

Termination of Employment Prior to the H-1B Visa End Date

If an employee working under an H-1B Visa 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.** It is important to do this in order to terminate Rice's payment obligations to the employee. Per Department of Labor regulations, payment obligation continues for the entire period listed on the H-1B "Labor of Condition Application" (LCA), even if there is insufficient work for the employee. The method to end this obligation to pay is to revoke the current H-1B at the time the employee ends employment with Rice University.

For **all H-1B employees (faculty, staff and postdocs)**, 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 then contact the immigration attorney's office and notify them of the early ending date and the need to revoke the H-1B Visa. **The fee (approx. \$200) for revoking the H-1B visa will be paid for by the department for faculty and regular staff, and the university funds for the postdocs.**

Important Note: For employees who are given involuntary departure from their employment at Rice, the department is required to pay for the flight back to the employee's place of residence abroad, if the flight cost is requested by the employee. That said, the cost of the flight can be a reasonably economical flight.