

GENERAL INFORMATION ON H1B STATUS

This internal ISSS application form is designed to assist departments in the process of sponsoring foreign nationals for H-1B status. The H-1B status is a non-immigrant classification used for the employment of temporary workers in the United States. All information requested in this form must be provided so that ISSS may file a petition with the United States Citizenship & Immigration Services (USCIS).

This form is to be completed by the sponsoring department with the approval of the department Chair/Director and the school's Dean. The application, along with all supporting documentation, must then be forwarded to ISSS for processing. Before completing this form, the sponsoring department must consider the following:

- Rutgers will only sponsor for H-1B status, individuals in full time regular positions (i.e. Research Associates, Faculty, etc.). Individuals in part-time positions do not qualify for H-1B sponsorship. An applicant may not begin employment at Rutgers without first receiving written approval from the USCIS for such employment.
- An individual who is currently in the U.S. under the H-1B status may begin/continue employment at Rutgers for a period of up to 240 days while the petition for transfer/extension is being processed, provided the petition has been submitted to the USCIS in a timely fashion and prior to the expiration date on the current H-1B approval.
- All events pertaining to the H-1B employee's stay at Rutgers, including arrival and termination of employment, must be reported by the sponsoring department to ISSS within ten (10) days of the event taking place. The sponsoring department must inform ISSS immediately upon departure of the H-1B participant, regardless of whether or not the departure was planned.
- The sponsoring department is required to pay the reasonable travel expenses for the applicant's return to his/her last country of residence, if the employment is terminated by Rutgers prior to the expiration date of the H-1B approval.
- The sponsoring department is required to inform ISSS of any substantive changes to the employee's job title, job description, changes in work location, or transfers prior to the change taking effect.
- Processing of applications through USCIS can usually take up to six months depending upon individual circumstances. In addition, if the prospective employee is outside the U.S., it could take an additional two (2) months for the entry visa to be issued by the U.S. consulate. Please factor this in when projecting a start date. For more information on current U.S. consulate processing times and visa application requirements, applicants may visit the Department of State (DOS) web site at <http://usembassy.state.gov> and <http://travel.state.gov/reciprocity/index.htm>.
- The USCIS has developed a "Premium Processing" system by which employers may request expedited processing of H-1B applications by submitting an additional fee of \$1,410. Please note that premium processing only guarantees that the USCIS will review the request for the H-1B within fifteen (15) working days. If the prospective employee is outside the U.S. it does not guarantee that the consulate will expedite the issuance of the visa. Visa processing times are determined by the country where the application is being submitted. Please consult with ISSS for further guidance.
- USCIS fees for the H-1B application are the responsibility of the sponsoring department. Fees for dependent applications are the responsibility of the employee.
- If this petition is for an initial tenure track position, be aware of deadlines for sponsoring this alien for a "green card" (permanent residence). You need to contact Asenath Dande (adande@global.rutgers.edu) at ISSS no later than 9 months after the date on which the faculty member was selected by your search committee as the top candidate to be recommended.

A COMPLETE APPLICATION WILL BE REVIEWED & PROCESSED WITHIN 4 WEEKS. AN INCOMPLETE APPLICATION WILL TAKE LONGER. PLEASE REFER TO THE LATE FEE SCHEDULE FOR SUBMISSION DATE at:

https://global.rutgers.edu/sites/default/files/Documents/International%20Students%20and%20Scholars/Rutgers%20Departments/Late_Fee_Schedule_1.pdf