What is the H-1B visa/status?
The H-1B is a visa/status allows a nonimmigrant to work for a specific employer in a "specialty occupation." A specialty occupation is one that requires a specialized body of knowledge and usually requires at least a bachelor's degree to enter the profession.

At Trinity University, which positions are appropriate for H-1B status?
These are positions with the academic titles of Professor, Assistant Professor, Associate Professor and Instructor.

How do I begin the process of obtaining the H-1B status for my prospective employee?
Please contact the International Student & Scholar Services to discuss the H-1B visa/status.

Who files the application for H-1B status?
The hiring department and prospective employee will submit all required documentation to the International Student & Scholar Services. When the paperwork is complete, H-1B petition will be submitted to the US Citizenship & Immigration Services on behalf of the employing department.

How long does it take to obtain the H-1B status?
The total processing time for an H-1B petition, assuming all supporting documentation from the department and the prospective employee is submitted in a timely manner, is approximately 1-2 months.

How long can a person hold the H-1B status?
The H-1B status can be obtained initially for no more than three years and then the H1-B may be extended (for however many times necessary) up to a maximum of 6 years. Some exceptions apply.

Can a prospective H-1B scholar begin working before the H-1B status is approved?
Unless the prospective employee currently holds a visa status that permits employment, he or she may not begin working until the H-1B is approved.

Checklist for hiring department:
☐ Filing Fees checks (paid by a hiring department):
  - $325.00 for Form I-129, Petition for a Nonimmigrant Worker
  - $500.00 for Fraud Detection Fee (this fee is not paid if filing H-1B extension)
  - $1,225.00 for Form I-907, Request for Premium Processing Service
    Please note:
      - Make the checks payable to “US Department of Homeland Security.”
      - Separate checks are required for each fee.
      - Payee address:
        US Citizenship & Immigration Services
        California Service Center
        Attn: CAP EXEMPT H-1B processing unit
        24000 Avila Road, Room 2312
        Laguna Niguel, CA 92677

☐ Signed copy of scholar’s letter of appointment
☐ Worksheet for Labor Condition Application completed by hiring department
☐ Memo of support written by the hiring department to the US Citizenship & Immigration Services. Draft will be prepared based on documentation provided and forwarded to the Chair for signature when H-1B processing starts)
Confidential H-1B worksheet
To be completed by hiring department. Please return to International Students & Scholar Services.

<table>
<thead>
<tr>
<th>Name of Employee (Beneficiary):</th>
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<tbody>
<tr>
<td>Beneficiary is: □ in the US in another visa status  □ Residing outside the US</td>
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<table>
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<tr>
<th>Beneficiary’s e-mail address:</th>
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<tbody>
<tr>
<td>Employing department:</td>
</tr>
<tr>
<td>Person preparing form (contact person for any questions regarding information):</td>
</tr>
<tr>
<td>Contact phone:</td>
</tr>
<tr>
<td>Contact e-mail address:</td>
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<tr>
<td>City/Cities where work will be performed, if not San Antonio:</td>
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<tr>
<td>Job title:</td>
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<tr>
<td>Job description:</td>
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</tbody>
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<tr>
<th>Minimum degree required:</th>
<th>Major field of study (Please specify):</th>
<th>No. of workers employee will supervise (hire and fire):</th>
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</thead>
</table>

Minimum experience (number of years of experience required for this particular job after completion of the required degree, not the amount of experience the employee actually has:)

<table>
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<tr>
<th>Dates for H-1B employment: From:</th>
<th>To:</th>
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<tbody>
<tr>
<td>(Maximum of three years for initial or renewal petition)</td>
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<table>
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<tr>
<th>Proposed salary:</th>
<th>For: (yearly, monthly, 9 months, etc.)</th>
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If position is part-time, please indicate the number of hours per week:

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<th>Wages per hour: $</th>
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<th>Account # for salary:</th>
<th>Account # for express mail:</th>
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</table>

I hereby certify that the salary listed above for the beneficiary reflects the wage level paid to all other individuals with similar experience and qualification working in this Department. If there is more than one wage paid, I am able to explain the reason(s) for this differential in wage rates. If required to do so, I am able to provide documentation, which includes the names and payroll records of similarly, employed individuals to the Department of Labor to verify these statements.

<table>
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<tr>
<th>Printed name of the Department Chair:</th>
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<td>Signature: ___________________________ Date____________________</td>
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Confidential H-1B worksheet
Page 2/5
Please check which of the following factors were considered in determining the salary:

- □ Degree(s) earned
- □ Area of specialization
- □ Previous work experience
- □ Comparable rate of pay at similar institutions
- □ Other (please explain):

Please complete information on documentation of similarly employed individuals, if applicable.

- □ There are no similarly employed individuals in this department.
- □ There are similarly employed individuals, and information on their qualifications is given below

I hereby certify that the salary listed above reflects the wage level paid to all other individuals with similar experience and qualifications working in this department. If there is more than one wage paid, I am able to explain the reason(s) for this differential in wage rates.

**DOCUMENTATION OF EMPLOYEES IN THE SAME JOB CLASSIFICATION**

As required by the Department of Labor (DOL), please provide the following information on those individuals employed in the department at this time with the same job title and similar skills, education and experience as the person for whom the H-1B petition will be filed:

<table>
<thead>
<tr>
<th>Name</th>
<th>Job title</th>
<th>Highest degree</th>
<th>Years of experience</th>
<th>Annual salary</th>
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Checklist for prospective H-1B Scholar:

- 5 copies of the passport identification pages
- 5 copies of the U.S. visa pages from your passport (if applicable)
- 5 copies of the latest I-94 form (Arrival and Departure record)
- 5 copies of your highest diploma, or a transcript if the diploma does not show that the degree awarded was in your field of specialty. Please note: If the above diploma comes from an institution outside the U.S., submit 5 copies of a translation of the degree (if it is not in English) and 3 copies of a Credentials Evaluation from a recognized U.S. credentials evaluation service. Any diploma issued by an institution outside the U.S. must be evaluated as equivalent to a degree in the U.S. If you do not have a credentials evaluation, you can use one of the services listed, or another of your choosing.
  
  Academic Credential Evaluators:
  - Foreign Credentials Services of America [www.fcsc.biz](http://www.fcsc.biz), 1910 Justin Lane (512) 459-4565, Austin, TX 78757-2411
  - World Education Services, Inc. [www.wes.org](http://www.wes.org), P.O. Box 745, Old Chelsea Station 1-800-937-3895 New York NY 10113-0745
  - SpanTran Educational Services, Inc. [www.spantran-edu.org](http://www.spantran-edu.org), 7211 Regency Square Blvd., Suite 205 (713) 266-8805, Houston, TX 77036-3197
- Signed “True Copy” statement, certifying that the photocopies of documents are true copies, and 5 copies of same.
- 5 copies of your Curriculum Vitae (C.V.) with a list of publications.
- If you are or have been an F-1 student in the U.S., submit 5 copies of all Forms I-20. If you worked in the U.S. on F-1 practical training or as a J-2 spouse: 5 copies of all Employment Authorization Cards (front and back).
- If you worked in the U.S. on F-1 practical training or as a J-2 spouse, submit 5 copies of all Employment Authorization Cards (front and back).
- If you are or have been in the U.S. as a J-1 exchange visitor, submit 5 copies of all Forms DS 2019 (previously known as IAP-66), front and back. If your J-1 visa says you are subject to the two-year rule, also submit 4 copies of the waiver of that rule, or a U.S. Department of State advisory opinion declaring that you are not.
- If you have been in the U.S. in H-1B or H-4 status, submit 4 copies of all prior Form I-797 Approval Notices for H-1B petitions or H-4 extensions.

If application is being filed for dependent family members presently in the U.S.:

- Completed Form I-539 (Application to Extend/Change Nonimmigrant Status), with supplements if you have dependent family members presently with you in the U.S. This application should be completed by the primary person petitioning for H-4 status, not the employee. Form can be downloaded from [www.uscis.gov](http://www.uscis.gov)
- Filing fee of $290.00 for Form I-539. Make a separate check payable to “US Department of Homeland Security.”
- 5 copies of identification pages and U.S. visa pages from passport(s) of dependent(s).
- 5 copies of Form I-94 Arrival and Departure Record (front and back) for each dependent.
- Evidence of your dependents’ relationship to you, e.g., such as marriage and birth certificates with English translation(s) (5 copies).
- 5 copies of Employment Authorization Card(s), I-20s, I-797s or any other documents proving spouse’s and children’s current immigration status (if applicable).

Please return requested documents using any of the following methods:

1) mail to Trinity University
   International Programs Office
   International Student & Scholar Services
   One Trinity Place, Box 100
   San Antonio, TX 78212-7200

2) Fax: +1-210-999-7305

3) E-mail scanned copies in PDF format to: inessa@trinity.edu
H-1 VISA QUESTIONNAIRE

To be completed by prospective H-1B scholar. Please return to International Students & Scholar Services.

(Last Name) (First Name) (Middle)

Address abroad to which you will return (all applicants must provide a foreign address):

Present Address (If outside the U.S., the Embassy will contact you at this address):

Location of U.S. Embassy/Consulate where you want the second copy of the petition to be sent (the place where you are most likely to go to obtain an H-1 visa stamp in your passport)

Social Security Number - -

Date of Birth: / / Country of Birth Province of Birth
Month Day Year

Country of Citizenship: Country of Birth: Marital Status:

Will members of your family be requesting H-4 (dependent status)? How many?

Current E-mail address: Trinity E-mail address:

Current employer:

Telephone number where we may contact you:

Dates of prior periods of stay in the U.S. for the past 6 years and type(s) of visa. (Please attach sheet, if necessary)

Date of initial arrival into U.S.: Date of last arrival in U.S.: Current visa type (if any):

Current I-94 Admission No. (if in U.S.)

Has an immigrant visa petition or application for permanent labor certification ever been filed on your behalf? If "Yes", where did you apply and what is the status of the application?

Have you ever applied for an immigrant visa or permanent residence in the U.S.?

If "Yes," where and when did you apply and what is the status of the application?

Name of institution where highest degree was received:

Address of degree-granting institution, if in U.S.:

True Copy statement

Copies of documents submitted are exact photocopies of unaltered original documents.

I understand I may be required to submit original documents to an immigration officer of consular officer at a later date.

______________________________ ____________________
Printed name