



F-1 OPT to H-1B

Office of International Services (OIS) and International Employment

Agenda

- Introducing F-1 OPT(s) and H-1B
- H-1B
- Scenarios and resources
- Q&A

Disclaimer

- This is meant to be an information session primarily for F-1 students.
- This presentation does not constitute legal advice and is only meant to provide you with general information about H-1B status.
- Any questions you have particular to your situation will need to be addressed to an appropriate school official, your sponsoring employer, or a competent immigration attorney.

Introduction and some OPT

	F-1 OPT	F-1 STEM OPT	H-1B
DEPENDENT ON OTHER APPLICATION?	NO	YES (OPT first)	NO
WHO APPLIES?	STUDENT	STUDENT	EMPLOYER
WHO PAYS FEE?	DOESN'T MATTER	DOESN'T MATTER	EMPLOYER*
WHEN TO APPLY?	3 MONTHS BEFORE 'program end date'	3 MONTHS BEFORE OPT EXPIRATION	APRIL 1*
DURATION	12 MONTHS	24 MONTHS	6 YEARS MAX*
PAID EMPLOYMENT	NOT REQUIRED	REQUIRED	REQUIRED
EMPLOYMENT RESTRICTIONS	<ul style="list-style-type: none"> • Must relate to major • "full-time" employment • No more than 90 days unemployment • Reporting responsibilities • NOT employer specific 	<ul style="list-style-type: none"> • Must relate to STEM degree • "full-time" employment • No more than 150 days (combined) unemployment • Reporting responsibilities, including Training Plan (I-983) • NOT employer specific • Employer E-Verified 	<ul style="list-style-type: none"> • Must have the degree that's required for position; employment must relate to that degree • Job and employer and location specific • Must be paid prevailing wage • If cap-subject, the earliest can begin is October 1...may have gap in employment authorization
DEPENDENTS	PART-TIME STUDY	PART-TIME STUDY	FULL-TIME STUDY

OPT Question!

How directly related does your job need to be to your major? *(for example, for a psychology major, would research be acceptable?)*

Examples of description of job duties in SEVP Portal:

- Bachelor's degree in Electrical Engineering: I work full-time as an Electrical Engineer at ABC Corporation, a government contractor. In my job, I analyze client requirements for electrical systems and provide them with cost estimates of such systems. My work requires understanding of electrical circuit theory, which I studied in-depth at the University of ABC.
- Master's degree in Music: I am working at a hospital playing the harp in patient rooms. I also conduct hands-on, harp beginner workshops for long-term patients. On average, I work at the hospital 35 hours a week. My duties directly utilize the skills and knowledge I acquired from my coursework and degree in music therapy.

OPT Question(s)!

- When should I apply for OPT?
- What happens if I don't have the OPT by the time I graduate? Is my status still legal?
- How long will USCIS take to process my application? Can I expedite the process?

H-1B
(specialty occupation)

International Employment

University Human Resources

Talent Acquisition & Employment

Administrative Services II

2711 Sullivan Drive, CB 7210

Raleigh, NC 27695

Jill Blitstein, IE Manager: 515-4518, jill_blitstein@ncsu.edu

<https://ie.hr.ncsu.edu/>

Specialty Occupation: H-1B

- For “specialty occupation” positions:
 - Professional position requiring at least a bachelor’s degree or equivalent in related field
 - Employee must have degree (or higher degree) or equivalent
 - Degree must be related to the position
 - 6 year maximum limit
 - Certain exceptions related to the permanent residence process
 - Can ONLY be requested in 3 year (or less) increments
 - Dual intent: can pursue permanent residence from temporary H-1B status (F-1 status is single intent)

Specialty Occupation: H-1B

- For “specialty occupation” positions:
 - Job title does not dictate nonimmigrant classification
 - Ex: Postdocs can be J-1s, F-1s with OPT, H-1Bs, etc.
 - Most important determinations are whether position is meant to be temporary and the work is incidental to the overall experience, or whether this position is meant to be work for NC State that directly and primarily is advancing a project or purpose at NC State
 - Just because work might be allowed in a certain classification doesn’t mean that it is a work classification
 - Example: F-1 (primary purpose is studies, with some work allowed) versus H-1B (primary purpose is employment)

QUESTION!

- Can an employer file for an H-1B for me before I graduate from NC State?

Specialty Occupation: H-1B

- Employer, location and occupation specific!
 - Can't work for another employer unless you also have an H-1B petition approved for that employer or you have another authorization
 - Can't move to another physical location without posting a new prevailing wage notice and/or filing an amended H-1B petition with USCIS first
 - Can't change jobs until file amended H-1B petition
 - If there are **ANY** changes in the terms and conditions of employment (salary, duties, title, location, hours), employer may be required to file amended petition with USCIS

Specialty Occupation: H-1B

- You cannot sponsor yourself for H-1B status!
- Concurrent employment: multiple employers, but each files its own petition; all petitions can't be for full-time work
- No "benching": employer can't stop paying H-1B employee for lack of work, and is obligated to pay wage as indicated on wage form
- Contract jobs/secondary placements, and IT positions: strict USCIS scrutiny!

Labor Condition Application

- Labor Condition Application (LCA): wage application that must be certified by U.S. Dept. of Labor (DOL) before any H-1B petition can be filed with USCIS
 - Employer files LCA form on DOL website and must wait up to **7 business days** for a response – NO expedite possible!
 - Employer must pay:
 - Prevailing wage for position, as determined by the DOL for the occupation and location, or
 - Position's actual wage (wage being offered by employer),
 - **Whichever is HIGHER**
 - Unless employer can find an alternate wage survey that DOL will accept

H-1B “cap”

- H-1B “cap” for industry (also known as the “lottery”)
 - Limit of **65,000** new H-1B ‘visas’ per government fiscal year
 - FY: October 1 to September 30
 - FY 2021 began on Oct. 1, 2020 and ends Sept. 30, 2021
 - **20,000** extra H-1B visas for U.S. advanced degree holders
 - TOTAL is **85,000**
 - BUT **6,800 H-1B visas are set aside** for H-1B1 nationals of Chile and Singapore, leaving a **real total of between 78,200 – 85,000** new H visas available for people from all other countries (depends upon how many of 6,800 H-1B1s set aside are used)
 - As soon as up to 85,000 new H-1B petitions are selected, USCIS stops accepting H-1B registrations and “cap” is reached
 - **Universities and non-profits are exempt from cap!!**

H-1B cap - old way

- H-1B cap for industry
 - Employer could file H-1B petition up to **6 months** in advance of start date (initial or extension petition)
 - For an October 1 start date, when the new 78,200+ H-1B visas will be available, employer could file the petition **April 1** (6 months in advance of start date)
 - The H-1B cap can be reached any time after April 1, meaning that all 78,200+ visas can be gone well before October 1 arrives
 - Cap was reached on **April 5**, 2019 for FY 2020 (2019-2020)
 - Next opportunity for employer to file new H-1B is April 1, 2020

H-1B cap: new process in 2020 (FY 2021)

- H-1B cap for FY 2021 and now again for FY 2022 (Oct. 1, 2021 to Sept. 30, 2022)
 - Prospective employers (and their attorneys) must create an online “registrant” account with USCIS, starting March 2 - if they don’t already have one from last year
 - Employers/attorneys must enter individual H-1B beneficiary information between **March 9-25, 2020**; \$10 nonrefundable registration fee is required for each beneficiary entry
 - Employer/attorney may submit up to 250 beneficiaries per registration (\$2,500)
 - If using attorney, employer must still log into USCIS system and review, approve and e-sign registrations

H-1B cap: new process in 2020, 2021

- H-1B cap for FY 2022 (Oct. 1, 2021 to Sept. 30, 2022)
 - USCIS will randomly select the ~85,000 beneficiaries between March 25-31, and send notification to the associated USCIS online accounts by March 31, 2021
 - Employer/attorney can only file cap-subject petition for beneficiary who was selected by USCIS in this registration process
 - Full petition filing period will open April 1, 2020 for chosen beneficiaries, and close no earlier than June 30
 - No information yet about whether premium processing will be allowed (or perhaps delayed) for these petitions

H-1B filing requirement: credentials

- H-1B worker must meet all requirements at time the petition is filed!
 - Keep this in mind if petition can be filed between April 1 - June 30, for cap subject employers
 - USCIS does not require the degree to be earned by the March registration submission for cap cases
 - If you haven't earned the degree required for position by April 1, then employer cannot file H-1B petition for you then, even if you were chosen in the lottery registration process and will have it before actual future start date (October 1)

H-1B: cap subject vs. cap exempt

- Employee cannot change from “exempt” employer to “cap subject” employer whenever she/he wants to – NO portability!
 - Employee for cap subject employer must be counted against cap even though s/he previously held exempt H-1B status
 - New cap subject employer must hope its registration gets chosen for prospective H-1B employee by April 1, and that if it files H-1B petition after April 1, it gets approved on or before October 1
 - The earliest that new employee can start with the cap subject new employer is October 1 of that year
- But, employee can go from “cap subject” employer to “exempt” employer any time during the year after USCIS receives and/or approves the petition
 - Portability does apply here. Also applies if both employers are cap subject or both are cap exempt – only need to be counted once!

QUESTION(s)!

- Can I apply for OPT (*backup plan!*) while an H-1B is pending for me?
- Can an employer file for the H-1B before I begin work for them?

H-1B filing fees

- USCIS filing fees:
 - **\$460** to file I-129 (nonimmigrant) form: DOL says employer must pay this fee, but USCIS does not specify who must pay
 - **\$1,500** education and training fee – must be paid by employer, but educational institutions and not-for-profit entities are exempt
 - **\$500** anti-fraud fee – must be paid by employer for all *initial* H-1B petitions filed by that employer (including universities)
 - **\$2,500** optional premium processing fee: USCIS reviews petition within 15 calendar days – can be paid by anyone, but DOL says employer should pay

H-1B petition documents

- What you will need to provide for H-1B petition:
 - Copy of your CV (make sure it is up-to-date!)
 - Copy of your immigration documents (I-20s, I-94 cards or print-outs, copies of OPT EAD cards, other approval notices or employment cards, copies of all prior visas, clear copy of passport ID page, etc.)
 - Copy of education credentials
 - If in a foreign language, must obtain a certified English translation (YOU should not do it, USCIS might not accept it)
 - If degree is foreign, must be evaluated for U.S. equivalency by a professional credential evaluation service

H-1B petition documents

- Employer will complete and file Form I-129 with USCIS
 - Also certain Supplement pages
 - New “public charge” information: new requirement as of last year but ONLY for H-1B extension petitions or change of status petitions - beneficiary must answer questions regarding past or current use of certain public benefits
 - Certified LCA from DOL
- Employment applications: many employers ask about the need for immigration/employment sponsorship on their application forms (like NC State):
 - Are you legally (currently) authorized to work in U.S.? YES (with OPT)
 - Will you now or in the future require sponsorship? YES (if need H-1B, etc.)

H-1B processing time

- Processing time by employer varies:
 - NC State: 3-4 weeks to prepare/file H-1B petition
 - Others: up to 3-4 months, due to LCA processing with DOL
- Regular USCIS processing is currently taking approximately 2-5 months; is always subject to change and never exact
 - We have seen a HUGE increase in RFEs (Requests for Evidence) – approximately 40-60% of all H-1B petitions filed in 2019 received RFEs, which adds time to the approval process, but that will hopefully now decrease with new Administration
 - USCIS was threatening to issue more denials instead of RFEs, but didn't really happen

H-1B extensions

- As long as H-1B extension petition is filed before the current H-1B status expires, worker can legally continue to work for another 240 days
 - Travel could be a problem if old H-1B approval notice has expired and new H-1B approval notice hasn't been issued yet
 - Need new approval notice to get a new H-1B entry visa stamp
 - Might need to use Premium Processing if travel can't be avoided around the time the H-1B petition is expiring
 - Also need to be aware of new policies by USCIS re: expirations of status
- NC Drivers License: will expire when H-1B and H-4 status expires
 - Extensions: in NC, should be able to get a new license using receipt notice to prove the extension was filed before H-1B expires

H-1B termination

- If employer terminates H-1B worker before the end of the H-1B validity period, employer must offer “reasonable costs of return transportation abroad”
- Effective January 17, 2017, there is a new discretionary grace period to leave U.S. or change employer or status *if H-1B employment ends earlier than end date on approval notice*
 - For up to 60 consecutive days or until the end of the authorized validity period, whichever is shorter, once during each validity period
 - No work is allowed during this grace period!
 - While in grace period, person is technically still in H-1B status
 - Severance pay does not continue “active” H-1B status, because the person is not working while collecting severance payments, so might be using your grace period time while receiving this money
 - If old H-1B employer withdraws H-1B status while H-1B petition with new employer is pending, USCIS has started finding that old H-1B status ended when employer withdrew its H-1B, so no grace period

H-4 dependents


- Spouses and children in H-4 dependent status:
 - Kids are NOT work authorized: NO services for compensation
 - Once child turns 21, can no longer be in H-4 status
 - CERTAIN H-4 spouses can apply for EAD card: *if* H-1B worker has an approved I-140 or is beyond 6th year of H-1B status
 - NOTE: this policy was not rescinded as threatened
 - H-4 dependents cannot get Social Security numbers
 - Exception: spouse with H-4 EAD card can get SSN
 - Parents (or other relatives) are NOT eligible for H-4 status, even if they are dependent upon the H-1B worker for support
 - **If in the U.S.**, spouse and kids will need to file I-539/I-539A form(s) to request change of status from F-2 to H-4
 - NEVER put YOUR personal information on the I-539 form – it is ONLY for *your spouse and/or kid(s), for their H-4 status*

H-1B: change of status vs. leaving U.S.

- Talk to your new employer about your H-1B petition!
 - **Change of status petition:** your **status is changed while you are in the U.S. and you stay here!** You receive a new approval notice that has a new I-94 card attached in the bottom right corner – your status is automatically changed without you having to leave the U.S.
 - **Consular notification petition:** **your status is NOT changed to H-1B until you leave the U.S.** Using your new approval notice (which does NOT have a new I-94 card attached to it), you must obtain a new H-1B visa stamp in your passport. Once you re-enter the U.S. with your new visa and receive new I-94 information, then you will be in H-1B status and can work for your sponsoring employer
 - **TRAVEL IS COMPLICATED RIGHT NOW!!**
 - If spouse/kids are outside of U.S., no I-539/I-539A application(s) is/are needed

THE UNITED STATES OF AMERICA

I-797A | NOTICE OF ACTION | DEPARTMENT OF HOMELAND SECURITY
U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Receipt Number WAC [REDACTED]		Case Type I129 - PETITION FOR A NONIMMIGRANT WORKER	
Received Date 07/09/2018	Priority Date	Petitioner NC STATE UNIV.	
Notice Date 07/17/2018	Page 1 of 2	Beneficiary [REDACTED]	
NC STATE UNIV c/o JILL BLITSTEIN 2711 SULLIVAN DR CB 7210 FLR 2 RALEIGH NC 27695		Notice Type: Approval Notice Class: H1B Valid from 07/17/2018 to 06/30/2020	
<p>The above petition and change of status have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Changes in employment or training may require you to file a new Form I-129 petition. Since this employment or training authorization stems from the filing of this petition, separate employment or training authorization documentation is not required. The I-94 attached below may contain a grace period of up to 10 days before, and up to 10 days after the petition validity period for the following classifications: CW-1, E-1, E-2, E-3, H-1B, H-2B, H-3, L-1A, L-1B, O-1, O-2, P-1, P-2, P-3, TN-1, and TN-2. H-2A nonimmigrants may contain a grace period of up to one week before and 30 days after the petition validity period. The grace period is a period of authorized stay but does not provide the beneficiary authorization to work beyond the petition validity period. The decision to grant a grace period and the length of the granted grace period is discretionary, final and cannot be contested on motion or appeal. Please contact the IRS with any questions about tax withholding.</p> <p>The petitioner should keep the upper portion of this notice. The lower portion should be given to the worker. He or she should keep the right part with his or her Form I-94, Arrival-Departure Record. The I-94 portion should be given to the U.S. Customs and Border Protection when he or she leaves the United States. The left part is for his or her records. A person granted a change of status who leaves the U.S. must normally obtain a visa in the new classification before returning. The left part can be used in applying for the new visa. If a visa is not required, he or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-824, Application for Action on an Approved Application or Petition, to request that we notify a consulate, port of entry, or pre-flight inspection office of this approval.</p> <p>The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.</p> <p>THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.</p>			
Please see the additional information on the back. You will be notified separately about any other cases you filed.			
California Service Center U. S. CITIZENSHIP & IMMIGRATION SVC P.O. Box 20111 Laguna Niguel CA 92607-0111 Customer Service Telephone: 800-375-5283			

PLEASE TEAR OFF FORMS PROVIDED BELOW AND STAPLE TO ORIGINAL I-797A AS APPLICABLE

Detach This Half for Personal Records

Receipt# WAC [REDACTED]
 I-94# [REDACTED]
 NAME [REDACTED]
 CLASS H1B
 VALID FROM 07/17/2018 UNTIL 07/10/2020
 PETITIONER
 NC STATE UNIV,
 2711 SULLIVAN DR CB 7210 FLR 2
 RALEIGH NC 27695

Receipt Number WAC [REDACTED]
 US Citizenship and Immigration Services

194 Departure Record
 Petitioner: NC STATE UNIV

14. Family Name [REDACTED]	
15. First (Given) Name [REDACTED]	16. Date of Birth [REDACTED]
17. Country of Citizenship [REDACTED]	




I-797B | NOTICE OF ACTION | DEPARTMENT OF HOMELAND SECURITY
U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Receipt Number WAC[REDACTED]		Case Type I129 - PETITION FOR A NONIMMIGRANT WORKER	
Received Date 01/18/2019	Priority Date	Petitioner NC STATE UNIVERSITY	
Notice Date 01/23/2019	Page 1 of 2	Beneficiaries [REDACTED]	
NC STATE UNIVERSITY c/o JILL BLITSTEIN 2711 SULLIVAN DR CB 7210 2ND FL. RALEIGH NC 27695		Notice Type: Approval Notice Class: H1B Valid from 06/01/2019 to 06/02/2020 Consulate: [REDACTED]	
The above petition has been approved, and notification has been sent to the listed consulate. You may also send the tear-off bottom part of this notice to the workers to show the approval. Please contact the consulate with any questions about visa issuance. THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.			
Petition approval does not authorize employment or training. When the workers are granted status upon admission to the United States, they can then work for the petitioner, but only as detailed in the petition and for the period authorized. When seeking admission to the United States, the following classifications may be eligible for a grace period of up to 10 days before, and up to 10 days after the petition validity period: CW-1, E-1, E-2, E-3, H-1B, H-2B, H-3, L-1A, L-1B, O-1, O-2, P-1, P-2, P-3, TN-1, and TN-2. H-2A nonimmigrants may be eligible for a grace period of up to one week before and 30 days after the petition validity period. If provided at admission, this grace period will be annotated on the beneficiary's I-94 by Customs and Border Protection (CBP). The grace period is a period of authorized stay but does not provide the beneficiary authorization to work beyond the petition validity period. Please contact the IRS with any questions about tax withholding.			
If circumstances change, the petitioner can file Form I-824 to have us notify another consulate of this approval. If any of the workers are already in the U.S. the petitioner can file a new Form I-129 to seek to change or extend their status based on this petition. Changes in employment or training may also require a new petition. Include a copy of this notice with any other required documentation.			
The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.			
Number of workers: 1			

Please see the additional information on the back. You will be notified separately about any other cases you filed.

California Service Center
 U.S. CITIZENSHIP & IMMIGRATION SVC
 P.O. Box 30111
 Laguna Niguel CA 92607-0111
 Customer Service Telephone: (800) 375-5283



Please tear off portion below and forward it to the alien worker.

The alien may use this portion when applying for a visa at an American consulate abroad, or if no visa is required, when applying for admission to the U.S.

Receipt# WAC[REDACTED]	Case Type: I129
Notice Date: January 23, 2019	Petitioner: NC STATE UNIVERSITY.
Petitioner Validity Dates: Valid from 06/01/2019 to 06/02/2020	Number of Workers: 1
Name: [REDACTED]	DOB: [REDACTED] COB: [REDACTED]
	Class: H1B Consulate/POE: [REDACTED]
	OCC: 090

H-1B travel

- Travel
 - Once in H-1B status, worker will need a valid H-1B visa (in most situations) to re-enter the U.S. in lawful H-1B status after travel outside of the U.S.
 - If a “change of status” petition from F-1 to H-1B has been filed with USCIS and person travels, the H-1B ‘change of status’ part of the petition will be abandoned and denied (because USCIS says you must STAY in the U.S. for a ‘change of status’ petition to be approved)
 - Person will be required to travel (again!) to get H-1B visa stamp in passport before returning to U.S. and being admitted in valid H-1B status to being working
 - **TRAVEL IS COMPLICATED RIGHT NOW!!**

Change of status from F-1 to H-1B

- Foreign national can continue to work in F-1 status until it expires, depending upon the requested start date for the H-1B status in the petition
 - **Can only be in ONE nonimmigrant status at a time!**
 - Prior status will be automatically terminated upon validity of new status (can't still use OPT card if H-1B status has already started)
- There may be a gap in employment if the F-1 status expires before the H-1B petition is approved
 - Check to see if Cap Gap provision might apply!
 - If not, no “volunteering” – at NC State, must stop working without any type of compensation
 - If OPT EAD expires, must stop working even if still have grace period, unless have timely filed for STEM OPT or until H-1B is approved

Cap-Gap Extension



Cap-Gap Extension

- Available for cap-subject H-1Bs only
- Extends whatever is valid (employment authorization and/or status) at the time the H-1B is filed
- Extension is automatic (but request an updated I-20 from OIS)
- Extension is valid through September 30 (or...)
ONLY



CAUTION

CAUTION

Changing employers (WITHDRAWING H-1B)

while the H is pending or after H approval but before October 1 H-1B start date can cause trouble

The future of the H-1B program

- Hard to say, but the new Administration appears to be more friendly towards legal immigration, but that doesn't mean that we still won't see changes to the program
- USCIS has been very hard on tech positions; heavily scrutinizing extension petitions; and trying to discourage secondary placement employment
- FYI re: H-1Bs with government or federal contractors:
 - If position requires U.S. citizenship (based on federal government requirement), not much you can do
 - No exception or workaround for foreign nationals

QUESTION!

- What happens if there is a Request For Evidence (RFE) on my H-1B petition?

STEM OPT employment at NC State

- If NC State is the employer, IE Manager (me) **must** sign I-983 Training Plan in Section 4 as the “employer official with signatory authority.”
 - Note that the PI signs as the “employer official with signatory authority” in Section 6, and will also complete the evaluation sections with student
- Process as NC State:
 - Student must complete Section 1, sign in Section 2, and complete Section 3 (basic employer information is pre-filled with NC State info at <https://ie.hr.ncsu.edu/> and also at <https://internationalservices.ncsu.edu/forms-for-current-international-students/> - the document titled “Form I-983 pre-filled with NC State University’s school information”)
 - PI must complete Section 5 and sign in Section 6
 - Student gives signed plan to IE for review and signature in Section 4. Can take up to 5 business days for IE’s review.
 - IE returns signed plan to student, for student to submit to OIS for endorsement and eventual submission to USCIS with I-765 application and \$410 filing fee

Scenarios, Resources and Questions

Scenario 1:

Student graduated with MBA in December 2018.
Authorized for OPT from Feb 2019 – Feb 2020.

Options for continued employment authorization could include:

- *Maybe STEM OPT if BSc in STEM field, from Feb 2020 – Feb 2022*
- H-1B filed April 2019
- H-1B filed April 2020 (**Gap from Feb – October 1**)
- H-1B filed anytime with cap-exempt employer
- Another visa status

Scenario 2:

Student graduated in May 2019 with PhD Computer Engineering.

Options for employment authorization could include:

- Post-completion OPT through May 2020
- STEM OPT from May 2020 – May 2022
- H-1B filed April 2019 (if Master's required, rather than PhD)
- H-1B filed April 2020
- H-1B filed April 2021
- H-1B filed April 2022 (**gap from May – October 1**)
- H-1B filed anytime with cap-exempt employer
- Another visa status

Additional Resources

- International Employment office within HR
 - IE office can ONLY answer specific questions if they relate to NC State University as the H-1B employer
- New H-1B Employer
 - If you have specific questions about H-1B status with a different employer (not NC State University), then you need to ask THAT EMPLOYER your questions
- <https://ie.hr.ncsu.edu/h-1b-status/>
- <http://www.uscis.gov>

Additional Resources

OIS: <https://internationalservices.ncsu.edu/>

Student Legal Services: <https://studentlegal.dasa.ncsu.edu/>

GoinGlobal (access through ePACK): <https://ncsu-csm.symplicity.com>

www.myvisajobs.com

UniWorld: <https://uniworldonline.com>

Questions?