**H-1B for Staff**  
(including Researchers)

Department has need to sponsor an employee/prospective employee for an H-1B Visa.

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Department consults with OISS (Office of International Students and Scholars) via phone, e-mail or in person to confirm individual meets criteria for H-1B and that this is the appropriate visa option.

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**Is H-1B the appropriate visa option?**

**YES**

Department notifies Human Resources of need to sponsor for H-1B by sending "Approval to Initiate or Extend H-1B Visa Application for Faculty & Staff" form signed by chair/head along with current job description from RICEWorks to the Director of Recruitment.

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HR reviews job description and confirms that most recent job description is being submitted to immigration attorney's office.

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HR contacts immigration attorney's office (copies OISS) and informs them of need to sponsor an H-1B for Staff member. HR emails job description and tells them who will be departmental contact for fee agreement and any additional information. **NOTE: Utilization of firms that have not been pre-approved need to be cleared through the General Counsel's Office.**

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Immigration attorney's office contacts departmental contact and Staff member to discuss H-1B process and costs.

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Employee/applicant completes forms and returns to immigration attorney's office.

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HR forwards the "Export Control I-129 Compliance" Form to sponsoring department.

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Hiring supervisor will fill out the form and sign it. The form will also be reviewed and signed by dept. chair and dean of the school.

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The completed "Export Control I-129 Compliance" form is sent to the Office of Sponsored Research.

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OSR will complete the form based on how the questions were answered by the dept. and sign it.

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OSR will send the form back to HR. The form will attest to Part 6 of the I-129 form and without it any H-1B paperwork that is submitted to United States Customs & Immigration Services (USCIS) will be placed on hold.

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Immigration attorney's office contacts departmental contact and Staff member to discuss H-1B process and costs.

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Immigration attorney's office has employee/applicant complete information sheet and document check list.

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Employee/applicant completes forms and returns to immigration attorney's office.

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Immigration attorney's office obtains "prevailing wage" for job from the Texas Worksource.

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Immigration attorney's office prepares and then emails the Initiated Labor Condition Application (LCA) along with the Notice of Filing LCA to HR for review/approval.

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Upon HR review/approval, Notice of Filing LCA is placed in 2 locations within Rice's Campus (HR office & Ley Student Center) for 10 business days and HR proceeds to e-mail the immigration attorney's office immediately after posting to confirm that the posting period has begun.

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Immigration attorney's office certifies the LCA electronically through the Dept. of Labor's iCert program, finalizes the H-1B petition packet* and sends to HR for signatory's review and signatures. DOL regulations allow for the LCA to adjudicate for 7 business days. **The immigration attorney's office will hold off on sending packet if the "Export Control I-129 Compliance Form" has not been returned to HR.**

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HR reviews the immigration attorney's office's petition packet, confirms all forms and signatures are complete and sends to HR.

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HR reviews, approves and returns signed forms and support letter to the immigration attorney's office.

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HR removes Notices of Filing after 10 days; dates posted are noted and postings are signed by person who posted

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Postings are added to the Public Access File

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TERMINATION OF EMPLOYMENT:

If a staff member (including researchers) is working under an H-1B Visa and ends employment either voluntarily or involuntarily 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.