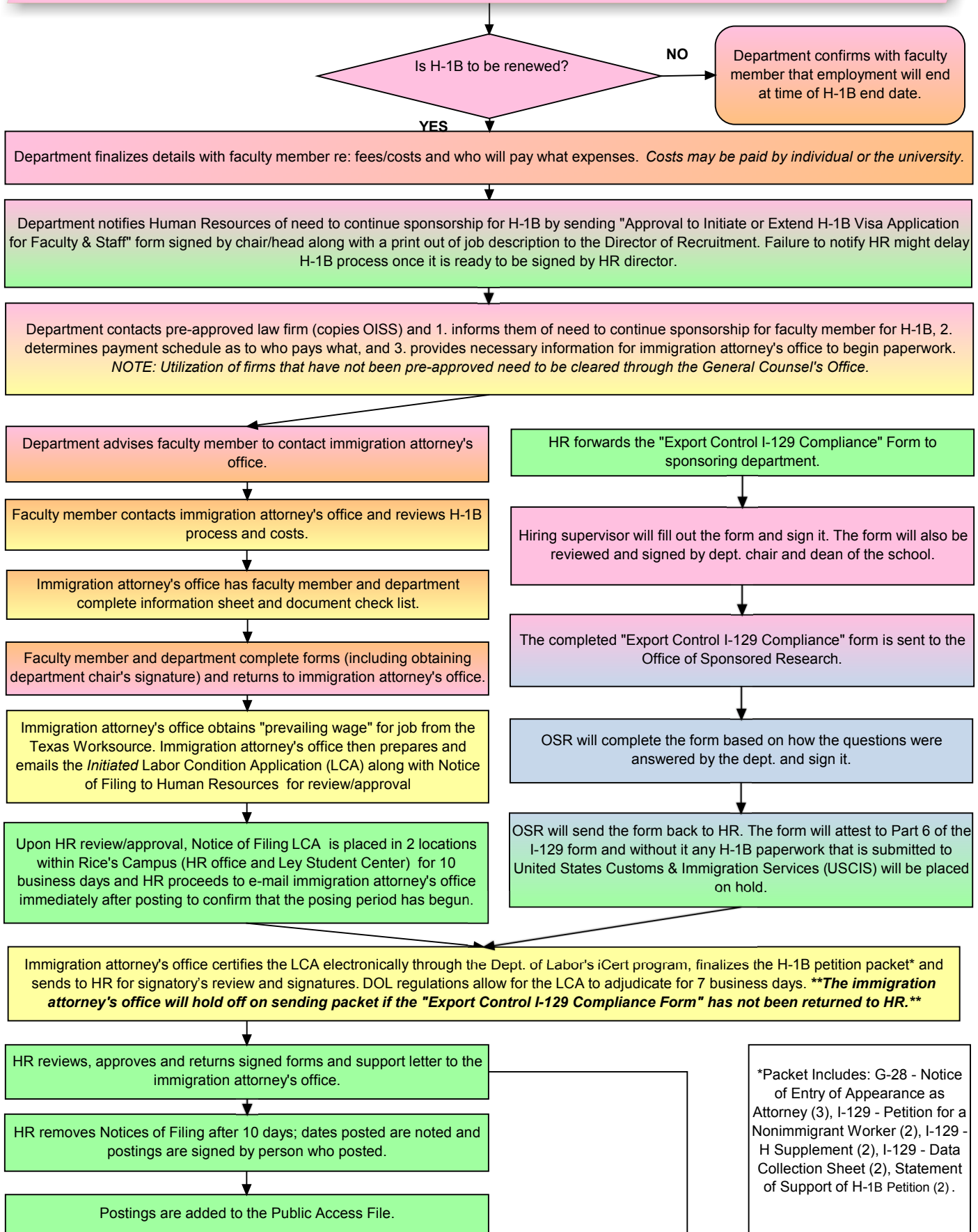


H-1B for Faculty Extension

At approximately 8 months prior to the end of an H-1B visa, department consults with OISS (Office of International Students & Scholars) via phone, e-mail or in person and determines if that individuals meets criteria for H-1B extension to show him/her to continue work in same job, and that this is the appropriate visa option.



*Packet Includes: G-28 - Notice of Entry of Appearance as Attorney (3), I-129 - Petition for a Nonimmigrant Worker (2), I-129 - H Supplement (2), I-129 - Data Collection Sheet (2), Statement of Support of H-1B Petition (2).

H-1B for Faculty Extension

HR adds to Public Access File

- ◆ LCA Cover Pages - included in the front of binder
- ◆ *Initiated* LCA (replaced by Certified LCA when available)
- ◆ Wage Rate, which is included in LCA
- ◆ Description of Actual Wage System
- ◆ Copy of "prevailing wage" information and it's source (provided by immigration attorney's office)
- ◆ Notices of Filing LCA (2)
- ◆ Summary of benefits offered to U.S. workers and H-1B workers (copy of benefits book included in front of binder)

Once LCA is certified, immigration attorney's office e-mails it to HR; HR prints 4 copies which are signed by Director of Recruitment. 2 copies are sent back to attorney's office. 1 copy is placed in Public Access File and 1 copy is given to faculty member along with Acknowledgment of Receipt of LCA.

Faculty member signs Receipt and returns it to HR as proof that LCA was provided to faculty member. **Must be given to employee no later than 1st work day**

Department	
Office of International Students & Scholars	
Human Resources	
Faculty Member	
Attorney's Office	
Office of Sponsored Research	
Government	

LCA is filed with the USCIS attesting that:

- 1) H-1B employee will be paid at least the actual wage or "prevailing wage," whichever is higher.
- 2) The employment of the H-1B individual will not adversely affect the working conditions of other workers similarly employed,
- 3) That at the time of filing the LCA there are no layoffs, strikes, lockouts or work stoppages in the H-1B individual's occupation,
- 4) A copy of the LCA will be posted for 10 business days in two places on the employer's premises.

USCIS issues "receipt of filing" to employer.

About 2-5 months the Approval notice (I-797) is received. (2-5 weeks if it was premium processed). The attorney's office prepares the H-1B approval packet and sends it HR. HR will get in contact with Faculty member/department to pick up packet.

Faculty member updates appropriate records (i.e., I-9 Forms, tax status, immigration database, etc.)with new status to HR, Payroll and OISS.

TERMINATION OF EMPLOYMENT:

If a faculty member is working under an H-1B Visa and terminates employment prior to his/her H-1B Visa end date, the **university must work with the immigration attorney to revoke the current H-1B effective with the employment termination date.**

The following steps should be followed:

1. On the termination form, the department should indicate, by checking the appropriate box on the form, that the terminating employee is a current H-1B Visa holder.
2. Human Resources will contact the immigration attorney's office and notify them of the early end date and the need to revoke the H-1B Visa. The fee (approx. \$200) for revoking the H-1B visa will be paid by the department.