



International Student and Scholars Office

Student Academic Affairs

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Extending and Maintaining H-1B Status

EXTENSIONS

Extensions may be granted until the scholar reaches the 6-year maximum given departmental confirmation that the academic appointment and funding will continue for the duration of the extension.

CHANGES IN EMPLOYMENT ? (H-1B AMENDMENT)

The H-1B classification approved by the DOL and USCIS is specific to salary; benefits; work location; job description; title; and employer. Therefore, the faculty member supervising the international scholar, or department representative administering academic appointments and employment needs, must contact SISS to initiate an amended petition prior to any changes to the employee's activities. These changes include, but are not limited to, changes in employment/academic appointment, compensation, location of employment, duration of appointment, change in immigration status, and termination of employment. Failure to comply with these regulations may jeopardize the lawful immigration status of the visitor, his/her family, as well as UCSF's ability to sponsor international scholars in the future. Please contact SISS when contemplating any change in employment.

CHANGING H-1B EMPLOYERS (H-1B TRANSFERS)

As H-1B holders, international scholars must maintain continuous employment regardless of the employer. Since there can be no gap in employment, this means that it is crucial to understand the timing issues involved in an H-1B transfer, whether transferring to UCSF from another institution, or from UCSF to a new employer. H-1B status holders must remain employed with the current employer until the new employer can submit a new H-1B application on behalf of the scholar, and receive evidence in the form of the official USCIS receipt notice as proof of having submitted the application.

MAINTAINING YOUR H-1B STATUS: To maintain your H-1B status, the scholar must: ?
Maintain a valid passport during his/her stay in the U.S. ? Notify the USCIS of any change of address within 10 days of moving. ? Not remain in the U.S. past the expiration date of his/her last I-94 Form. There is no grace period for H-1B holders. ? If your employment will be

extended, ask your department to do so at least three to six months in advance of the expiration of your current I-94.

DOCUMENTS REQUIRED AS PROOF OF STATUS: Scholars in H-1B status are required to maintain and carry these official documents: ? Passport that is valid for 6 months beyond the H-1B status expiration date ? USCIS Form I-797 H-1B Approval Notice indicating H-1B validity dates ? Form I-94 marked ?H-1B? with the H-1B status expiration date (this form must now be printed from www.cbp.gov/I94 ^[1])

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UCSF Main Site

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Links

[1] <http://www.cbp.gov/I94>