

H1B STATEMENT OF RESPONSIBILITY

The H-1B status is a nonimmigrant classification granted to foreign nationals for the purpose of engaging in temporary employment in the U.S. and it is regulated by the U.S. Citizenship & Immigration Services (USCIS). Failure on the part of foreign nationals to comply with the federal regulations governing the H-1B status could result in the loss of legal status in the U.S. and can have very serious legal consequences. The following information is provided in order to ensure that foreign nationals employed at Rutgers under the H-1B understand their rights and responsibilities, as prescribed by the USCIS:

1. Total period of H-1 authorization may not exceed 6 years. This includes time previously spent in H-1 or L-1 status. Applications for H-1B status may be submitted for up to 3 years at a time.
2. The H-1B status is employer and job specific. You may not accept employment with a different employer or change job responsibilities at Rutgers without first filing a new H-1 application with the USCIS.
3. H-1B employees must report, in advance, to Office of Global Services any changes to their title, duties, and the location where duties are performed, additional job sites, or salary increases beyond the general yearly increase. An amended H-1 petition must be filed with the USCIS before the change(s) takes place.
4. There is no automatic grace period at the end of the H-1B status. Once the employer-employee relationship is terminated, the employee is considered to be "out of status" and must leave the U.S., unless there is a pending H-1B petition with the USCIS from another employer or a pending petition for a change of status to another nonimmigrant classification.
5. H-1B employees must notify Global Services immediately of any intent to terminate their employment with Rutgers before the expiration date of the approved H1B petition.
6. In the event that the employment is terminated by Rutgers prior to the expiration date of the H-1B approval, the sponsoring department is responsible for covering reasonable travel expenses for the employee's return to their last country of legal residence. The sponsoring department is not responsible for travel expenses if the decision to terminate the employment comes from the H-1B employee. The responsible department is also not responsible for the travel expenses of accompanying dependents.
7. Extensions of the H-1B status must be filed with the USCIS prior to the expiration of the current approval. Applications for extension can be submitted no more than 6 months prior the expiration date of the I-94 card. Requests for extension must be completed by the sponsoring department and submitted to Global Services at least 2 months before the expiration date of the current H1B approval.
8. All foreign nationals must keep their passports valid at all times for at least 6 months into the future, while in the U.S.
9. H-1B employees must report changes of address to the USCIS within 10 days of moving by completing and submitting to the USCIS Form AR-11, which can be found at <http://www.uscis.gov/files/form/ar-11.pdf>.
10. Action taken to extend or change the H1B worker's status does not automatically cover H4 dependents. Requests for changes of status or extensions of stay for H4 dependents must be done by filing Form I-539 with the USCIS.
11. The H4 dependents' status is contingent upon the continued validity of the H1B worker's status. Loss of legal status by the H-1B worker represents automatic loss of legal H4 status for his/her dependents.
12. H4 dependents are spouses and unmarried children under the age of 21. H-4 children who turn to 21, or who marry, are no longer eligible for H4 status.
13. H4 dependents may legally study in the U.S., but are not authorized to be employed in the U.S.

I certify that I have been informed of my rights and responsibilities as an H-1B worker. I understand that I must abide by USCIS regulations in order to remain legally in the U.S. and to continue my employment at Rutgers.

Last name (print) _____

First name (print) _____

Signature _____

Date _____